

ORDINANCE NO. _____ (N.C.S.)

**AN ORDINANCE AMENDING THE ZONING MAP BY RECLASSIFYING A
7.67 ACRE LOT LOCATED AT 295 SUN WAY FROM “PARK” TO
“INDUSTRIAL-GENERAL COMMERCIAL”
(RELATED TO GPA 2017-001)**

WHEREAS, on December 3, 2019, the Salinas City Council, at the request of Simas-East Market Street LLC, Applicant/Property Owner, held a duly noticed public hearing to consider Rezone 2017-002 to change the Zoning designation of an approximate 7.67-acre lot from “Park” to “Industrial-General Commercial” located at 295 Sun Way (APN: 003-212-017-000); and

WHEREAS, on September 12, 2019, the Salinas Traffic and Transportation Commission, held a duly noticed public hearing to consider Rezone 2017-002; and

WHEREAS, at the September 12, 2019 hearing, the Salinas Traffic and Transportation Commission considered the traffic impacts of Rezone 2017-002 and made a recommendation to City Council for approval; and

WHEREAS, on November 6, 2019, the Salinas Planning Commission, held a duly noticed public hearing to consider Rezone 2017-002; and

WHEREAS, on November 6, 2019, the Planning Commission considered a Mitigated Negative Declaration prepared for this project and independently determined that all impacts were adequately addressed in accordance with the California Environmental Quality Act; and

WHEREAS, on November 6, 2019, the Salinas Planning Commission weighed the evidence presented at said public hearing, considered the staff report, determined that positive findings could be made for approval of the project, adopted Resolution No. 2019-15 recommending adoption of the related Mitigated Negative Declaration and approval of Rezone 2017-002; and

WHEREAS, the City Council weighed the evidence presented at the December 3, 2019 public hearing, including the Staff Report which is on file at the City Clerk’s Office together with the record of environmental review; and

WHEREAS, at the December 3, 2019 public hearing, the City Council reviewed and considered the information contained in the Initial Study and related environmental documents including the Mitigated Negative Declaration.

NOW, THEREFORE, BE IT RESOLVED by the Salinas City Council that Rezone 2017-002 is hereby approved, and the following finding are hereby adopted as the basis for its determination, and that the foregoing recitations are true and correct, and are included herein by reference as findings:

Rezone 2017-002:

1. **The amendment is consistent with the Salinas general plan, any applicable specific plan, and other plans and policies adopted by the Salinas city council;**

The proposed Amendment is consistent with Salinas General Plan Policies. The location is not suitable for a park because the site is surrounded by industrial uses, US 101, and PGE power lines. Consistent with Community Design Policy CD-2.4, the requirements of the property owner and City to rezone the property in response to conditions of the lease encourages the rehabilitation of an industrial property. The grounds have been owned by a private corporation, which entered into a lease with the City of Salinas for the use as a park in 1974. A subsequent lease between the City of Salinas and the current property owner, Simas-East Market Street LLC, was terminated on November 4, 2018. Per Condition No. 6 of the lease, “upon termination of the lease agreement for any reason, Tenant agrees that it will cooperate in accomplishing a change of zoning of the leased premises to correspond with the zoning designation of other properties in the area in order to provide the Leased Premises the highest market potential possible.” This General Plan Amendment and Rezone is in direct response to Condition No. 6 of the Lease. The proposed Rezoning of an approximate 7.67-acre lot from “Parks” to “Industrial-General Commercial” would be consistent with adjacent uses located south and west of the project site and would allow future industrial uses and creation of jobs.

2. **The amendment will not have the effect of reversing the policies of the Salinas general plan, any applicable specific plan, and other plans and policies adopted by the Salinas city council;**

There are no policies within the Salinas General Plan that would be reversed as a result of this amendment. There are no Specific Plans or Precise Plans applicable to the site.

3. **The amendment would not create an isolated district unrelated to adjacent zoning districts;**

The proposed zoning amendment will not create an unrelated zoning district because the rezoning would extend the boundary of the existing and contiguous IGC base zoning district to include the proposed lot located at 295 Sun Way.

4. **The city has the capability to provide public utilities, roads, and services to serve the uses allowed by the proposed amendment.**

Salinas is an urbanized area and public infrastructure is presently in place to serve most uses. The proposed Rezoning would not create the need for additional infrastructure.

NOW, THEREFORE, THE SALINAS CITY COUNCIL HEREBY ORDAINS AS FOLLOWS:

SECTION 1. The City of Salinas's Zoning Map, a copy of which is on file with the City Clerk of the City of Salinas and which copy constitutes the original record, is hereby amended to reflect the following:

That certain real property located in the City of Salinas, County of Monterey, State of California, and shown and designated on that certain map attached hereto as Exhibit 1 and made a part hereof, entitled "Rezone Map – Rezone 2017-002" and which real property, approximately 7.67 acre lot (APN: 003-212-017-000) located at 295 Sun Way and now classified in the Parks (P) Zoning District, is hereby reclassified as shown on the attached "Rezone Map – Rezone 2017-002" into the Industrial-General Commercial (IGC) Zoning District.

SECTION 2. The aforesaid map and all notations, references and other information shown thereon shall be as much a part of this ordinance as if the matters and information shown on said map were fully described herein.

SECTION 3. This ordinance shall take effect and be in force thirty days from and after its adoption.

SECTION 4. The Salinas City Clerk is hereby directed to cause the following summary of the ordinance to be published by one insertion in the *The Californian*, a newspaper of general circulation published and circulated in the City of Salinas and hereby designated for that general purpose by the Salinas City Council:

"The City of Salinas's Zoning Map has been amended by reclassifying approximately 7.67-acre lot from the Parks (P) Zoning District to the Industrial-General Commercial (IGC) Zoning District on property located at 295 Sun Way. This Ordinance goes into effect 30 days after adoption. For additional detail concerning this amendment, contact Community Development Department, 65 West Alisal Street, Salinas, CA 93901."

This ordinance was introduced and read on December 3, 2019 and passed and adopted on December 17, 2019, by the following vote:

AYES:

NOES:

ABSENT:

Joe Gunter
MAYOR

ATTEST:

Patricia M. Barajas
City Clerk

EFFECTIVE DATE: January 16, 2020

Attachment: Exhibit A: Proposed Rezone Map 2017-002 Map for 295 Sun Way

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