

**SALINAS PLANNING COMMISSION
RESOLUTION NO. 2019-10**

**RESOLUTION RECOMMENDING THE CITY COUNCIL ADOPT AN ORDINANCE
AMENDING CHAPTER 37 OF THE SALINAS MUNICIPAL CODE (ZONING) TO
ALLOW RESIDENTIAL USES IN THE PUBLIC/SEMIPUBLIC (PS) ZONING DISTRICT
SUBJECT TO APPROVAL OF A CONDITIONAL USE PERMIT (CUP)
(ZCA 2019-003)**

WHEREAS, on November 7, 2006, the Salinas City Council, adopted Ordinance Number 2463 replacing the existing Zoning Code; and

WHEREAS, on May 18, 2010, the Salinas City Council adopted Ordinance Number 2507 which amended various provisions of Chapter 37 of the Salinas Municipal Code (“Zoning Code”) to allow for general changes, language clarification, and minor corrections; and

WHEREAS, on April 19, 2016, the Salinas City Council adopted Ordinance Number 2569 which amended various provisions of Chapter 37 of the Salinas Municipal Code (“Zoning Code”) to allow for general changes, language clarification, and minor corrections; and

WHEREAS, on December 6, 2016, the Salinas City Council adopted Ordinance Number 2581 which amended Zoning Code Sections 37-10.250, 37-10.280, and 37-10.430 to modify definitions related to accessory dwelling units; Sections 37-30.020, 37-30.060, 37-30.110, 37-30.160, and 37-30.430 to allow accessory dwelling units as permitted uses; and 37-50.250 to address conformance with state law regarding accessory dwelling units; and

WHEREAS, on April 18, 2017, the Salinas City Council adopted Ordinance Number 2592 which amended various provisions of Chapter 37 of the Zoning Code to remove the bedroom mix requirement for residential development in the Central City Overlay and correct typographical errors; and

WHEREAS, on July 3, 2018, the Salinas City Council adopted Ordinance Number 2605 which amended Sections 37-40.320(b) and 37-10.250 and added Section 37-50.015 of Chapter 37 to establish an adaptive reuse ordinance that would allow for the reuse of existing non-residential buildings for the production of housing when located in the Central City Overlay Downtown Core Zoning District and within a building at least fifty years old, or located within a historically significant building in the City; and

WHEREAS, on September 18, 2018, the Salinas City Council adopted Ordinance Number 2607 which amended Sections 37-40.320(b), 37-10.250, 37-50.015 of Chapter 37 of the Salinas Municipal Code (Zoning) to expand the adaptive reuse ordinance to include the Central City Overlay District; and

WHEREAS, on March 6, 2019, the Salinas City Council adopted Ordinance Number 2617 which amended Section 37-50.300 of Chapter 37 to permit temporary employee and interim housing in existing properties developed as a hotel or motel; and

WHEREAS, on October 2, 2019, the Salinas Planning Commission held a duly noticed public hearing to consider Zoning Code Amendment 2019-003, amending Zoning Code Section 37-30.390 to allow residential uses in the Public/Semipublic (PS) Zoning District through the Conditional Use Permit (CUP) process for recommendation to the City Council; and

WHEREAS, on October 2, 2019, the Salinas Planning Commission weighed the evidence presented at hearing, including the Staff Report which is on file at the Community Development Department together with the record of environmental review and hereby finds that the following amendment will not have the effect of reversing policies of the Salinas General Plan or other plans and policies previously adopted by the City Council and finds the project to be categorically exempt from the California Environmental Quality Act (CEQA), as follows:

NOW, THEREFORE, BE IT RESOLVED by the Salinas Planning Commission that the Commission recommends that the City Council find the project to be categorically exempt from the California Environmental Quality Act and introduce and then adopt Zoning Code Amendment 2019-003; and

BE IT FURTHER RESOLVED that the Commission adopts the following findings as the basis for its determination, and that the foregoing recitations are true and correct, and are included herein by reference as findings:

Categorical Exemption:

1. ***The project has been found to be a Class 5 Categorical Exemption pursuant to Guidelines section 15305 of the Guidelines to the California Environmental Quality Act;***

The proposed Zoning Code Amendment to modify Zoning Code Section 37-30.390 to allow residential uses in the Public/Semipublic (PS) District subject to approval of a Conditional Use Permit (CUP) is categorically exempt from further environmental analysis per CEQA Guidelines Section 15305 (Minor Alterations in Land Use Limitations). The proposed Amendment would not result in a significant environmental impact since it involves a minor alteration to Zoning Code Section 37-30.390.

Zoning Code Amendment 2019-003:

1. ***The amendment is consistent with the Salinas General Plan and other plans and policies adopted by the Salinas City Council.***

The proposed amendment would not result in uses inconsistent with any land use designation. It would allow for residential uses to be located on Public/Semipublic (PS) zoned properties through the Conditional Use Permit (CUP) process. Residential uses will not be permitted on PS-zoned properties located within the Airport Overlay District. The Zoning Code Amendment would be consistent with General Plan Policies LU-2.1 by maintaining a compact City form and with L-U-2.4 by utilizing well-designed in-fill development.

- 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.***

The proposed amendment will not reverse existing policies. The proposed changes would not be inconsistent with the General Plan or the Zoning Code and would allow residential uses in the Public/Semipublic (PS) Zoning District subject to approval of a Conditional Use Permit (CUP). The Zoning Code Amendment would be consistent with General Plan Policies LU-2.1 by maintaining a compact City form and with L-U-2.4 by utilizing well-designed in-fill development.

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

The proposed Amendment will not create any additional zoning districts.

- 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.

PASSED AND ADOPTED this 2nd day of October 2019 by the following vote:

AYES: Chairperson Griffin, Commissioners Laguna, Meeks, Nohr, Ottone, Rocamora

NOES: None

ABSTAIN: None

ABSENT: Commissioner Anzo

THIS IS TO CERTIFY that the foregoing is a full, true, and correct copy of a Resolution of the Planning Commission of the City of Salinas, that said Resolution was passed and adopted by the affirmative and majority vote of said Planning Commission at a meeting held on October 2, 2019, and that said Resolution has not been modified, amended, or rescinded, and is now in full force and effect.

SALINAS PLANNING COMMISSION

Date: _____

Courtney Grossman
Secretary

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