



July 24, 2018

Salinas Planning Commission
Salinas City Council
200 Lincoln Ave
Salinas, CA 93901-2639

Re: Opposition to Changes to Section 37-40.310 (a)(2) of the Salinas Municipal Code - Prohibition on clubs, lodges, places of religious assembly, and similar assembly uses on ground floor of Main Street properties in Downtown Salinas

Dear Members of the Salinas Planning Commission and Salinas City Council:

On August 1, the Salinas Planning Commission will consider a proposal from the public to amend the city's Zoning Code - specifically Zoning Code Section 37-40.310(a)(2) - to allow religious assembly uses on the ground floor of buildings facing Main Street within the Downtown Core Area of the Central City Overlay District.

Section 37-40.310(a)(2) of the Salinas Municipal Code states says explicitly that "clubs, lodges, places of religious assembly, and similar assembly uses shall only be permitted above the ground floor of buildings facing Main Street within the downtown core area."

The Salinas City Center Improvement Association (SCCIA) opposes this item unless it includes comprehensive, specific, and measurable conditions that preserve the goals of the Downtown Vibrancy Plan. SCCIA asserts that the ground floor of buildings on Main Street should be a continuous sequence of commercial activity during business hours on most days of the week. We believe that gaps in commercial activity on Main Street interrupt continuity, discourage customers (especially pedestrians) from patronizing stores on the other side of those gaps, and contribute to physical impacts such as urban deterioration, decay, and blight.

As evidence of its commitment to these regulations, the Board of Directors of SCCIA, at its meeting of February 14, 2018, voted unanimously to take all steps necessary or appropriate to ensure that the provisions of Section 37-40.310(a)(2) relating to ground floor uses are strictly enforced.

In fact, it's the presence of such gaps that has motivated SCCIA to ask the Salinas City Council to enact a "Vacancy Accountability Ordinance" to encourage owners of long-vacant downtown properties to consider development or leasing of such properties. Our same reasoning applies to our concerns about the establishment of new places of assembly that are underused or unpatronized during most of the week.

Salinas City Center Improvement Association
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Salinas, California 93901
www.salinascitycenter.com

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CITY CLERK



Research Needed for City Leaders to Make Informed Decisions

City of Salinas staff needs to provide informed and authoritative guidance for planning commissioners, city council members, and the public as they consider whether to allow the establishment of places of religious assembly and similar assembly uses on the ground floor of buildings facing Main Street within the downtown core area.

To start, City of Salinas staff needs to research and provide to the public the official deliberations concerning the original inclusion of Section 37-40.310(a)(2) in the Salinas Municipal Code. For context, this specific provision is part of broader language that regulates the use of properties located in the downtown core area.

What was the intent of that provision? Do the circumstances that justified that provision still exist today? We suspect they do.

SCCIA encourages City of Salinas staff to research academic journal articles and other studies regarding pedestrian commercial behavior, to provide scientific confirmation of what is obvious from anecdotal observations about gaps on streetfront commercial activity. Also, we encourage staff to observe or obtain observations of the effect of the gap on Alvarado Street in the City of Monterey, where a place of religious assembly holds a prime location with minimal activity for most of the week.

We also encourage City of Salinas staff to observe and find academic journal articles and other studies that show how the establishment of places of religious assembly in commercial/retail zones both reflect and encourage “urban decay.” Even a layperson recognizes that commercial districts with numerous storefront churches tend to struggle to support retail activity. That public recognition becomes a perpetuator of the problem for the entire district.

We refer the City to the 2004 California appellate court decision in *Bakersfield Citizens for Local Control v. City of Bakersfield*, which recognizes that the California Environmental Quality Act (CEQA) compels governments, when appropriate, to analyze potential physical impacts from “land use decisions that cause a chain reaction of store closures and long-term vacancies, ultimately destroying existing neighborhoods and leaving decaying shells in their wake.”

Our Outreach to the New Harvest Church

SCCIA notes that the proposal to change Section 37-40.310(a)(2) of the Salinas Municipal Code is related to the desire of the New Harvest Church to establish ground floor religious assembly at 344 South Main Street, the former location of Beverly’s Fabric and Crafts. We encouraged the church to support some reasonable conditions to address SCCIA concerns about ground floor building that are closed up most of the time, creating a dead zone just like a vacant building.




Our Government Affairs Director Kevin Dayton met with the pastor of the New Harvest Church, looked at the plans and needs of the church, and proposed a solution involving the church using or leasing the frontage space of the Beverly's property for commercial purposes, such as a bookstore, gift shop, hospitality/travel kiosk, or other commercial activity related to serving the spiritual needs of the community. He also suggested the church agree to some city-mandated standards for the appearance of the storefront at the Beverly's site, such as a prohibition on closed blinds in the frontage windows during routine commercial business hours and the presence of quality furniture visible through the frontage windows (as opposed to use of the frontage space as storage with stacked chairs and metal shelves).

In addition, SCCIA board member Larry Bussard met with the pastor to discuss specific arrangements for leasing the frontage property. He even tried to identify a religious book store that would be interested in leasing it. These conversations occurred before escrow was closed.

The prospective property owner was aware of the current zoning code and the commitment of SCCIA to maintaining those code standards in order to advance the Downtown Vibrancy Plan. We have concluded that New Harvest Church is intent on using the ground floor of its building facing Main Street for religious assembly. It would be a precedent for undermining the Downtown Vibrancy Plan, which relies on commercial activity as part of its strategy for achievement.

At this time, SCCIA asks you to reject any repeal, amendment, or exception related to Section 37-40.310(a)(2) of the Salinas Municipal Code.

Sincerely,



Catherine Kobrinsky Evans
President, Board of Directors

Board Members:

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