

RESOLUTION 2014-51

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA
AMENDING THE URBAN GROWTH BOUNDARY AND LAND USE DESIGNATION
OF THE 1998 GENERAL PLAN OF 28.3 ACRES AT THE NORTH END OF THE
CITY ON THE WEST SIDE OF THE SAN JUAN HIGHWAY, IDENTIFIED AS
ASSESSOR'S PARCEL NUMBER 002-220-006**

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WHEREAS, Bob Fulton, RL Fulton Holding Company, LLC (sometimes herein referred to as "Applicant," has made application to City for a tentative map, general plan amendment, rezoning, and amendment to the Urban Growth Boundary (UGB), to construct 85 single-family homes on land presently designated and zoned as agricultural, which would be designated and zoned low density residential and available for consideration of residential development upon approval of Applicant's UGB, land use, and zoning applications; and

WHEREAS, by Resolution No. 2014- __, passed and adopted December 16, 2016, this Council approved an Initial Study/Mitigated Negative Declaration covering all applications noted above; and

WHEREAS, the City Council conducted duly a noticed public hearing on December 16, 2014 for the purpose of considering the application to amend the 1998 General Plan Urban Growth Boundary and Land Use Designation, more particularly described in the staff report and other materials provided to this Council by staff; and

WHEREAS, the City Council at the Public Hearing received the staff report and supporting documents, oral public testimony, written comments, electronic communication and citizen input on the proposed amendments to the 1998 General Plan, including the recommendation of the Planning Commission, included in the staff report, that this Council approved the UGB and land use designation requests; and

WHEREAS, the this has Council reviewed and considered all materials and information noted in the recital next above; and

WHEREAS, the City Council, based upon all noted materials and information noted above, n, find that in light of the whole record before the Council that the amendment of the amendment of the 1998 General Plan to change the Urban Growth Boundary and Land Use Designation from agriculture to low density residential of 28.3 acres of land (APN 002-220-006) lying northerly of the Creek Bridge subdivision will have a less than significant impact on the environment of the surrounding and immediate area. Further, this Council hereby makes the following findings to support the granting of the UGB and land use designation applications.

1. The amendment of the 1998 General Plan for the extension of the urban growth boundary is contiguous to the existing urban area of the City and will result in an orderly and outward growth for future urban development.

2. The amendment of the 1998 General Plan for changing the land use designation from agriculture to low density residential will have a less than significant impact on the surrounding area with proper mitigation measures that will be required for any future urban development.
3. The amendment of the 1998 General Plan will not significantly affect the total acreage of agricultural lands within the City's sphere of influence or increase the potential for vandalism, trespass, or the creation of public or private nuisance on private, public or agriculture lands.
4. The amendment of the 1998 General Plan of the urban growth boundary is a proactive planning tool that will enable the Planning Commission to plan for future development within the area so it will not result in degradation of the water quality of the City's water system.
5. The amendment of the 1998 General Plan will not result in reduction of public access to public properties and facilities provided that access does not infringe upon private property rights.
6. The amendment of the 1998 General Plan will allow the City to plan for future urban growth development that is consistent and compatible with the goals, objectives and the surrounding areas that are within the City's existing city limits and service capabilities.
7. The amendment of the 1998 General Plan will not result in any increased requirements or restrictions upon agricultural practices of prime farm lands.
8. The amendment of the 1998 General Plan will allow uses that will be properly related to other uses, transportation facilities, and other public facilities in the area and will not cause undue environmental impact relating to noise, odor and pollution.
9. The amendment of the 1998 General Plan for extension of the urban growth boundary and change to the land use of the area will be consistent with the goals, objectives, and polices of the 1998 General Plan for future urban development.
10. The amendment of the 1998 General Plan to extend the urban growth boundary encompasses an area that is not designated prime farm land.
11. The amendment of the 1998 General Plan to change the Urban Growth Boundary and Land Use Designation from agriculture to low density residential for 28.3 acres of land (APN 002-220-006) that is currently within the city limits and currently being serviced with public utilities by the City.
12. This amendment to the General Plan complies with Government Code Section 65358(b) and as a minor and non-substantial amendment to the General Plan, was properly noticed and no further referrals to public agencies were required by Government Code Section 65352.

NOW, THEREFORE, BE IT RESOLVED, That the City Council has reviewed and considered the Initial Study and Mitigated Negative Declaration and hereby adopts the CEQA Findings and the Mitigation Monitoring Program for the amendment of the 1998 General Plan Urban Growth Boundary and Land Use Designation from agriculture to low density residential of the 28.3 acres of land for (APN 002-220-006);

BE IT FURTHER RESOLVED, that the Planning Commission of the City of San Juan Bautista hereby approves the amendment of the 1998 General Plan Urban Growth Boundary and

Land Use Designation from agriculture to low density residential of the 28.3 acres of land (APN 002-220-006).

BE IT FURTHER RESOLVED, that staff is directed to amend the General Plan Land Use Map and other documents as required to effect and depict the action hereby taken

PASSED AND ADOPTED BY the City Council of the City of San Juan Bautista this 16th day of December 2014 by the following vote.

AYES: Boch, West, Martorana, Edge, Lund

NOES: None

ABSENT: None

ABSTAIN: None

Mayor Robert Lund

Connie Schobert, City Clerk