

**REPORT TO THE  
CITY COUNCIL**  
*City of Salinas, California*

DATE: April 4, 2017

FROM: Megan Hunter  
Community Development Director

SUBJECT: **PROPOSED OUTDOOR MARKET LOCATED AT 1040 NORTH MAIN STREET (SALINAS SPORTS COMPLEX - APN: 003-231-002-000) IN THE PS (PUBLIC/SEMIPUBLIC) DISTRICT.**

**RECOMMENDATION:**

It is recommended that the City Council approve the attached Resolution allowing an outdoor market for a six-month trial period located at 1040 North Main Street (Salinas Sports Complex) in the PS (Public/Semipublic) District and find the outdoor market exempt from the California Environmental Quality Act (CEQA).

**DISCUSSION:**

Proposal:

The proposed outdoor market is requested by El Mercado Popular, Inc. (Applicant) in connection with the California Rodeo Association at the Salinas Sports Complex (Rodeo Grounds). El Mercado Popular Inc. has been operating several outdoor markets in Santa Clara, Monterey and Santa Cruz Counties over the last six years. The purpose of the outdoor market is to create a family friendly event that brings together local farmers, food vendors, non-profits and used/new item vendors. To encourage increased access to fresh foods, certified farmers do not pay a fee to sell their produce. In addition, free space is available for government agencies and non-profit community organizations to distribute important community information.

The Salinas Sports Complex property is owned by the City of Salinas and is leased to the California Rodeo Association, a California corporation. There is no definition of an outdoor market in Chapter 37 (Zoning) of the Salinas City Code; Chapter 37 includes references to swap meets, flea markets, and farmers markets. In addition, Section 37-10.430 defines "Swap Meet" as occasional or periodic retail activities held in an open area or enclosed structure where groups of individual sellers are provided space to display, barter, or sell goods to the public. "Swap Meet" is defined to include flea markets, open-air markets, farmers' markets, or similar activities.

The Salinas Sports Complex property is located in the PS (Public and Semipublic) District and includes the Rodeo Grounds, Municipal Stadium, Municipal Aquatic Center, Community Center, and Sherwood Park. The following provides an overview of the zoning districts and land uses adjacent to the project site:

North: MX-FG1 (Mixed Use – Laurel Drive at North Main Street Focused Growth Overlay) & PS (Public and Semipublic)/Shopping Center and Recreational fields/facilities.

- South: CR (Commercial Retail), CT (Commercial Transition), R-H-1.8 (Residential – High Density) & R-M-2.9 (Residential – Medium Density)/Commercial and Residential uses
- East: PS (Public & Semipublic), R-H-2.1 (Residential – High Density), & R-L-5.5 (Residential - Low-Density)/Church, Elementary School, High & Low Density Residential uses
- West: CR (Commercial Retail)/Sherwood Gardens Shopping Center & Motels

### Background:

In 2011, a similar proposal was presented to City Council, which ultimately was not approved. During the hearing, multiple stakeholders expressed concerns about potential traffic and parking impacts to the adjacent neighborhoods and Sherwood Gardens Shopping Center. In addition, several business owners expressed concerned about losing business given that, in the 2011 proposal, the market would be open on Sunday, the most popular shopping day.

To address these issues, this new proposal would limit operations of the outdoor market to Wednesday for a trial period of six months. A maximum of 90 vendors would be allowed. The hours of operation for the outdoor market are proposed from 4:00 p.m. to 8:00 p.m. Vendor access would be limited from 2:00 p.m. to 9:30 p.m. The outdoor market would be held in the “Midway” generally located on the westerly portion of the Salinas Sports Complex, along the North Main Street frontage, between the box office and the Sports Complex Grandstand. Free off-street parking for the proposed outdoor market would be provided on-site, in the parking lot between the grandstands and the softball complex.

During the six (6) month trial period, the Applicant, or successor-in-interest shall be required to submit the following information to the Community Development Department at 3 months and 5 months:

- a. Number of vendors conducting business at the outdoor market;
- b. Number of vehicles; and
- c. Number of customers attending the outdoor market.

This information will be provided to the Planning Commission. If concerns are raised from the public prior to the Planning Commission’s scheduled review, the Planning Commission may direct staff to schedule a public hearing with the Commission at which time additional conditions could be imposed. No sooner than five (5) months from the date of the first outdoor market, the Planning Commission will hold a public hearing and determine appropriate actions and conditions for possible continued operations of the market.

### Analysis:

City Council Resolution No. 18280, approved by the Council on June 17, 2003, provides for a maximum of five (5) flea markets for a total of five days annually at the Salinas Sports Complex. In order for the proposed outdoor market to be approved as requested, the City Council will need to increase the maximum number of flea markets (or outdoor markets) from five (5) to twenty-seven (27) for a 6-month period.

The site is designated Public/Semipublic by the Salinas General Plan, which provides for public and semipublic uses such as the existing Salinas Sports Complex. Adjacent land uses include public/semipublic, residential, and commercial. Per Salinas City Code Section 37-50.170(c)(11),

farmers' market (outdoor market) uses as proposed may be allowed in the PS District subject to a Conditional Use Permit. However, pursuant to Section 37-10.070, the City Council may approve development on city-owned land in such a manner as it determines to be proper and in the public interest. Because the project site is owned by the City, the Council may approve the proposed outdoor market provided it is determined to be proper and in the public interest.

The outdoor market at the Salinas Sports Complex would operate 27 times over a six-month period (all on Wednesdays). This exceeds the maximum five (5) allowed flea markets (same as outdoor markets) per calendar year authorized by the attached City Council Resolution No. 18280. The proposed Resolution would allow for an increase in the number of outdoor markets at the Salinas Sports Complex, and rescind Resolution No. 18280 only to the extent that it limits "Flea Markets" at the Salinas Sports Complex to five (5) each year for a total of five (5) days. All other provisions of Resolution No. 18280 will remain in full force and effect.

Per City Code Section 37-50.360, the minimum number of off-street parking spaces for an outdoor market is one space for every 1,000 square-feet of lot area. Staff estimates that the project area of the outdoor market is approximately 110,000 square-feet, which would require a minimum of 110 off-street parking spaces, including five (5) accessible spaces. The applicant has stated that no more than 90 vendors will be allowed at the outdoor market.

There is an existing 450 space off-street parking lot located to the north of the proposed outdoor market site, which will be available to patrons of the outdoor market and minimize parking impacts to the surrounding neighborhood. To limit potential rubbish impacts to the surrounding neighborhood, the Applicant or successor-in-interest must ensure that common areas are clean and safe and meet the service needs of "Republic Services of Salinas," or the City's current recycling and solid waste provider at the time of initiation of the outdoor market use.

Conditions have been recommended for this outdoor market to ensure that, when implemented, the proposed use will conform and comply with Chapter 37 of the Salinas City Code such as the requirement to maintain a minimum of 110 off-street parking spaces, including five (5) accessible spaces be allocated to the Outdoor Market to minimize parking and traffic impacts to the surrounding neighborhood. The number of vendors would be limited to 90 to minimize potential impacts to the adjacent neighborhood. Prior to commencement of the Outdoor Market, the Applicant must provide a detailed site plan including the vendor stall size and location, an operation plan, and traffic plan to the City of Salinas for review and approval to ensure compliance with the conditions in the resolution. Staff has concluded that, with the conditions imposed, the proposed Outdoor Market is consistent with Section 37-10.070 and with other types of events held at the Salinas Sports Complex, a location intended for the use and enjoyment by the Salinas community.

#### Public Process:

On February 24, 2017, the Rodeo Subcommittee met to discuss the proposal. Councilwomen Craig and De La Rosa and Mayor Gunter were in attendance. The subcommittee requested that the Applicant reach out to various community stakeholders to discuss the proposal and instructed staff to bring the item before City Council by April 4.

On March 22, public notices were sent to all property owners within a 300-foot radius of the proposed outdoor market. In addition, the public notice was published in the Californian newspaper on March 24. A notice was also sent to the Salinas United Business Association (SUBA) given previous concerns expressed about the impact on businesses in its district.

## **ENVIRONMENTAL REVIEW:**

The environmental impacts of this project have been analyzed in accordance with the California Environmental Quality Act (CEQA). The project is found to be exempt from further environmental analysis pursuant to Section 15304(e) (Minor Alterations to Land).

### Categorical Exemption:

Prior to taking action, the City Council will need to confirm that the project is exempt from further environmental review by establishing the following finding (supportive evidence is provided below):

**The project has been found to be a Class 4 Categorical Exemption pursuant to Guidelines Section 15304(e) (Minor Alterations to Land) of the Guidelines to the California Environmental Quality Act;**

The proposed project is categorically exempt from further environmental analysis per CEQA Guidelines Section 15304(e) (Minor Alterations to Land), because the project does not include additional development or off-street parking.

## **ISSUE:**

Shall the City Council approve the requested outdoor market on Wednesdays at the Salinas Sports Complex?

## **FISCAL IMPACT:**

Fiscal impacts to the City are not expected to be significant whether the requested outdoor market is approved or denied.

## **TIME CONSIDERATIONS:**

The applicant desires to start the outdoor market on April 19, 2017. To meet this schedule, the outdoor market needs to be considered by the City Council as soon as possible.

## **ALTERNATIVES/IMPLICATIONS:**

The City Council has the following alternatives:

1. Affirm the findings set forth in the attached Resolution, finding the project exempt from the California Environmental Quality Act (CEQA) and approving the outdoor market at the Salinas Sports Complex, with modifications; or
2. Find that the proposal is not appropriate and establish findings denying the Applicant's request to operate a proposed outdoor market at the Salinas Sports Complex to an extent beyond what is currently permitted.

**CITY COUNCIL GOALS:**

The proposed project is consistent with City Council Goal of Economic Prosperity by providing a venue for local businesses to sell their products. In addition, the project achieves the Goal of Quality of Life by creating a safe, family friendly event and providing greater access to fresh and healthy food.

**CONCLUSION:**

Given the recommended conditions of approval to ensure the outdoor market’s compatibility with the adjacent commercial uses, staff believes the operation of an outdoor market at the Salinas Sports Complex is consistent with the Chapter 37 (Zoning) of the Salinas City Code and with the intended use of the Salinas Sports Complex. Staff recommends that the City Council approve the attached Resolution allowing the proposed outdoor market at the Salinas Sports Complex for a six-month period.

Distribution:  
City Council  
City Manager  
Department Directors  
Salinas Sports Complex

Back Up Pages:  
Proposed City Council Resolution  
Resolution No. 18280  
Salinas Sports Complex Lease Agreement