

December 6, 2016 Report to City Council

PUBLIC COMMENTS ON DRAFT SUBDIVISION ORDINANCE UPDATE
AND NEGATIVE DECLARATION

- Emails from Brian Finegan, Esq., September 28, 2016
- Responses to Brian Finegan comments of 2009 incorporated in 2016 Draft Ordinance
- Letter from Caltrans, September 29, 2016
- Letter from Louise J. Miranda Ramirez, OCEN Nation, September 29, 2016
- Letter from Louise J. Miranda Ramirez, OCEN Nation, November 11, 2016

Jennifer Coile

From: Brian Finegan <brian@bfinegan.com>
Sent: Wednesday, September 28, 2016 4:11 PM
To: Jennifer Coile
Cc: Ray Harrod, Jr.; Hugh Walker
Subject: Subdivision Ordinance

Jennifer-

In your e-mail distributing the draft Subdivision Ordinance you indicated that you would convene a separate workshop with the FGA owners/developers. Can you tell me when and where that will be held?

I will be forwarding to you a copy of the e-mail I sent to Tara containing my comments on the 2009 version of the Subdivision Ordinance update, for whatever value that might have at this late date.

Thank you.

Brian

Brian Finegan
Attorney at Law
60 West Alisal Street
P. O. Box 2058
Salinas, California 93902
Tel: (831) 757-3641
Fax: (831) 757-9329
brian@bfinegan.com

Jennifer Coile

From: Brian Finegan <brian@bfinegan.com>
Sent: Wednesday, September 28, 2016 4:19 PM
To: Jennifer Coile
Subject: FW: Subdivision Ordinance
Attachments: SUBDIVISION ORD-DRAFT-BF 6-11-09.pdf

Jennifer-

FYI- a copy of our comments on the 2009 version of the Subdivision Ordinance.

Brian

Brian Finegan
Attorney at Law
60 West Alisal Street
P. O. Box 2058
Salinas, California 93902
Tel: (831) 757-3641
Fax: (831) 757-9329
brian@bfinegan.com

From: Brian Finegan
Sent: Tuesday, August 30, 2016 2:16 PM
To: Mark Kelton ; Ray Harrod, Jr.; 'Joseph Rivani; Hugh Bikle (hbikle@thrustiv.com); Hugh Walker
Cc: Michael Harrington
Subject: FW: Subdivision Ordinance

To refresh your recollection, here are the comments we submitted seven years go on the proposed new Subdivision Ordinance.


Brian

Brian Finegan
Attorney at Law
60 West Alisal Street
P. O. Box 2058
Salinas, California 93902
Tel: (831) 757-3641
Fax: (831) 757-9329
brian@bfinegan.com


From: Brian Finegan [<mailto:brian@bfinegan.com>]
Sent: Thursday, August 06, 2009 10:57 PM

RESPONSES TO BRIAN FINEGAN COMMENTS OF 2009


Page: 2

 Author: brian Subject: Inserted Text Date: 6/11/2009 4:14:53 PM
design and improvement of


G&L: Change accepted

 Author: brian Subject: Inserted Text Date: 6/11/2009 4:23:50 PM
including the Subdivision Map Act,


G&L: Change accepted; additional text added to Section 31-105 to fully incorporate comment

 Author: brian Subject: Inserted Text Date: 6/11/2009 4:28:47 PM
The foregoing notwithstanding, the regulations set forth in this chapter shall not apply to any subdivision for which an application is complete pursuant to Section 665943 of the Government Code on the effective date of this chapter.


G&L: Assume that Gov't Code Section 65943 (Permit Streamlining Act) was intended to be referenced in the comment; language in response added to Section 31-106 referencing Section 31-303, which is consistent with Permit Streamlining Act

 Author: brian Subject: Cross-Out Date: 6/11/2009 4:30:15 PM


G&L: Change accepted

 Author: brian Subject: Cross-Out Date: 6/11/2009 4:43:21 PM


G&L: Change rejected; Final map must be approved and recorded prior to annexation

 Author: brian Subject: Inserted Text Date: 6/11/2009 4:43:17 PM
approved


G&L: Change accepted

 Author: brian Subject: Cross-Out Date: 6/11/2009 4:44:06 PM


G&L: Final map must be approved and recorded prior to annexation; language clarified in response to comment

 Author: brian Subject: Inserted Text Date: 6/11/2009 4:44:02 PM
finally approved by a board of supervisors


G&L: Change accepted

 Author: brian Subject: Inserted Text Date: 6/11/2009 4:44:36 PM
the subdivision


G&L: Change accepted

 Author: brian Subject: Cross-Out Date: 6/11/2009 4:45:51 PM

G&L: Change accepted

 Author: brian Subject: Inserted Text Date: 6/11/2009 4:45:44 PM
final act required to make the parcel map effective has not been taken

G&L: Change accepted

 Author: brian Subject: Inserted Text Date: 6/11/2009 4:51:47 PM
pursuant to Section 65943 of the Government Code

Language in response added to Section 31-112 referencing Section 31-303, which is consistent with Permit Streamlining Act, along with exceptions consistent with the PSA and the Map Act

Author: brian Subject: Note Date: 6/11/2009 4:55:00 PM
Is this still the proper nomenclature?

Updated reference to community and economic development department

Author: brian Subject: Note Date: 6/11/2009 4:55:33 PM
Is this still the proper nomenclature?

Updated reference to current planning division

Author: brian Subject: Note Date: 6/11/2009 5:01:25 PM

I think it is a mistake to lump all common interest subdivisions under the heading of "condominium." This definition correctly references a "condominium" as involving "a separate interest in space" which is just not the case with other common interest subdivisions.

Definition of common interest development added in addition to condominium

Author: brian Subject: Note Date: 6/11/2009 5:07:38 PM

This is very different from Section 66418.1 of the SMA which reads: "'Development' means the uses to which the land which is the subject of a map shall be put, the buildings to be constructed on it, and all alterations of the land and construction incident thereto." This definition is also not consistent with the definition of "development" in the City's Zoning code.

Updated definition to include SMA language; definition is consistent with zoning code

Author: brian Subject: Note Date: 6/11/2009 5:08:08 PM
I think the name has changed.

Updated reference to engineering and transportation division of the public works department

Author: brian Subject: Note Date: 6/11/2009 5:12:34 PM
Highlighted items not included in the SMA definition (Section 66419).

The City can provide additional detail in its definition of improvement; the examples provided do not conflict with state law and merely give more information to the reader regarding what may be considered an improvement

Author: brian Subject: Note Date: 6/11/2009 5:19:28 PM

This would mean that a parcel described by metes and bounds could never be a "lot" (e.g., a lawful parcel created prior to 3/4/72, parcel created by minor subdivision where a parcel map was waived, "small removable commercial building" subdivision, or a parcel conveyed to a governmental agency or public utility.))

Definition revised for clarity

Author: brian Subject: Note Date: 6/11/2009 5:21:14 PM

A lot line adjustment does not have to be "minor."

Definition revised for clarity

Author: brian Subject: Cross-Out Date: 6/11/2009 5:20:02 PM

Change accepted

Author: brian Subject: Note Date: 6/11/2009 5:25:53 PM


This definition omits the very important language of the SMA definition (Section 66412[d]) that limits the conditions and exactions that can be applied to a LLA. Those limitations are not included in the LLA section of the ordinance, either, so they need to be in here somewhere.

This comment is addressed in Article 11 of the Chapter


Author: brian Subject: Note Date: 6/11/2009 5:28:08 PM

The Zoning Ordinance treats "lot" and "parcel" as meaning the same thing. That does not appear to be the case here.


Definitions combined

 Author: brian Subject: Cross-Out Date: 8/6/2009 9:46:45 PM


Change accepted

 Author: brian Subject: Inserted Text Date: 8/6/2009 9:46:42 PM
owned


Change accepted

 Author: brian Subject: Note Date: 8/6/2009 9:49:54 PM
Section 66424.6(a).


Definition revised to reflect comment

 Author: brian Subject: Inserted Text Date: 8/6/2009 9:49:25 PM
The designated remainder shall not be counted as a parcel for the purpose of determining whether a parcel or final map is required.


Definition revised to reflect comment

 Author: brian Subject: Inserted Text Date: 8/6/2009 9:55:03 PM
58.

Change accepted

 Author: brian Subject: Note Date: 8/6/2009 9:57:12 PM
Section 66424.8(a).

Assume comment refers to Section 66424.5(a); there is not Section 66424.8

 Author: brian Subject: Inserted Text Date: 8/6/2009 9:56:42 PM
, and need not be based on an accurate or detailed final survey of the property

This language is included in the SMA, but we left out of the ordinance intentionally; will accept change if City prefers

Author: brian Subject: Note Date: 8/6/2009 10:03:55 PM
Not content?

Correct; content is approved as described elsewhere in the Chapter, not by the City Attorney

Author: brian Subject: Note Date: 8/6/2009 10:05:41 PM
So the city engineer prepares the subdivision improvement agreement, and the city attorney approves it?

No; the engineer will review and approve the content of a subdivision improvement plan, and the City Attorney will approve the document's legal form

Author: brian Subject: Note Date: 8/6/2009 10:08:52 PM

Sub-section (f) of the previous section seems to say that the city engineer approves parcel maps. Which is it?

Per Section 31-202.2(f), the city engineer approves parcel maps by confirming that they are consistent with the tentative map. This Section 31-202.3(c) gives the city planner the power to approve tentative parcel maps.

Author: brian Subject: Note Date: 8/6/2009 10:17:29 PM

This means that only categorically exempt parcel maps can be approved administratively- every parcel map with a ND must go to a public hearing. Only parcel maps that require an EIR should be required to go to the PC.

Comment is correct about the effect of the section. Does the City prefer to retain the language as drafted or accept the request to only require hearings for maps that require an EIR?

Author: brian Subject: Note Date: 8/6/2009 10:26:22 PM

The use of the term "modifications" in this context is confusing. See Section 31-202.5 and Section 31-315 that equate "modifications" with "exceptions" to standards or requirements. These should be called exceptions, and the term "modification" should be reserved for the use found in Article 12 for "modification" of maps.

Change accepted

Author: brian Subject: Note Date: 8/6/2009 10:28:12 PM

Sub-section (g) in the previous section assigns this responsibility to the city engineer. Which is it?

Per Section 31-202.2(g), the city engineer approves parcel maps by confirming that they are consistent with the tentative map. This Section 31-202.3(c) gives the city planner the power to approve tentative parcel maps.

Author: brian Subject: Note Date: 8/6/2009 10:29:47 PM

Who is responsible for preparing proposed conditions of approval?

The city planner; section revised to reflect comment

Author: brian Subject: Note Date: 8/6/2009 10:36:19 PM

The PC should be authorized to approve some tentative maps, e.g., maps that are consistent with an approved specific plan or community plan, maps that don't require an EIR. Why make the process more complicated and time consuming for applicants, staff and hearing bodies than it needs to be?

Section could be revised to include the categories suggested by the comment if the City so chooses. The request would reflect a change from the City's existing ordinance/practice.

Author: brian Subject: Note Date: 8/6/2009 10:31:32 PM

Limit to parcel maps that are not approved administratively. See comment above.

See response above.

Author: brian Subject: Note Date: 8/6/2009 10:37:09 PM

See comment above.

See response above.

Author: brian Subject: Note Date: 8/6/2009 10:40:01 PM


The CC should only be required to here modifications of maps that required their approval initially. Whoever originally approved the map should handle any modification.

Text modified.


Author: brian Subject: Note Date: 8/6/2009 10:42:10 PM

Extensions should be approved by the body that originally approved the map (see Section 66463.5[c]).


Agree; however, only the Council has the authority to originally approve tentative maps, so no modification is required.

 Author: brian Subject: Reviewed Date: 8/9/2009 5:45:49 PM

No response required.

 Author: brian Subject: Note Date: 8/9/2009 5:54:38 PM
See Government Code Section 65940(a).

Text modified.

 Author: brian Subject: Inserted Text Date: 8/9/2009 5:54:08 PM

Application materials provided by community planning and development shall include a list specifying in detail the information that will be required from an applicant.

Text modified.

⌘ Author: brian Subject: Cross-Out Date: 8/9/2009 5:56:14 PM

Change accepted.

⌘ Author: brian Subject: Inserted Text Date: 8/9/2009 5:56:11 PM
Not later than 30 calendar days after receipt of the application, the

Change accepted.

⌘ Author: brian Subject: Cross-Out Date: 8/9/2009 5:56:33 PM

Change accepted.

⌘ Author: brian Subject: Note Date: 8/9/2009 6:01:37 PM
See Government Code Section 65943(a).

Change accepted.


⌘ Author: brian Subject: Cross-Out Date: 8/9/2009 5:56:35 PM

Change accepted.


⌘ Author: brian Subject: Inserted Text Date: 8/9/2009 6:00:57 PM

If the application is determined not to be complete, the determination shall specify those parts of the application which are incomplete and shall indicate the manner in which they can be made complete, including a list and thorough description of the specific information needed to complete the application.


Suggested text not added; substantively the same as what is already written.

 Author: brian Subject: Note Date: 8/9/2009 6:06:22 PM
See Government Code Section 66474.2(a).


Change accepted.

 Author: brian Subject: Cross-Out Date: 8/9/2009 6:05:38 PM


Change accepted.

 Author: brian Subject: Inserted Text Date: 8/9/2009 6:05:33 PM
, policies,

Change accepted.


 Author: brian Subject: Inserted Text Date: 8/9/2009 6:05:54 PM
and standards

Change accepted.

 Author: brian Subject: Note Date: 8/9/2009 6:09:51 PM

Add a provision allowing the applicant to waive the initial study and stipulate that an EIR be prepared for the project. Proceed directly to the Notice of Preparation.

Change accepted; text added.

 Author: brian Subject: Note Date: 8/9/2009 6:17:25 PM

There is no authority in the Map Act for this provision.

Gov. Code Section 65922(b) explicitly excludes administrative appeals from permit streamlining act requirements; no change made.

 Author: brian Subject: Cross-Out Date: 8/9/2009 6:16:54 PM

No change made; see above.

Author: brian Subject: Note Date: 8/9/2009 6:22:22 PM


As written, this would allow the City to indefinitely delay action by simply delaying certification of the environmental document. Also, certification of the environmental document is not necessary for denial of an application.

As written, text is consistent with Permit Streamlining Act and CEQA requirements; comment is correct that a project can be denied prior to certifying CEQA document, which is consistent with text as written. No change made.

Author: brian Subject: Note Date: 8/23/2009 8:14:06 PM


Who is responsible for giving the notice? The City? The applicant?

Text modified for clarity.

 Author: brian Subject: Note Date: 8/23/2009 9:03:28 PM


Somewhere need to add the requirement of Section 66452.3 that staff reports be delivered to the subdivider at least three days prior to the hearing. It would be better if the City required five days in advance (as the SMA used to require).

New Section 31-307.5 added to give three days' notice consistent with the Map Act.


 Author: brian Subject: Note Date: 8/23/2009 8:17:49 PM

Add a link to places where the notice of intended decision applies, e.g. Section 31-601.5.2.

Change accepted; text added.


 Author: brian Subject: Inserted Text Date: 8/23/2009 8:19:52 PM
or appealing

Change accepted.

 Author: brian Subject: Inserted Text Date: 8/23/2009 8:22:40 PM


There shall be no presumption that such error, irregularity, neglect or omission is prejudicial or that injury was done if the error, irregularity, neglect or omission is shown. (See Section 65010[b]).

Change accepted.

 Author: brian Subject: Inserted Text Date: 8/23/2009 8:24:24 PM

consistent with the provisions of the Permit Streamlining Act (Government Code Section 65920 et seq.).

Change accepted.

 Author: brian Subject: Note Date: 8/23/2009 9:05:03 PM

Add provision incorporating Section 66452.4- If no action is taken on an subdivision application within the times provided, the map is deemed approved, etc.

Comment already reflected in Section 31-306.5.

Author: brian Subject: Note Date: 8/23/2009 8:49:35 PM

The notice of appeal should be required to contain some particulars to support these grounds. For example: "The notice of appeal shall set forth specific facts of the matter in sufficient detail to notify interested persons of the nature of the proceedings, and to place interested person on notice as to how any proposed action may affect their interest so that they may formulate their defense or opposition without being subjected to surprise. No appeal stated in generalities, legal or otherwise, shall be accepted."

Text added in response to comment; notice requirements already addressed in Section 31-307.

Author: brian Subject: Note Date: 8/23/2009 8:44:00 PM

The ordinance should define and limit who is an "interested party." At the very least it should be a party beneficially interested in the matter. To be a "beneficially interested party" the person should be required to have participated and raised his or her issues in the hearing being appealed. Section 66452.5(a)(1) limits the right to appeal to the subdivider or a tenant in the case of a condo conversion. Sub-section (d)(1) extends the appeal right to "any interested person adversely affected by a decision of the advisory agency or appeal board." Certainly any Anna or Joe walking in off the street totally unaffected by the decision should have no right to appeal.

Text added to Section 31-310.2 in response to comment.

Author: brian Subject: Note Date: 8/23/2009 8:52:52 PM

There needs to be a limit on how long they can continue the hearing.

Addressed by time limits in sub-section (e).

Author: brian Subject: Note Date: 8/23/2009 8:53:47 PM


Need to have a limit on how long they can continue the hearing.

Addressed by time limits in sub-section (e).


Author: brian Subject: Note Date: 8/23/2009 8:54:18 PM

Why not 30 days, like other matters?

Change accepted.

 Author: brian Subject: Inserted Text Date: 8/23/2009 8:56:19 PM
substantial

Change accepted.

 Author: brian Subject: Inserted Text Date: 8/23/2009 8:59:10 PM
Within 10 days

Text added in response to comment; added 30 days rather than 10 days.

DEPARTMENT OF TRANSPORTATION

50 HIGUERA STREET
SAN LUIS OBISPO, CA 93401-5415
PHONE (805) 549-3101
FAX (805) 549-3329
TTY 711
<http://www.dot.ca.gov/dist05/>

RECEIVED**OCT 04 2016****COMMUNITY DEVELOPMENT
DEPARTMENT**

*Serious drought
Help save water!*

September 29, 2016

MON-101-91.01

Ms. Jennifer Coile
City of Salinas Community Development Department
65 W. Alisal Street, 2nd Floor
Salinas, CA 93901

Dear Ms. Coile:

**COMMENTS ON THE CITY OF SALINAS SUBDIVISION ORDINANCE UPDATE
(CHAPTER 31 OF THE SALINAS MUNICIPAL CODE)**

The California Department of Transportation (Caltrans), District 5, Development Review, has reviewed the above referenced ordinance and offers the following comments in response to your summary of impacts.

1. Caltrans supports local development that is consistent with State planning priorities intended to promote equity, strengthen the economy, protect the environment, and promote public health and safety. We accomplish this by working with local jurisdictions to achieve a shared vision of how the transportation system should and can accommodate interregional and local travel and development.
2. Along with any reference to city fees, it would also be appropriate to specify applicable regional fees. The Transportation Agency for Monterey County (TAMC) collects development impact fees to help fund transportation projects of regional significance to address project long-range traffic impacts. Caltrans supports payment of the adopted TAMC development impact fees as required to mitigate cumulative impacts of projects subject to the subdivision ordinance.
3. Review of specific projects that may fall under the proposed subdivision ordinance update should be consistent with adopted Caltrans facilities system planning documents.

Thank you for the opportunity to review and comment on the proposed project. If you have any questions, or need further clarification on items discussed above, please contact me at (805) 549-3282 or email jill.morales@dot.ca.gov.

Ms. Jennifer Coile
September 29, 2016
Page 2

Sincerely,



JILLIAN MORALES
Transportation Planner
District 5
jill.morales@dot.ca.gov

cc: Orchid Monroy-Ochoa (D5)
Grant Leonard (TAMC)

Ohlone/Costanoan-Esselen Nation



*Previously acknowledged as
The San Carlos Band of
Mission Indians
The Monterey Band
And also known as
O.C.E.N. or Esselen Nation
P.O. Box 1301
Monterey, CA 93942*

www.ohlonecostanoanesselenation.org.

September 29, 2016

Jennifer.coile@ci.salinass.ca.us

Re: Salinas Subdivision Ordinance Update

Saleki Atsa,

Ohlone/Costanoan-Esselen Nation is an historically documented previously recognized tribe. OCEN is the legal tribal government representative for over 600 enrolled members of Esselen, Carmeleno, Monterey Band, Rumsen, Chalon, Soledad Mission, San Carlos Mission and/or Costanoan Mission Indian descent. Though other indigenous people may have lived in the area, the area is the indigenous homeland of our people. Included with this letter please find a territorial map by Taylor 1856; Levy 1973; and Milliken 1990, indentifying Tribal areas.

Ohlone/Costanoan-Esselen Nation objects to all excavation in known cultural lands, even when they are described as previously disturbed, and of no significant archaeological value. Please be advised that it is our first priority that our ancestor's remains be protected and undisturbed. We desire that all sacred burial items be left with our ancestors on site or as culturally determined by OCEN. All cultural items returned to Ohlone/Costanoan-Esselen Nation. We ask for the respect that is afforded all of our current day deceased, by no other word these burial sites are cemeteries, respect for our ancestors as you would expect respect for your deceased family members in today's cemeteries. **Our definition of respect is no disturbance.**

OCEN's Tribal leadership desires to be provided with archaeological reports/surveys, including subsurface testing, and presence/absence testing. OCEN request to be included in mitigation and recovery programs, reburial of any of our ancestral remains, placement of all cultural items, and that a Native American Monitor of Ohlone/Costanoan-Esselen Nation, approved by the OCEN Tribal Council be used within our aboriginal territory.

We request consultation on projects affecting our aboriginal homelands, which include all ground disturbance. We look forward to hearing more information about this project; please feel free to contact me at (408) 629-5189. Nimasianexelpasaleki. Thank you for your attention to this matter.

Sincerely and Respectfully Yours,

Louise J. Miranda Ramirez, Chairperson
Ohlone/Costanoan-Esselen Nation
(408) 629-5189

Cc: OCEN Tribal Council

Jennifer Coile

From: Louise Ramirez <ramirez.louise@yahoo.com>
Sent: Friday, November 11, 2016 2:36 PM
To: Jennifer Coile
Subject: Environmental Review - CCA-2015-001
Attachments: Salinas, City of - Environment Review CCA-2015-001.pdf; OCEN MAP.pdf

Saleki Itsa,

Attached please find OCEN's response for Environmental Review/Request for Comments and Notice of Public Hearing Subdivision Ordinance Update (CCA-2015-001)

Thank you

Louise J. Miranda Ramirez
Tribal Chairwoman
Ohlone/Costanoan-Esselen Nation

www.ohlonecostanoanesselenation.org

Ohlone/Costanoan-Esselen Nation



*Previously acknowledged as
The San Carlos Band of
Mission Indians
The Monterey Band
And also known as
O.C.E.N. or Esselen Nation
P.O. Box 1301
Monterey, CA 93942*

www.ohlonecostanoanesselelnation.org.

November 11, 2016

Jennifer Coile
Project Manager
City of Salinas
Community Development Dept.
65 West Alisal Street, 2nd floor
Salinas, CA 93901

Re: Environmental Review/Request for Comments and Notice of Public Hearing
Subdivision Ordinance Update (CCA-2015-001)

Saleki Atsa,

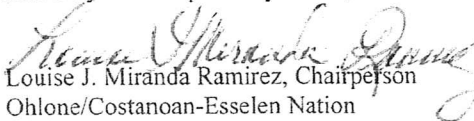
Ohlone/Costanoan-Esselen Nation is an historically documented previously recognized tribe. OCEN is the legal tribal government representative for over 600 enrolled members of Esselen, Carmeleno, Monterey Band, Rumsen, Chalon, Soledad Mission, San Carlos Mission and/or Costanoan Mission Indian descent of Monterey County. Though other indigenous people may have lived in the area, the area is the indigenous homeland of our people. Included with this letter please find a territorial map by Taylor 1856; Levy 1973; and Milliken 1990, indentifying Tribal areas.

Ohlone/Costanoan-Esselen Nation objects to all excavation in known cultural lands, even when they are described as previously disturbed, and of no significant archaeological value. Please be advised that it is our first priority that our ancestor's remains be protected and undisturbed. We desire that all sacred burial items be left with our ancestors on site or as culturally determined by OCEN. All cultural items returned to Ohlone/Costanoan-Esselen Nation. We ask for the respect that is afforded all of our current day deceased, by no other word these burial sites are cemeteries, respect for our ancestors as you would expect respect for your deceased family members in today's cemeteries. **Our definition of respect is no disturbance.**

OCEN's Tribal leadership desires to be provided with archaeological reports/surveys, including subsurface testing, and presence/absence testing. OCEN request to be included in mitigation and recovery programs, reburial of any of our ancestral remains, placement of all cultural items, and that a Native American Monitor of Ohlone/Costanoan-Esselen Nation, approved by the OCEN Tribal Council be used within our aboriginal territory.

We request consultation on projects affecting our aboriginal homelands, which include all ground disturbance. We look forward to hearing more information about this project; please feel free to contact me at (408) 629-5189. Nimasianexelpasaleki. Thank you for your attention to this matter.

Sincerely and Respectfully Yours,


Louise J. Miranda Ramirez, Chairperson
Ohlone/Costanoan-Esselen Nation
(408) 629-5189

Cc: OCEN Tribal Council

Distribution of Ohlone/Costanoan-Esselen Nation Tribal Rancherías, Districts, Landgrants and Historic Landmarks

OCEN DIRECT LINEAL DESCENT

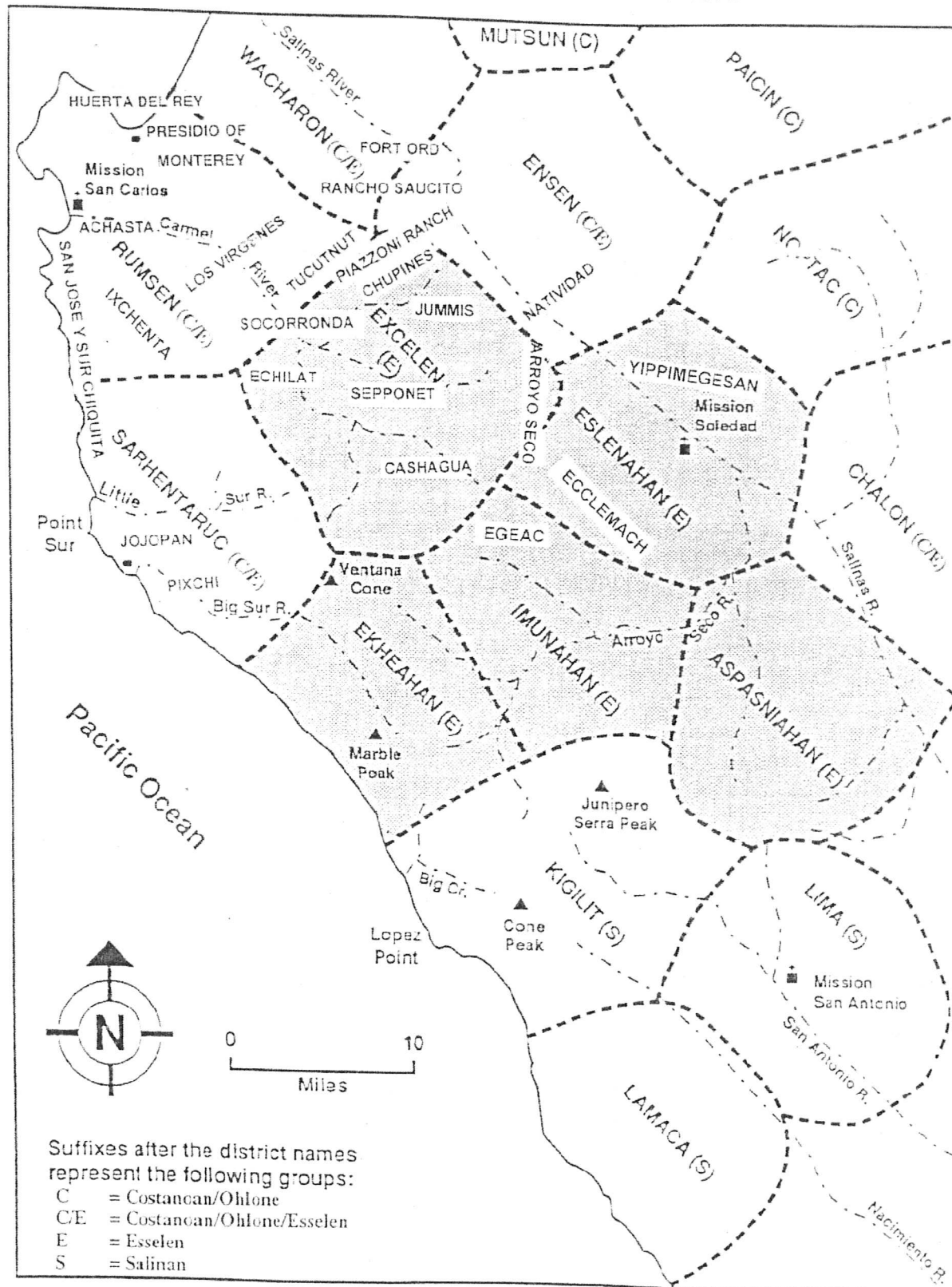


Figure 2:

Map after Taylor 1856; Levy 1973; Hester 1978; Milliken 1990



City of Salinas

COMMUNITY DEVELOPMENT DEPARTMENT

65 W. Alisal Street, 2nd Floor • Salinas, California 93901
(831) 758-7387 • (831) 775-4253 (Fax) • www.ci.salinas.ca.us

NOTICE OF INTENT TO ADOPT A NEGATIVE DECLARATION

DATE: October 25, 2016

TO: INTERESTED PARTIES

FROM: CITY OF SALINAS COMMUNITY DEVELOPMENT DEPARTMENT

SUBJECT: ENVIRONMENTAL REVIEW/REQUEST FOR COMMENTS
AND NOTICE OF PUBLIC HEARING
SUBDIVISION ORDINANCE UPDATE (CCA-2015-001)

Notice is hereby given that the City of Salinas has prepared a Negative Declaration, pursuant to the requirements of the California Environmental Quality Act (CEQA), for the update of the City of Salinas Subdivision Ordinance, City Code Amendment (CCA) 2015-001. Environmental impacts of this project have been analyzed in accordance with the California Environmental Quality Act (CEQA) and a Negative Declaration (ND) has been prepared for the project. Based on the environmental document, the project will not have a significant effect on the environment.

Public Comment Period and Public Hearing. The proposed Negative Declaration, Initial Study, and the Draft Subdivision Ordinance Update (CCA 2015-001) are available for public review at the following locations: City of Salinas Community Development Department, 65 West Alisal Street, 2nd floor; the City's Clerk's Office located at 200 Lincoln Avenue and the City of Salinas Steinbeck Library, 350 Lincoln Avenue; Cesar Chavez Library at 615 Williams Road; El Gabilan Library at 1400 N. Main Street; and on the City's website at www.cityofsalinas.org. Technical and other documents referenced in the ND are available for public review at the City of Salinas Community Development Department.

The Salinas Planning Commission is tentatively scheduled to consider and make a recommendation to the City Council about the Subdivision Ordinance Update and CEQA documentation on November 16, 2016. It is anticipated that the City Council will conduct a public hearing to consider the ordinance on December 6, 2016. In accordance with the time limits mandated by State law, written comments on the Negative Declaration and Initial Study will be accepted from **October 25, 2016** through 5 p.m. **November 14, 2016**. Comments can also be presented before or during the Planning Commission public hearing to be held on **November 16, 2016 at 3:30 p.m.** located at the Salinas City Council Chambers at 200 Lincoln Avenue.

From: Agency Name _____
Contact Person: _____
Phone Number: _____
Email _____

DISTRIBUTION

1. Permit Center Public Notice Board (post)
2. City Clerk Public Notice Board (post)
3. County Clerk's Office
4. Association of Monterey Bay Area Governments
5. Alisal Union School District
6. Salinas City Elementary School District
7. Salinas Union High School District
8. Santa Rita Union School District
9. Hartnell Community College
10. Alco Water Service
11. California Water Services Company
12. Pacific Gas & Electric
13. AT&T
14. Comcast
15. Monterey- Salinas Transit
16. Department of Transportation – District 5 - Systems Planning and Programming Branch
17. Transportation Agency of Monterey County
18. Cesar Chavez Library
19. El Gabilan Library
20. John Steinbeck Library
21. Monterey County Libraries
22. Salinas Valley Chamber of Commerce
23. Hispanic Chamber of Commerce
24. Salinas City Center Improvement Association
25. CHISPA
26. Center for Community Advocacy
27. Monterey County Association of Realtors
28. Salinas Valley Builders Exchange
29. Salinas Valley League of Women Voters
30. Salinas Valley Solid Waste Authority
31. Central Coast Regional Water Quality Control Board (Region 3)
32. Monterey County Resource Conservation District
33. Monterey Regional Water Pollution Control Agency
34. Monterey County Water Resources Agency
35. Monterey Bay Air Resources District
36. Monterey County RMA - Planning
37. Monterey County Local Agency Formation Commission
38. Salinas Municipal Airport Manager

If you have questions, please contact the project manager, Jennifer Coile, at (831) 758-7206.

Project Description: The project is the adoption of the Salinas Subdivision Ordinance update, replacing Chapter 31 of the Salinas Municipal Code, Subdivisions, in its entirety. It has not been updated since the 1990s. A comprehensive update is proposed primarily to reflect changes to the standards of the California Subdivision Map Act and City policies. The Ordinance addresses administrative procedures for the subdivision of land, condominium and mobile home park conversions, lot mergers, and lot line adjustments. The Draft of the Subdivision Ordinance Update was released for public review and comment on August 29, 2016.

The potential environmental impacts of the City of Salinas Subdivision Ordinance Update have been analyzed in accordance with the California Environmental Quality Act (CEQA) and an Initial Study (IS) and Negative Declaration has been prepared for the project. The Initial Study has been prepared to tier upon the Salinas General Plan Final EIR (2002) No. 1987012703 and Final Supplement for the Salinas General Plan Final Program EIR (2007) No. 2007031055. These documents are available for public review online at www.cityofsalinas.org or at the offices of the Community Development Department located at the address above. Based on the environmental document, the project will not have a significant effect on the environment.

AVISO IMPORTANTE, SI DESEA UNA TRADUCCION DE ESTE AVISO, FAVOR DE LLAMAR AL NUMERO (831) 758-7206 DENTRO LAS HORAS DE 8:00 A.M. Y 5:00 P.M. LUNES A VIERNES

For Responding Agency Use: An Initial Study and draft ND, together with the Draft Subdivision Ordinance, are available at <http://www.cityofsalinas.org/our-city-services/community-development/documents-public-review>. If you wish to receive a written copy of the IS/ND or Subdivision Ordinance Update, or have any questions, please contact the project manager, Jennifer Coile at (831) 758-7206. The documents are posted on the City website as indicated above.

The City of Salinas requests that you review the materials and provide any comments related to your agency's area of responsibility. The space below may be used to indicate that your agency has no comments, or to state brief comments should you so desire.

____ No Comments provided

____ Comments noted below

____ Comments provided in separate letter

COMMENTS _____

Return to:

Jennifer Coile, Project Manager, Subdivision Ordinance Update
City of Salinas. Community Development Department
65 West Alisal Street, 2nd floor, Salinas, CA 93901

- 39. Monterey County Department of Health
- 40. SUBA
- 41. Brian Finegan, Esq.
- 42. Building Healthy Communities – East Salinas
- 43. Tribal Consultations

