

**RESOLUTION NO. 2025-XX**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER  
APPROVING A CONDITIONAL USE PERMIT FOR THE OPERATION OF  
A SOBER LIVING FACILITY (BRIGHT FUTURE RECOVERY) WITH 22  
RESIDENTIAL BEDS LOCATED AT 1000 FAIRVIEW ROAD  
(APN 057-710-012-0)**

**WHEREAS**, the Applicant, Bright Future Recovery, has submitted an application for a Conditional Use Permit (CUP 2022-5) to allow for the operation of Bright Future Recovery located at 1000 Fairview Road; and

**WHEREAS**, the proposal includes the establishment of a community care facility (sober living facility) to provide services for up to 22 residents in a sober living facility; and

**WHEREAS**, the Development Review Committee considerations were presented to the Planning Commission as part of the Staff Report and the Conditions of Approval for the project; and

**WHEREAS**, on April 24, 2025, the Planning Commission held a duly noticed public hearing and adopted Resolution No. 2025-10 recommending City Council approval of the Conditional Use Permit for Bright Future Recovery; and

**WHEREAS**, a Staff Report was submitted to the City Council of the City of Hollister recommending approval of a Conditional Use Permit; and

**WHEREAS**, the City Council held a duly noticed public hearing on May 19, 2025 to consider Conditional Use Permit 2022-5, review the City Staff Report, and receive written and oral testimony for and against the proposal; and

**WHEREAS**, the California Environmental Quality Act (CEQA), together with State guidelines and City environmental regulations require that certain projects be reviewed for environmental impacts and that environmental documents be prepared; and

**WHEREAS**, pursuant to CEQA, the City Council has adopted a Resolution approving an Addendum to the 1998 West of Fairview Specific Plan Environmental Impact Report which was certified by the Hollister City Council (SCH # 1990031027). An Addendum was determined to be the proper method to review this project under CEQA because the proposed project requires minor changes to the project studied in the EIR and the proposed modifications will not result in any new impacts or mitigation measures; and

**WHEREAS**, after closing the public hearing, the City Council deliberated and recommended City Council approval in accordance with Section 17.24.200 of the City of Hollister Municipal Code, and based on the facts as presented, and the code requirements as plainly stated; and

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Hollister does hereby make the following findings and determinations regarding the proposed Conditional Use Permit (CUP 2025-5):

- A. The proposed use is conditionally allowed within the subject zoning district and complies with all of the applicable provisions of this Zoning Ordinance because:
  - 1. The proposed project is a conditionally permit use as amended by the West Fairview Specific Plan which is a part of this project.
  - 2. The State of California has determined that community care facilities are an important asset for communities and are considered a residential use.
  - 3. The proposed sober living facility will operate with up to 22 beds serving 22 residents living at the facility.
  - 4. As conditioned, the operation of the facility will comply with all requirements of the West of Fairview Specific Plan and Zoning Ordinance.
  
- B. The proposed use is consistent with the General Plan because:
  - 1. The site has a general plan land use designation of Low Density Residential. The proposed use has been determined to be a residential use by the State of California.
  - 2. The proposed site is adequate to support the sober living facility.
  - 3. The sober living facility will allow for up to 22 people to live in the facility and recovery support services to provide them with a supportive living environment.
  
- C. The approval of the Conditional Use Permit for the proposed use is in compliance with the California Environmental Quality Act (CEQA):
  - 1. The proposed project was reviewed with respect to the 1998 West of Fairview Specific Plan Environmental Impact Report (EIR) and the 2007 Supplemental Environmental Impact Report. Staff determined that there were minor modifications to the project from what was studied in the prior environmental documents, but that the modifications were minor and the project would not result in any additional impacts. In accordance with CEQA Guidelines Section 15614, an Addendum was prepared to discuss the minor modifications.
  
- D. The location, size, design, and operating characteristics of the proposed use are compatible with the existing and future land uses in the vicinity because:

1. The new buildings are located on an existing development property and will be set back from the surrounding residential neighborhood due to the proposed setbacks of the building, existing sidewalks and street, and fence located around the property.
  2. The proposed site will be modified to include two new buildings for a total of three buildings and the site (1.15 acres) has adequate space to accommodate the buildings and allow for landscaping and screening of the buildings.
  3. The operating plan for the site ensures that residents will remain on site and not significantly impact traffic and circulation in the area. Visitors to the site are limited and the proposed operations of the site are to provide living and support services to the residents and their families only.
- E. The proposed use would not impair the architectural integrity and character of the zoning district in which it is located because:
1. The proposed use is consistent with the use of the surrounding area which is a combination of different residential use types including single family residential, cluster lots, and apartments.
  2. The proposed buildings have been designed to fit in with the scale and character of the surrounding neighborhood.

**Conditions of Approval  
 CUP 2022-5**

No.	Condition of Approval	Responsible Department	Required Prior To:
<b>General Conditions</b>			
1	<b>Approval.</b> This Conditional Use Permit approval is for the sober living facility located at 1000 Fairview Road (S&A 2022-13, CUP 2022-5, and SPA 2022-1). The proposed use shall be in substantial conformance to Exhibit A (written statement) prepared by Bright Future Recovery and the approved project plans on file with the Planning Division, and other plans, text and diagrams relating to this Project, except as modified by the following conditions.	Planning	On-going

No.	Condition of Approval	Responsible Department	Required Prior To:
2	<p><b>Permit Expiration.</b> In accordance with Section 17.24.200(F) of the Municipal Code and these Conditions of Approval, this Conditional Use Permit shall expire if the approved Site and Architectural Review has expired, unless an extension has been granted.</p>	Planning	May 19, 2027
3	<p><b>Time Extension.</b> In accordance with Section 17.24.200(F)(2) of the Municipal Code, the Community Development Director may extend the time for an approved permit to be exercised upon the Applicant(s) written request for an extension of approval at least 30 (thirty) days prior to expiration of the permit together with the filing fee. If the Director determines that the permittee has proceeded in good faith and has exercised due diligence in complying with the conditions in a timely manner, the Director may renew the permit for up to two additional years. Approval of an extension by the Community Development Director shall also extend the validity period of this Conditional Use Permit.</p>	Planning	30 days prior to expiration
4	<p><b>Appeal Period.</b> The building permit plan check package will be accepted for submittal after the completion of the 15-day appeal period for the project, unless the Community Development Director authorizes the project developer to submit a signed statement acknowledging that the plan check fees will be forfeited in the event that the approval is overturned on appeal or that the design is significantly changed as a result of the appeal. In no case will a building permit be issued until the appeal period has expired or a final action is taken on appeal.</p>	Planning	15 days following approval
5	<p><b>Revocation of Permit.</b> The Conditional Use Permit shall be revocable for cause in accordance with Section 17.24.200(H) of the Hollister Municipal Code. Any violation of the terms or conditions of this permit shall</p>	Planning	On-going

No.	Condition of Approval	Responsible Department	Required Prior To:
	be subject to citation.		
5	<p><b>Indemnification.</b> The Applicant/Developer shall defend, indemnify, and hold harmless the City of Hollister and its agents, officers, employees, advisory board from any claim, action, or proceeding against the City of Hollister or its agents, officers, or employees to attack, set aside, void or annul an approval of the City of Hollister or its advisory agency, appeal board, Planning Commission, City Council, Community Development Director or any other department, committee, or agency of the City related to this project to the extent that such actions are brought within the time period required by Government Code Section 66499.37 or other applicable law; provided, however that the Applicant/Developer's duty to so defend, indemnify, and hold harmless shall be subject to the City's promptly notifying the Applicant/Developer of any claim against the City and shall cooperate in the defense.</p>	Planning	On-going
6	<p><b>Minor Amendments.</b> Modifications or changes to this Conditional Use Permit approval may be considered and approved by the Community Development Director if the modifications or changes comply with the Zoning Ordinance.</p>	Planning	On-going
7	<p><b>Site and Architectural Review.</b> The Applicant and/or Property Owner shall also comply with all Conditions of Approval associated with the approved Site and Architectural Review for site improvements.</p>	Planning	On-going
8	<p><b>Clarification of Conditions.</b> In the event that there needs to be clarification to the Conditions of Approval, the Community Development Director and the City Engineer have the authority to clarify the intent of these Conditions of Approval to the Developer without going to a public hearing. The Community Development Director and City Engineer also have the authority to make minor modifications to these</p>	Planning	On-going

No.	Condition of Approval	Responsible Department	Required Prior To:
	conditions without going to a public hearing in order for the Developer to fulfill needed improvements or mitigations resulting from impacts to this project.		
9	<b>Code Enforcement.</b> Prior to issuance of a building permit, the applicant shall not be in violation of the City of Hollister Municipal Code involving the project site. More specifically, Section 1.16.100, Refusal to issue permits, license or other entitlements, which states “no department, commission or public employee of the city which is vested with the duty or authority to issue or approve permits, licenses or other entitlements shall issue or approve such permits, licenses or other entitlements where there is an outstanding violation involving the property upon which there is a pending application for such permit, license or other entitlement.”	All	Issuance of Building Permit
10	<b>Recordation.</b> These Conditions of Approval shall be recorded in the San Benito County Recorder’s office on the subject property prior to Occupancy.	Planning	Occupancy
<b>Planning - Project Specific Conditions</b>			
11	<b>Use.</b> This Conditional Use Permit approval, grants the use of the property located at 1000 Fairview Road for a sober living facility (community care facility) with up to 22 beds or residents with support staff and services only, as described in the Applicant’s written statement included as Exhibit A.	Planning	On-going
12	<b>Licensing.</b> The Applicant and all future owners of the daycare shall be licensed and comply with all State of California Community Care Licensing requirements.		
13	<b>Sale or Transfer.</b> Prior to the sale or transfer of this facility, the new owner/operator shall contact the Planning Division and submit a statement of operations to determine if a new Conditional Use Permit is required. Approval by the Community Development	Planning	On-going

No.	Condition of Approval	Responsible Department	Required Prior To:
	Director or Planning Commission (if a new or amended Conditional Use Permit is required) shall be secured prior to the operation of the facility by a new owner.		
14	<b>Noise/Nuisance.</b> The Applicant shall control all activities in the parking lot, landscape areas, and sport/activity areas so as not to create a nuisance to the surrounding area.	Planning	On-going
15	<b>Annual Review.</b> On an annual basis, the Conditional Use Permit approval may be subject to a review by the Community Development Director to determine compliance with the Conditions of Approval.	Planning	On-going

**PASSED AND ADOPTED**, by the City Council of the City of Hollister at a regular meeting held on May 19, 2025, by the following vote:

AYES:  
 NOES:  
 ABSTAINED:  
 ABSENT:

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Roxanne Stephens, Mayor

ATTEST:

APPROVED AS TO FORM:  
 Lozano Smith Attorneys at Law

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Jennifer Woodworth, MMC, City Clerk

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Mary F. Lerner, City Attorney

I, Jennifer Woodworth, MMC, City Clerk of the City of Hollister, do hereby certify that the attached Resolution No. 2025-XX is an original resolution, or true and correct copy of a City resolution, duly adopted by the Council of the City of Hollister at a regular meeting held on May 19, 2025, at which meeting a quorum was present.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Hollister on May 19, 2025.

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Jennifer Woodworth, MMC  
City Clerk of the City of Hollister