

**PROOF OF PUBLICATION
(2015.5 C.C.P.)**

**STATE OF CALIFORNIA
County of San Benito**

I am a citizen of the United States and a resident of the County aforesaid. I am over the age of eighteen years, and not a party to or interested in the above entitled matter.

I am the printer and principal clerk of the publisher of the Free Lance, published on line, printed and published in the city of Hollister, County of San Benito, State of California, **FRIDAY, AND ON LINE** for which said newspaper has been adjudicated a newspaper of general circulation by the **Superior Court of the County of San Benito, State of California, under the date of June 19, 1952, Action Number 5330**, that the notice of which the annexed is a printed copy had been published in each issue. Thereof and not in any supplement on the following dates:

April 5, 2019

I, under penalty of perjury that the foregoing is true and correct. This declaration has been executed ON April 5, 2019

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**NOTICE OF PUBLIC HEARING
COUNTY OF SAN BENITO BOARD OF SUPERVISORS
MEETING OF APRIL 16, 2019**

NOTICE IS HEREBY GIVEN that the Board of Supervisors of the County of San Benito, California, is scheduled to review and potentially adopt an ordinance approving:

First Amendment to the "Development Agreement By And Among The County of San Benito, Pulte Home Corporation and San Juan Oaks, LLC."

OWNER/APPLICANT: San Juan Oaks LLC/Scott Fuller. **LOCATION:** All lands within the San Juan Oaks Specific Plan District. **REQUEST:** The Applicant is requesting an amendment to incorporate the following terms:

1. At Owners' sole discretion, Owners may elect to pay the entire Community Benefit Fee (CBF), upon the date the first residential building permit is pulled, or March 31, 2021, whichever date occurs first ("Trigger Date"). If Owners makes such an election, then Owners shall pay an additional \$500,000 to County, bringing the total CBF to \$6,059,000. If Owners do not make this election, sections 2.6, 2.7 and 3.2 in the DA remain in full force and effect, except as modified in section 3, below.
2. If Owners make such an election, then County shall extend the Lock Term ("e.g. Fee Vesting Time Period") for the Development Impact Fees to run seven and one-half years, with the Lock Term commencing six months following the Trigger Date.
3. Owners' offer of dedication of the Public Safety Facility Site shall remain open, and shall not terminate fifteen (15) years following the offer. Should County accept Owners offer of dedication for the Public Safety Facility Site, but subsequently decide to sell said site, County shall give Owners the right of first refusal to purchase said site back from the County at then-prevailing fair market price, as may be determined by a mutually agreed upon appraiser.
4. Owners shall advise the County of its election regarding the CBF no later than sixty days prior to pulling the first building permit, and in no event later than sixty days prior to March 31, 2021. If Owners make the election to pay the entire CBF at once, pursuant to paragraph 1 above, that election shall be final.

Presently, the negotiated term of the Development Agreement (DA) locks impact fees at 2014 rates to March 31, 2023 (4 more years). Following that March 31, 2023 date, without amendment to the Development Agreement, the County would be able to collect updated and adjusted Impact Fees in place at the time of individual building permit applications. The applicant's requested First Amendment to the DA extends the lock term for the 2014 Impact Fee rates. **GENERAL PLAN:** Planned Development and

Rangeland. **ZONING:** San Juan Oaks Specific Plan District. **ENVIRONMENTAL EVALUATION:** Proposed Addendum to the San Juan Oaks Specific Plan Subsequent Environmental Impact Report (State Clearinghouse No. 2013101006).

PLANNING COMMISSION RECOMMENDATION: On March 20, 2019, the Planning Commission adopted a resolution making findings and recommending that the Board of Supervisors approve the proposed amendment to the Development Agreement.

NOTICE IS HEREBY FURTHER GIVEN that the Board of Supervisors will hold a Public Hearing on these items in the Board of Supervisors Chambers of San Benito County, located at 481 Fourth Street, Hollister, California, on **Tuesday, April 16, 2019, at 9:00 am.** or as near as possible thereafter, at which time and place interested persons may appear and be heard thereon.

If you challenge these items in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the County of San Benito at, or prior to, the Public Hearing.

Documents related to these items may be inspected by the public on weekdays between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, at the County Resource Management Agency, 2301 Technology Parkway, Hollister, CA. Please call the Planning Division of the RMA if there are any questions and/or for complete agenda information at 831 637-5313.

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(PUB HF 4/5)