

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

**RESOLUTION BY THE SALINAS CITY COUNCIL ADOPTING A MITIGATED
NEGATIVE DECLARATION, MITIGATION MONITORING AND REPORTING
PROGRAM AND APPROVING AN AMENDMENT TO THE SALINAS GENERAL
PLAN TO CHANGE THE GENERAL PLAN DESIGNATION TO MIXED USE OF FIVE
(5) “PROJECT SITES” (GPA 2022-002 RELATED TO RZ 2022-002)**

WHEREAS, on September 26, 2023, the Salinas City Council held a duly noticed public hearing to consider General Plan Amendment 2022-002 and related Rezone 2022-002 of five (5) “Project sites” as described in more detail below:

1. General Plan Amendment 2022-002 (GPA 2022-002) changes the General Plan Land Use designation of five (5) “Project sites” from Commercial Retail (CR) and/or Industrial General Commercial (IGC) to Mixed Use (MX) as described below:
 - a. RZ 2022-002-A: Alisal Marketplace, located adjacent to East Alisal Street between Front Street and Griffin Street, consisting of 18 parcels that total 12.1 acres;
 - b. RZ 2022-002-B: Edge of Downtown/Front and John Streets, located adjacent to John Street between Abbott Street and Front Street, consisting of 8 parcels that total 3.7 acres;
 - c. RZ 2022-002-C: Foods Co Shopping Center, located on the southeast corner of East Alisal Street and South Sanborn Road, consisting of 8 parcels that total 13.5 acres;
 - d. RZ 2022-002-D: Laurel West Shopping Center, located east of North Davis Road between West Laurel Drive/Calle Del Adobe and Larkin Street, consisting of 6 parcels that total 16.2 acres; and
 - e. RZ 2022-002-D: Sears (Northridge Mall), located on the northwest corner of North Main Street and Madrid Street, consisting of 1 parcel that totals 8.41 acres (portion of a 10.2 acre parcel); and
2. The related Rezone (RZ 2022-002) changes the zoning designation of five (5) “Project sites” from Commercial Retail (CR) and/or Industrial General Commercial (IGC) to Mixed Use (MX) to align with GPA 2022-002.

WHEREAS, the City, in accordance with requirements of CEQA and the CEQA Guidelines prepared an **Initial Study Mitigated Negative Declaration [one (1) per site, five (5) total ISMNDs]**, for General Plan Amendment 2022-002 and related Rezone 2022-002 herein incorporated by reference and included as Exhibit “1”; and

WHEREAS, the City completed and filed a Notice of Intent to Adopt a Mitigated Negative Declaration with the Monterey County Clerk on August 18, 2023 which commenced a 20-day local public review period starting on August 18, 2023 and ended on September 6, 2023; mailed a Notice of Public Hearing to all property owners located within 300-feet each Project site on August 25, 2023; and posted the Notice of Intent to Adopt a Mitigated Negative Declaration in

locations throughout the City of Salinas City Hall and administrative offices on August 25, 2023; and

WHEREAS, the City submitted the Mitigated Negative Declaration to the State Clearinghouse on August 18, 2023, which commenced a 20-day local public review period starting on August 18, 2023, and ending on September 6, 2023 (SCH Number 2023080480); and

WHEREAS, on September 6, 2023, the Salinas Planning Commission, held a duly noticed public hearing to consider GPA 2022-002 and related Rezone 2022-002; and

WHEREAS, at that meeting, the Planning Commission considered the Mitigated Negative Declarations and Mitigation Monitoring and Reporting Programs (MMRPs) prepared for the proposed GPA 2022-002 and related RZ 2022-002 and independently determined that all impacts were adequately addressed in accordance with the California Environmental Quality Act; and

WHEREAS, the Planning Commission also weighed the evidence presented at said public hearing, considered the staff report, determined that positive findings could be established for approval of the General Plan Amendment 2022-002 (GPA 2022-002) and approved Resolution No. 2023-08 recommending that the City Council approve a resolution adopting the proposed Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for all “five (5) projects sites” and approving GPA 2022-002 for only “four (4) project sites” removing “one (1) project site” that being “Foods Co Shopping Center”; and

WHEREAS, on September 26, 2023, the City Council weighed the evidence presented at the public hearing, including the staff presentation and the Staff Report which is on file at the Salinas City Clerk’s Office and the Community Development Department, and all public testimony and documentary evidence introduced and received at the public hearing, together with the record of environmental review; and

NOW, THEREFORE, BE IT RESOLVED that the Salinas City Council hereby approves a resolution:

- a. Adopting the proposed Mitigated Negative Declaration; and
- b. Adopting the Mitigated Monitoring and Reporting Program (MMRP) contained in Exhibit “2”; and
- c. Approving General Plan Amendment 2022-002; and
- d. Adopting 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:

For the Mitigated Negative Declaration:

The City Council hereby finds that a Mitigated Negative Declaration has been prepared with respect to the project in compliance with the California Environmental Quality Act (CEQA) of 1970, as amended, and the guidelines promulgated thereunder. Further, this Council has independently reviewed and considered the information contained in the Initial Study and related environmental documents, together with the comments received

during the public review process. On the basis of the whole record before it, the Council finds that there is no substantial evidence that the Amendments will have a significant effect on the environment as the mitigation measures outlined in the proposed Mitigation Monitoring and Reporting Program reduce future project related impacts to less than significant level (see Exhibit “2” of attachment 1) and that the Mitigated Negative Declaration reflects the Council’s independent judgment and analysis. On this basis, the City Council adopts the Mitigated Negative Declaration and associated Mitigation Monitoring and Reporting Program.

The environmental impacts of the project have been analyzed in accordance with the California Environmental Quality Act (CEQA). An Initial Study (one (1) per “Project site”, five (5) total ISMNDs) was prepared to evaluate the potential impacts associated with the project. Based upon review of the Initial Study, the proposed project will not have a significant effect on the environment because the mitigation measures outlined in the proposed Mitigation Monitoring and Reporting Programs have been included in the project (Exhibit 2). The Initial Studies and Mitigated Negative Declarations were routed to responsible agencies on August 18, 2023, and posted at the County Clerk’s Office on August 18, 2023; the deadline for comments was September 6, 2023. The State Clearinghouse received the document on August 18, 2023; the deadline for Clearinghouse comments was September 6, 2023 (SCH Numbers 2023080480).

On June 14, 2022, the City of Salinas, pursuant to AB 52 (Chapter 532, Statutes 2014) and SB 18 (Chapter 905, Statutes 2004) sent via certified mail notification letters to nine (9) California Native American Tribes that are traditionally and culturally affiliated with the project area. The letter was sent to representatives of the Amah Mutsun Tribal Band, Amah Mutsun Tribal Band of Mission San Juan Bautista, Costanoan Rumsen Carmel Tribe, Esselen Tribe of Monterey County, Indian Canyon Mutsun Band of Costanoan, Ohlone/Costanoan-Esselen Nation, Wuksache Indian Tribe/Eshom Valley Band, Xolon-Salinan Tribe, and Runsen Am:a Tur:ataj Ohlone. Consultation for AB 52 ended on July 14, 2022, and consultation for SB 18 ended on September 12, 2022.

Chairperson Louise Miranda-Ramirez of the Ohlone/Costanoan-Esselen Nation requested formal consultation on September 13, 2022. Formal consultation was held by telephone on June 21, 2023. Nine (9) mitigation measures were requested through the formal consultation. The requested mitigation measures have been incorporated into the proposed Mitigation Monitoring and Reporting Program for the project (Exhibit 2). No requests for additional consultation were received.

It is noted that the circulated Initial Study and Mitigated Negative Declaration for the Sears (Northridge Mall) site incorrectly shows the proposed land use designation and zoning district applying to the total acreage of the site. The Initial Study and Mitigated Negative Declaration shows the proposed land use designation of Retail and zoning district of CR - Commercial Retail changing to Mixed Use for the entire 10.2-acre site; however, the proposed land use designation and zoning district would only apply to 8.41 acres. The remaining 1.79 acres would maintain the current land use designation and zoning district. The final ordinance for City Council consideration reflects the correct acreage.

Further, removal of the 1.79 acres does not affect the analysis contained in the Initial Study and Mitigated Negative Declaration because the Initial Study and Mitigated Negative Declaration analyzed the maximum buildout of the entire 10.2 acres with mixed-use buildings. Therefore, the Initial Study and Mitigated Negative Declaration analyzed the “worst-case scenario” for development of the site with higher intensity uses.

For the General Plan Amendment 2022-002:

1. That the proposed General Plan Amendment is in conformance with all other goals, policies, programs, and land uses of the Salinas General Plan.

The proposed Amendment is consistent with Salinas General Plan Policies. The proposed General Plan Amendment would change the existing designation for the project site and amend the General Plan Land Use and Circulation Policy Map to align with the proposed rezoning of the site to Mixed Use. The Amendment would be consistent with the General Plan land use designation of the adjacent sites of the subject site. The proposed “Mixed Use” land use designation for the five Project sites is consistent with General Plan Goal H-1, by providing a range of housing opportunities to adequately address existing and projected needs to Salinas. The proposed project also complies with General Plan Policy H-1.3, by identifying adequate sites to facilitate and encourage housing production for the existing and projected housing needs of the City. In addition, the project complies with General Plan Goal H-2, by maintaining and improving existing neighborhoods and housing stock and complies with General Plan Policy H-2.6, by encouraging the retention, rehabilitation, and new construction of high-density, well-designed housing in the Central City and other targeted areas, as discussed in the Land Use and Community Design Element.

2. That the proposed General Plan Amendment promotes the public necessity, convenience, and general welfare.

The General Plan Amendment promotes the public necessity, convenience, and general welfare because the proposal will create additional housing units the City of Salinas.

PASSED AND APPROVED this 26th day of September 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Kimbley Craig, Mayor

ATTEST:

Patricia M. Barajas, City Clerk

Attachments:

- Reso Exhibit 1: Initial Study/Mitigated Negative Declaration (ISMND), dated August 2023
- Reso Exhibit 2: Mitigation Monitoring and Reporting Program
- Reso Exhibit 3: Proposed General Plan Amendment 2022-002 and Rezone 2022-002 Map