

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

**AN ORDINANCE AMENDING THE ZONING MAP (RZ 2020-002) BY
RECLASSIFYING APPROXIMATELY 760 ACRES OF LAND FROM NEW
URBANISM INTERIM WITH A SPECIFIC PLAN OVERLAY DISTRICT TO
NEIGHBORHOOD EDGE A AND B/LOW DENSITY RESIDENTIAL,
NEIGHBORHOOD GENERAL A, B, C /MEDIUM DENSITY VILLAGE CENTER A
/HIGH DENSITY AND VILLAGE CENTER B/ HIGH DENSITY AND MIXED USE,
PARK, OPEN SPACE AND PUBLIC/SEMPUBLIC FOR THE CENTRAL AREA
SPECIFIC PLAN
(RELATED TO ER 2020-001, SPEC 2013-001, DA 2020-001)**

WHEREAS, Brian Finegan, Esq. (representing multiple property owners and developers) submitted applications for the proposed Central Area Specific Plan project (Project), including requests for a Specific Plan, Rezone, and Development Agreement approvals that would permit development of the 760-acre project site shown in Exhibit A, herein incorporated by reference; and

WHEREAS, the Project site consists of the following twenty-one parcels: 153-091-011000, 153-091-014-000, 153-091-016-000, 211-013-007-000, 211-013-010-000, 211-013-003-000, 211-013-011-000, 211-013-012-000, 153-091-017-000, 153-091-008-000, 153-091-009-000, 153-091010-000, 153-101-005-000, 153-071-011-000, 153-071-036-000, 153-071-035-000, 153-071-034-000, 153-091-015-000, 153-091-003-000, 153-091-001-000, 153-091-005-000; and

WHEREAS, the City of Salinas (hereinafter “City”), as lead agency under the California Environmental Quality Act (Pub. Res. Code Section 21000 et seq.) and the State CEQA Guidelines (14 Cal. Code Regs. Section 15000 et seq.) (collectively “CEQA”), has completed the Final Program Environmental Impact Report (“Final EIR”) State Clearinghouse No. 2017091022 for the Central Area Specific Plan in compliance with CEQA, along with all supporting documentation and notices which are herein incorporated by reference as Exhibits D through J; and

WHEREAS, on October 21, 2020 the Salinas Planning Commission held a duly noticed and agendized public hearing to consider the Final EIR (ER 2020-001); the proposed Central Area Specific Plan (SPEC 2013-001); Rezone (RZ 2020-002); and the proposed Development Agreement (DA 2020-001); and

WHEREAS, the Salinas Planning Commission weighed the evidence presented at said public hearing, including the staff report (and the project findings) which is on file at the Community Development Department, together with the record of environmental review including the Draft EIR (all of which were made publicly available consistent with state law prior to its public hearing and consideration of a recommendation to the City Council on the Project), public comments on said document and responses thereto, the Final EIR, and evidence and public testimony presented at the public hearing; and

WHEREAS, by Resolution No. 2020-005, the Salinas Planning Commission has recommended that the City Council certify the Final EIR, adopt the CEQA findings, adopt the Statement of Overriding Considerations, and adopt the Mitigation Monitoring Reporting Program

for the Project herein incorporated by reference; and

WHEREAS, by Resolution No. 2020-006, the Salinas Planning Commission has recommended that the City Council approve the Central Area Specific Plan (SPEC 2013-001), attached hereto as Exhibit B and incorporated herein by this reference, and by so doing, recommends that the Central Area Specific Plan be utilized as the land use and zoning; and

WHEREAS, by Resolution No. 2020-007, the Salinas Planning Commission has recommended that the City Council adopt an Ordinance to rezone (RZ 2020-002) the subject site from New Urbanism Interim (NI) with a Specific Plan Overlay to Neighborhood Edge A and B (NE-A and NE-B)/Low Density Residential, Neighborhood General A, B and C (NG-A, NG-B, and NG-C)/Medium Density Residential, Village Center A (VC-A)/High Density Residential, and Village Center B (VC-B)/High Density Residential and Mixed Use, as well as the Park (P), Open Space (OS) and Public/Semipublic Districts with Specific Plan Overlay District and Flood Overlay District, applied across the Specific Plan area as shown in Exhibit A, incorporated herein by reference; and applied across the Specific Plan area as shown in Exhibit K, incorporated herein by reference; and

WHEREAS, on November 17, 2020, the Salinas City Council held a duly noticed and agendized public hearing to consider the Final EIR (ER 2020-001); the proposed Central Area Specific Plan (SPEC 2013-001); Rezone (RZ 2020-002); and the proposed Development Agreement (DA 2020-001); and

WHEREAS, the Salinas City Council weighed the evidence presented at said public hearing, including the staff report which is on file at the City of Salinas Community Development Department, the project findings herein incorporated as Exhibit J, together with the record of environmental review including the Draft EIR, public comments on said document and responses thereto, the Final EIR (all of which were made publicly available consistent with state law prior to its public hearing and consideration of the Project), and evidence and public testimony presented at the public hearing; and

WHEREAS, notice of time and place of hearing for recommending certification of the Final EIR and recommending approval of the Project, including RZ 2020-002, was given in the manner prescribed by the City; and

WHEREAS, by Resolution adopted November 17, 2020, herein incorporated by reference, the City Council certified the Final EIR, adopted the CEQA findings, adopted the Statement of Overriding Considerations, and adopted the Mitigation Monitoring Reporting Program for the Project (which includes RZ 2020-002); and

WHEREAS, the Central Area Specific Plan contains modifications of standards contained in the City of Salinas Municipal Code that are applicable only within the Central Area Specific Plan boundary, and which will become effective upon the City Council's approval of the Specific Plan and attached approvals; and

WHEREAS, the proposed Rezone would change the existing zoning designation from New Urbanism Interim (NI) with a Specific Plan Overlay to Neighborhood Edge A and B (NE-A and NE-B)/Low Density Residential, Neighborhood General A, B and C (NG-A, NG-B, and NG-C)/Medium Density Residential, Village Center A (VC-A)/High Density Residential, and Village

Center B (VC-B)/High Density Residential and Mixed Use, as well as the Park (P), Open Space (OS) and Public/Semipublic Districts with Specific Plan Overlay District and Flood Overlay District, applied across the Specific Plan area as shown in Exhibit K, herein incorporated by reference; and

WHEREAS, the proposed Rezone has been found to be consistent with the goals, policies, and programs of the 2002 General Plan, and the proposed Central Area Specific Plan, as identified in the Project Findings attached hereto as Exhibit J and herein incorporated by this reference; and

WHEREAS, certain mitigation measures in the City's 2002 General Plan Final Program EIR and in the City's 2007 Final Supplement for the General Plan Final Program EIR are still valid and applicable to the Project and are herein incorporated by reference.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF SALINAS, as follows:

SECTION 1. The foregoing recitals and the information contained in the Exhibits are true and correct.

SECTION 2. The Salinas City Council has been provided with, and has reviewed, the Final EIR for the project, the staff report for the Project, written and oral testimony regarding the Project, and other relevant evidence in the administrative record (collectively, the "Record of Proceedings"), and hereby provides notification that the Record of Proceedings is on file with the City Clerk of the City of Salinas, 200 Lincoln Avenue, Salinas, CA 93901.

SECTION 3. The Salinas City Council declares that it has been provided with and has reviewed the information contained in the Final Program Environmental Impact Report, the evidence in the record, and the staff report and recommendations; has certified the Final Program EIR as set forth in Resolution ____ (N.C.S); and has adopted the CEQA Findings and Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program for the Central Area Specific Plan, as set forth in Resolution ____ (N.C.S).

SECTION 4. The Salinas City Council has been provided with, and has reviewed, the Project Findings, attached hereto as Exhibit J and incorporated herein by this reference, and other relevant evidence in the Record of Proceedings.

SECTION 5. 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 K and made a part hereof, entitled "Rezone Map – Rezone 2020-002" and which real property, approximately 760 acres, APNs: 153-091-011000, 153-091-014-000, 153-091-016-000, 211-013-007-000, 211-013-010-000, 211-013-003-000, 211-013-011-000, 211-013-012-000, 153-091-017-000, 153-091-008-000, 153-091-009-000, 153-091010-000, 153-101-005-000, 153-071-011-000, 153-071-036-000, 153-071-035-000, 153-071-034-000, 153-091-015-000, 153-091-003-000, 153-091-001-000 and 153-091-005-000 located in the Central Area Specific Plan area (as shown in Exhibit A) and now

classified in the New Urbanism Interim (NI) Zoning District, is hereby reclassified as shown on the attached “Rezone Map – RZ 2020-002” into Neighborhood Edge A and B (NE-A and NE-B)/Low Density Residential, Neighborhood General A, B and C (NG-A, NG-B, and NG-C)/Medium Density Residential, Village Center A (VC-A)/High Density Residential, and Village Center B (VC-B)/High Density Residential and Mixed Use, as well as the Park (P), Open Space (OS) and Public/Semipublic Districts with Specific Plan Overlay District and Flood Overlay District.

SECTION 6. The aforesaid map and all notation, 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 7. This ordinance shall take effect and be in force thirty days from and after its adoption.

SECTION 8. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of any competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The Salinas City Council hereby declares that it would have passed this ordinance, and each and every section, subsection, clause and phrase thereof not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

SECTION 9. The Salinas City Clerk is hereby directed to cause the following summary of this ordinance to be published by one (1) insertion in a newspaper of general circulation published and circulated in the City of Salinas and hereby designated for that purpose by the Salinas City Council:

“The City of Salinas’s Zoning Map has been amended by reclassifying approximately 760 acres, APNs: 153-091-011000, 153-091-014-000, 153-091-016-000, 211-013-007-000, 211-013-010-000, 211-013-003-000, 211-013-011-000, 211-013-012-000, 153-091-017-000, 153-091-008-000, 153-091-009-000, 153-091010-000, 153-101-005-000, 153-071-011-000, 153-071-036-000, 153-071-035-000, 153-071-034-000, 153-091-015-000, 153-091-003-000, 153-091-001-000 and 153-091-005-000 located in the Central Area Specific Plan area (as shown in Exhibit A) and now classified in the New Urbanism Interim (NI) Zoning District, is hereby reclassified as shown on the attached “Rezone Map – RZ 2020-002” into Neighborhood Edge A and B (NE-A and NE-B)/Low Density Residential, Neighborhood General A, B and C (NG-A, NG-B, and NG-C)/Medium Density Residential, Village Center A (VC-A)/High Density Residential, and Village Center B (VC-B)/High Density Residential and Mixed Use, as well as the Park (P), Open Space (OS) and Public/Semipublic Districts with Specific Plan Overlay District and Flood Overlay District. This Ordinance goes into effect 30 days after adoption. For additional detail concerning this amendment, contact the Community Development Department, 65 West Alisal Street, Salinas, CA 93901.”

PASSED AND ADOPTED this ____ day of _____ 2020 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED

Christie Cromeenes, Mayor Pro Tempore

ATTEST:

Patricia M. Barajas, City Clerk

APPROVED AS TO FORM:

Christopher A. Callihan, City Attorney

List of Attachments (Incorporated by Reference):

Exhibit A	Project Site Location Map
Exhibit B	Central Area Specific Plan with Errata Sheet
Exhibit C	Notice of Preparation
Exhibit D	Draft Program Environmental Impact Report (link
Exhibit E	Draft Program Environmental Impact Report Technical Appendices (link)
Exhibit F	Notice of Completion
Exhibit G	Final Program Environmental Impact Report
Exhibit H	CEQA Findings and Statement of Overriding Considerations
Exhibit I	Mitigation Monitoring and Reporting Program
Exhibit J	Project Findings
Exhibit K	Rezone Map – Rezone 2020-002