

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

DATE: June 14, 2016

FROM: Megan Hunter, Community Development Director

THROUGH: Courtney Grossman, Planning Manager

BY: Jill Miller, Associate Planner

SUBJECT: **SPECIFIC PLAN AMENDMENT 2016-001; REQUEST TO AMEND THE SALINAS AG-INDUSTRIAL CENTER SPECIFIC PLAN WITH REFERENCE TO SECTION 7.3, EXHIBIT F, AND THE MITIGATION MONITORING AND REPORTING PROGRAM LOCATED AT 1428 ABBOTT STREET IN THE IG-SP7-AP (INDUSTRIAL – GENERAL – SALINAS AG-INDUSTRIAL CENTER SPECIFIC PLAN-AIRPORT OVERLAY) ZONING DISTRICT**

RECOMMENDATION:

It is recommended that the City Council adopt a Resolution:

- a) Approving a proposed First Addendum to the Final EIR for the Salinas Ag-Industrial Center Specific Plan; and
- b) Approving Specific Plan Amendment 2016-001, a proposed First Amendment to the Salinas Ag-Industrial Center Specific Plan.

DISCUSSION:

Background:

The Uni-Kool Partners (property owner), is requesting an Amendment to the Salinas Ag-Industrial Center Specific Plan to remove reference to Ag Land Trust as the recipient of the agricultural conservation easement at 1428 Abbott Street (parent address for the Salinas-Ag Industrial Center Specific Plan).

The property is located in the Industrial – General – Salinas Ag-Industrial Specific Plan-Airport Overlay (IG-SP-7-AP) District and consists of agricultural land and vacant land. The following provides an overview of the land uses and zoning districts adjacent to the project site:

- North: Industry-General uses/IG-AP (Industrial – General– Airport Overlay)
South: Unincorporated Agricultural Land
East: Unincorporated Agricultural Land
West: Industry-General uses/IG-AP (Industrial – General– Airport Overlay)

Originally approved by the City Council on January 19, 2010, the Salinas Ag-Industrial Specific Plan allows for development of a range of agricultural industrial related uses. Major types of uses anticipated include: agriculture processing, agriculture processing related uses, and uses that produce products, equipment, or services that support agricultural related industries. The total building capacity is approximately 4,334,220 square feet over a 257-acre site.

Following approval of the project by City Council on January 19, 2010, compliance is required with various conditions of approval in connection with the Specific Plan, the master parcel map per Council Resolution No. 19807 and mitigation measures contained in the Mitigation Monitoring and Reporting Program. The master parcel map requires an Agricultural Buffer Easement to be conveyed by separate recorded document to minimize land use conflicts between the Plan Area and the adjoining agricultural uses. These considerations were addressed in response to comments on the Draft Environmental Impact Report, and integrated into the Final Environmental Impact Report (FEIR). For reference, excerpts regarding Agricultural Resources are attached herein.

ANALYSIS

Proposed text changes to the Salinas Ag-Industrial Specific Plan are shown in underline/~~strikeout~~ format of the text attached with the draft City Council Resolution as revised on page 7-3.

Due to the proximity to productive farm land, in order to ensure continued productivity of the adjacent agricultural land, the Salinas Ag-Industrial Specific Plan called for an agricultural buffer easement that would be dedicated to The Ag Land Trust. The Ag Land Trust is referenced in Section 7.3 of the Salinas Ag-Industrial Specific Plan, as well as in Appendix F, which is the Buffer Easement deed language.

This proposed First Amendment to the Specific Plan would allow any conservation agency, as verified by the City Attorney, to be the recipient of the agricultural conservation easement, as discussed in Section 7.3 and as required per Mitigation Measure AG-1. If the proposed Specific Plan Amendment is approved by the City Council, then the applicant or successor-in-interest and a non-profit grantee will need to complete the Agricultural Buffer Easement Deed. This would not require additional City Council consideration.

ENVIRONMENTAL REVIEW:

Pursuant to CEQA Guideline 15164, an addendum to a previously certified EIR may be prepared if some changes become necessary but no conditions have occurred calling for the preparation of a subsequent EIR. A final environmental impact report (FEIR) was prepared for the original project which was certified by the City Council on January 19, 2010. Per state CEQA Guidelines, this Addendum to the FEIR is appropriate because the proposed changes are not substantial and will not result in either 1. new significant environmental effects, nor 2. a substantial increase in the severity of previously identified significant effects (State CEQA Guidelines Sections 15162 & 15164). If approved, the Addendum would result in no change in the impacts evaluated in the FEIR, as it would not result in a change to the size or purpose of the easement, but only the entity to which it may be dedicated.

The City Council is asked to make an independent determination concerning the proposed First Addendum.

Planning Commission Review:

This item is being referred directly to the City Council in order to meet strict time restraints that, if not met, will cause hardship in executing development.

FINDINGS:

Specific Plan Amendment 2016-001:

The City Council may approve an application for the Specific Plan Amendment if all of the findings set forth in the attached City Council Resolution are established.

ISSUE:

Shall the City Council approve Specific Plan Amendment 2016-001 and the First Addendum to the Final EIR for the Salinas Ag-Industrial Center Specific Plan?

FISCAL IMPACT:

No significant impacts to the City’s General Fund are anticipated with this application. Over time as development occurs in the Plan area, the City would receive additional property tax revenue.

TIME CONSIDERATIONS:

The proposed project includes a request for a Specific Plan Amendment, which is a legislative act and is not subject to the Permit Streamlining Act (PSA). Staff encourages Council to take action on this Specific Plan Amendment and First Addendum to continue to move impacted development projects forward.

ALTERNATIVES/IMPLICATIONS:

The City Council has the following alternatives:

1. Affirm the findings set forth herein, adopt the Resolution adopting the First Addendum and approve the Specific Plan Amendment with modifications; or
2. Find that the proposal is not appropriate and establish findings at the public hearing denying the Specific Plan Amendment.

CITY COUNCIL GOALS:

The proposed Specific Plan Amendment is consistent with the City Council’s goal of Economic Diversity and Prosperity. Approval of the Specific Plan Amendment and Addendum to the EIR will provide latitude for major agricultural related development in the plan area.

CONCLUSION:

The proposed First Amendment to the Salinas Ag-Industrial Center Specific Plan will not result in a negative impact to the Salinas Ag-Industrial Center Specific Plan or the community. The Amendment would allow greater flexibility to the applicant/property owner in negotiations with conservation agencies necessary to comply with Mitigation Measure AG-1 of the Mitigation Monitoring and Reporting Program. As determined in the environmental review, there will be no substantial negative impacts by allowing flexibility with regard to the recipient of the easement, or from the other proposed changes to the Salinas Ag-Industrial Center Specific Plan.

Distribution: (8 pt. font)
City Council
City Manager
City Attorney
Department Directors

Brian Finegan
The Uni-Kool Partners, Property Owners

Back Up Pages:

City Council Resolution with the following Exhibits:

1. First Addendum to the Salinas Ag-Industrial Center Specific Plan FEIR
2. First Amendment to the Salinas Ag-Industrial Center Specific Plan
(revised page 7.3 and Mitigation Measure no. AG-1)

Pages 13-15 of the Salinas Ag-Industrial FEIR

Appendix F: Sample Agricultural Buffer Easement Deed

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