

**SALINAS PLANNING COMMISSION
RESOLUTION NO. 2023-11**

**RESOLUTION RECOMMENDING THE CITY COUNCIL ADOPT AN ORDINANCE
TO AMEND ZONING CODE SECTION 37-50.090 (FENCES, WALLS, AND HEDGES)
OF CHAPTER 37 OF THE SALINAS MUNICIPAL CODE (ZONING CODE) TO
MODIFY THE APPLICATION PROCESS FOR ELECTRICALLY-CHARGED WIRES
AND FENCES IN THE INDUSTRIAL GENERAL (IG) ZONING DISTRICT AND
OTHER SUBSECTIONS OF SECTION 37-50.090
(ZCA 2023-001)**

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

WHEREAS, the Salinas City Council has 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 October 4, 2023, this item was continued to the October 18, 2023 Planning Commission public hearing at the request of the Applicant; and

WHEREAS, on October 18, 2023, at a duly noticed public hearing, the Salinas Planning Commission recommended that the City Council introduce and adopt Zoning Code Amendment 2023-001, which amends Section 37-50.090 (Fences, Walls, and Hedges) of Chapter 37 of the Salinas Municipal Code (Zoning Code) to modify the application process for electrically-charged wires and fences in the Industrial General (IG) Zoning District and other subsections of Section 37-50.090; and

WHEREAS, on October 18, 2023, 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 2023-001; and

BE IT FURTHER RESOLVED that the Salinas Planning 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 (CEQA).*

The proposed Zoning Code Amendment amends Section 37-50.090 (Fences, Walls, and Hedges) of Chapter 37 of the Salinas Municipal Code (Zoning Code) to modify the application process for electrically-charged wires and fences in the Industrial General (IG) Zoning District and other subsections of Section 37-50.090 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 the above referenced Zoning Code Section.

WHEREAS, the Salinas City Council adopts the following findings, as set forth in Zoning Code Section 37-60.1120, as the basis for its introduction and adoption of the proposed Zoning Code Amendment:

Zoning Code Amendment 2023-001:

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

The proposed Zoning Code Amendment would amend Section 37-50.090 (Fences, Walls, and Hedges) of Chapter 37 of the Salinas Municipal Code (Zoning Code) to modify the application process for electrically-charged wires and fences in the Industrial General (IG) Zoning District and other subsections of Section 37-50.090.

The proposed Zoning Code Amendment includes specific standards to ensure that the conditions under which electrically-charged wires or fences would be operated are consistent with the General Plan and Zoning Code, and would not be detrimental to the public health, safety, or welfare. As a result, ZCA 2023-001 would be consistent with the General Plan and Zoning Code.

- 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 Zoning Code Amendment would amend Section 37-50.090 (Fences, Walls, and Hedges) of Chapter 37 of the Salinas Municipal Code (Zoning Code) to modify the application process for electrically-charged wires and fences in the Industrial General (IG) Zoning District and other subsections of Section 37-50.090.

As the General Plan does not specifically address electrically-charged wires or fences, the Zoning Code Amendment would not have the effect of reversing policies of the General Plan. There are no other plans and policies adopted by the Salinas City Council relating to electrically-charged wires or fences. As the Zoning Code Amendment is not site-specific, there are no known applicable Specific Plans.

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

The Zoning Code Amendment is an amendment to the text of the Zoning Code and would not rezone or create new zoning districts. Therefore, the Zoning Code Amendment would not create any isolated districts unrelated to adjacent 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. The proposed Amendment would not create the need for additional infrastructure.

PASSED AND APPROVED this 18th day of October 2023, by the following vote:

- AYES: Chairperson Gonzalez, Commissioners Donohue, McKelvey Daye, Meeks, Purnell, Ramos
- NOES: None
- ABSTAIN: None
- ABSENT: Commissioner Manzo

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 approved by the affirmative and majority vote of said Planning Commission at a meeting held on October 18, 2023, and that said Resolution has not been modified, amended, or rescinded, and is now in full force and effect.

SALINAS PLANNING COMMISSION

Date: 10/25/23



Courtney Grossman
Secretary