

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

**A RESOLUTION RESCINDING RESOLUTION NUMBER 20962 AMENDING THE
SALINAS AG-INDUSTRIAL CENTER SPECIFIC PLAN WITH REFERENCE TO SECTION
7.3, APPENDIX F, AND THE MITIGATION MONITORING AND REPORTING
PROGRAM FOR PROPERTY LOCATED AT 1428 ABBOTT STREET IN THE IG-SP7-AP
(INDUSTRIAL—GENERAL—SALINAS AG-INDUSTRIAL CENTER SPECIFIC PLAN-
AIRPORT OVERLAY) ZONING DISTRICT**

WHEREAS, Salinas is a Charter city organized and operating pursuant to Article 7 of the California Constitution; and

WHEREAS, the Salinas City Council adopted an ordinance (Ord. No. 2501 N.C.S.) approving the rezoning of 17 acres known as APN 177-133-004 to Industrial-General (IG) for the Salinas-Ag Industrial Center Project; and

WHEREAS, the Salinas City Council adopted an ordinance (Ord. No. 2502 N.C.S.) approving the rezoning of 240 acres known as APN 177-133-005 and 177-133-007 to Industrial-General (IG) for the Salinas-Ag Industrial Center Project; and

WHEREAS, the Salinas City Council resolved to certify the Salinas-Ag Industrial Center Final Program Environmental Impact Report (Reso. No. 19803 N.C.S.); and

WHEREAS, the Salinas City Council resolved to adopt a Statement of Overriding Considerations for the Salinas Ag-Industrial Center Project (Reso. No. 19803 N.C.S.); and

WHEREAS, the Salinas City Council resolved to adopt the Mitigation Monitoring and Reporting Program (MMRP) for the Salinas-Ag Industrial Center Project (Reso. No. 19804 N.C.S.); and

WHEREAS, the Salinas City Council resolved to approve an amendment to the Salinas General Plan for APNS 177-133-004, 177-133-005, and 177-133-007 for the proposed development of the Salinas-Ag Industrial Center (Reso. No. 19805 N.C.S.); and

WHEREAS, the Salinas City Council resolved to approve the Salinas-Ag Industrial Center Specific Plan (Reso. No. 19806 N.C.S.); and

WHEREAS, the Salinas City Council resolved to conditionally approve a Master Parcel Map for the Salinas Ag-Industrial Center Project (Reso. No. 19807 N.C.S.); and

WHEREAS, the Salinas City Council resolved to request the Monterey County Local Agency Formation Commission (LAFCO) to amend the City of Salinas sphere of influence to include 240 acres known as APN 177-133-005 and APN 177-133-007 and 14 acres of adjoining and additional roadways (Reso. No. 19808 N.C.S.); and

WHEREAS, the Salinas City Council resolved to approve making an application to the Monterey County Local Agency Formation Commission (LAFCO) for reorganization of lands known as the “Uni-Kool” site (APNs 177-133-005 and 177-133-007) and adjoining and additional roadways (Reso. No. 19809 N.C.S.); and

WHEREAS, on June 14, 2016, the Salinas City Council, at the request of the The Uni-Kool Partners, held a duly noticed public hearing to consider a Specific Plan Amendment to amend the Salinas Ag-Industrial Center Specific Plan with reference to Section 7.3, Appendix F and Mitigation Measure AG-1, located at 1428 Abbott Street, and which is known as Specific Plan Amendment 2016-001; and

WHEREAS, on June 14, 2016 the Salinas City Council resolved to approve a first amendment to the Salinas Ag-Industrial Center Specific Plan with reference to section 7.3, Appendix F, and the Mitigation, Monitoring, and Reporting Program for the Ag-Industrial Center Project located at 1428 Abbott Street in the IG-SP7AP (Industrial –General –Salinas Ag-Industrial Center Specific Plan-Airport Overlay) Zoning District (Reso. No. 20962 N.C.S.); and

WHEREAS, on July 27, 2016 Ag Land Trust petitioned the Superior Court for the State of California, County of Monterey for a Writ of Mandate pursuant to the California Environmental Quality Act in relation to the June 14, 2016 resolution number 20962 adopted by the Salinas City Council; and

WHEREAS, on July 27, 2016 Ag Land Trust filed a complaint with the Superior Court for the State of California, County of Monterey for declaratory relief in relation to the June 14, 2016 resolution number 20962 adopted by the Salinas City Council; and

WHEREAS, the City of Salinas faces monetary exposure as a result of the July 27, 2016 petition and complaint, and the City of Salinas wishes to minimize that exposure; and

WHEREAS, on February 21, 2017, the Salinas City Council held a duly noticed public hearing regarding rescission of Resolution Number 20962 N.C.S., considered a report of the same date prepared by the City Attorney, and heard testimony concerning the proposed second amendment; and

WHEREAS, the rescission of Resolution Number 20962 N.C.S. has been examined and the effects independently determined to have been adequately analyzed in the Final Environmental Impact Report prepared for the Salinas Ag-Industrial Center project as certified by the Salinas City Council on January 19, 2010 (Reso. No. 19803); and

WHEREAS, the rescission of Resolution Number 20962 N.C.S. is consistent with the Salinas General Plan and with the Salinas Ag-Industrial Center Specific Plan; and

WHEREAS, the rescission of Resolution Number 20962 has been examined and the effects independently determined to be consistent with the Statement of Overriding Consideration for the Salinas Ag-Industrial Center Project and findings therein (Reso. No. 19803); and

NOW, THEREFORE, BE IT RESOLVED by the Salinas City Council that the Council hereby rescinds Resolution Number 20962; and

BE IT FURTHER RESOLVED by the Salinas City Council that that the Salinas Ag-Industrial Center Project shall conform with Resolution number 19803, Resolution number 19804, Resolution number 19805, Resolution number 19806, Resolution number 19807, Resolution number 19808, Resolution number 19809, Ordinance number 2501, and Ordinance Number 2502, as adopted by this Council.

PASSED AND APPROVED this 21st day of February, 2017, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Joe Gunter, Mayor

ATTEST:

Patricia M. Barajas, City Clerk