ATTACHMENT 21

PROJECT FINDINGS FOR CONSIDERATION OF THE WEST AREA SPECIFIC PLAN (SPEC 2013-002), REZONING (RZ 2019-001), AND DEVELOPMENT AGREEMENT (DA 2019-001)

I. PROJECT DESCRIPTION AND APPROVALS

A. Project Location

The applicant, Brian Finegan, Esq. (representing multiple property owners and developers), is requesting a series of approvals that would enable the development of a 797-acre Specific Plan area ("project site") within the North of Boronda Future Growth Area (FGA) of the City . The project site is bounded by Boronda Road to the south, San Juan Grade Road to the west, Natividad Road to the east and Russell Road and Rogge Road to the north. Attachment 7 of the staff report, Project Site Location Map, shows the project site vicinity and the North of Boronda FGA.

The project site is bordered on the north primarily by existing residential development (the Bolsa Knolls area) and scattered residential and agricultural-related uses located in unincorporated Monterey County, on the east by agricultural uses in unincorporated Monterey County and the proposed Central Area Specific Plan area, on the south by existing residential and commercial development (Harden Ranch Specific Plan area), and on the west by existing residential development and commercial development (the Gateway Shopping Center Specific Plan). Attachment 8 of the staff report, Property Ownership/Existing Conditions Map, shows the project boundaries, owners and existing uses.

B. Project Description

The applicant is seeking the following approvals from the City Council: 1) Specific Plan (SPEC 2013-002); 2) Rezoning (RZ 2019-001); and 3) Development Agreement (2019-001), collectively referred to as the "Project". At build-out (estimated to occur over the next 20 to 30 years), the project would establish: 4,340 dwelling units provided as a mix of low, medium and high densities, a Village Center with up to 571,500 square feet of mixed-use commercial floor area, eleven parks, five schools (one high school, one middle school and three elementary schools), and other associated uses supporting the development including but not limited to open space and well-sites.

Specific Plan. A specific plan is a development guidance tool that is required for all new development proposed within the FGA pursuant to the General Plan. The draft *West Area Specific Plan* ("Specific Plan") prepared by the applicant under the direction of the City provides direction for the land uses, development regulations, design standards, circulation, infrastructure, storm water and water quality management, public financing and implementation and administration of the Specific Plan. The Specific Plan includes modifications to development regulations found in the City of Salinas Zoning Code to facilitate the New Urbanism development mandated under the General

Plan for this area. The changes to development regulations would apply only to development within the Specific Plan boundary, which is coterminous with the project site boundary. Attachment 11 of the staff report contains the Specific Plan and herein incorporated by reference. Table 1, Summary Land Use Plan, provides an overview of the project.

Table 1 Summary Land Use Plan

Land use		**Framework Acres**	**Projected Dwelling Units or Square Feet**
Residential Planning Areas	NE (Low)	227.72	1,361 du
	NG-1 (Medium)	188.44	1,803 du
	NG-2 (High)	59.84	1,085 du
	VC (Village Center)	4.55	91 du
	Total	**480.55**	**4,340 du**
Mixed use Village Center (1)		20.13	571,500 sq. ft.
Total Residential and Village Center		**500.68**	
High School		38.97	
Middle School		20.78	
Elementary School #1		10.98	
Elementary School #2		10.00	
Elementary School #3		10.00	
Community Park		30.83	
Neighborhood Parks (four)		12.52	
Small Parks (six)		6.41	
Supplemental Detention/Retention Basin Open Space		35.03	
Water Wells/Water Treatment		1.50	
Total Public Facilities		**177.02**	
Circulation Roadways (2)		118.85	
Total		**796.55**	

Rezone. The applicant is requesting approval of a rezone to establish zoning district classifications for the project site, which are consistent with the Salinas Zoning Code (and Map) and implement the existing General Plan land use designations for the project site. The existing zoning for the project site is New Urbanism Interim (NI) with a Specific Plan Overlay District. The proposed zoning

districts for the project site are Neighborhood Edge (NE)/Low Density Residential, Neighborhood General-1 (NG-1)/Medium Density Residential, Neighborhood General 2 (NG-2)/High Density Residential, and Village Center (VC). The proposed districts align with New Urbanism (NU) zoning districts contained in Division 8 of the Salinas Zoning Code and correspond with the Residential Low Density, Residential Medium Density, Residential High Density and Mixed Use Land Use Designations, respectively contained in the General Plan. Additional zoning districts proposed for the project site include Parks (P), Open Space (OS), and Public/Semipublic (PS). The proposed districts are shown in Attachment 12 of the staff report, incorporated herein by reference. The above-referenced districts also include a Specific Plan Overlay District.

Development Agreement. A development agreement has been prepared pursuant to Government Code Section 65864. The development agreement allows the applicant to proceed with the project in accordance with existing policies, rules, and regulations, subject to the conditions of approval, thus vesting certain development rights in the property.

C. Project Objectives

The following key objectives are the basis for the formulation of the Specific Plan policies, design principles, regulations and development standards:

1. Create a community with a compact form that promotes sustainable neighborhood design and is pedestrian, bicycle, and transit friendly;

2. Provide a variety of land uses in east walking distance of housing including a mixed use village, parks, and schools to lower vehicle miles traveled;

3. Provide parks and other public green space in accordance with General Plan standards that are designed to be safe and easily accessible to residents;

4. Provide a balance of low density, medium density, and high density housing to provide a variety of housing options for residents at various life stages;

5. Provide public services and infrastructure improvements that achieve and maintain City service standards;

6. Provide an inviting tree-lined street system which incorporates traffic calming and other measures;

7. Establish an interconnected path and open space system throughout the development that links to the greater North of Boronda FGA and City as a whole;

8. Create a sense of place and unique identity through the use of entry treatments, landscaping, streetscapes, public art, decorative street lighting, pedestrian amenities and other elements;

9. Provide for a reasonable jobs/housing balance;

10. Provide opportunities for senior housing and/or affordable housing; and

11. Provide for a site/parcel-based post construction Stormwater Control Measures (SCMs)/LID to the maximum extent practicable.

II. FINDINGS

For purposes of the following discussion, the Project is considered to be development of the project site as would be permitted upon the City's approval of the proposed Specific Plan, Rezone, and Development Agreement.

A. Specific Plan Findings

1. **Finding:** The proposed location of development and proposed conditions under which it will be operated and maintained is consistent with the goals and policies embodied in the Salinas General Plan and other applicable plans and policies adopted by the City Council.

   Evidence: The project site is located within the Future Growth Area (FGA) located north of East Boronda Road (referred to as the North of Boronda FGA). This area is designated under the General Plan to accommodate the anticipated future growth in the City. In accordance with the General Plan, the FGA is subject to the adoption of Specific Plans by the City Council prior to any development in this area. The Specific Plans are intended to specify the ultimate distribution, location and intensity of land uses in these areas in accordance with the total development capacities provided under the General Plan. As such, development of the project site has been planned for and has been anticipated by the City as part of a coordinated long-term development process for this area.

   The General Plan land use designations shown for land located with the FGA are illustrative in nature and subject to adjustment and refinement as part of the Specific Plan approval process. Under the Specific Plan, (encompassing approximately 797 acres of land), approximately 227.72 acres of land will be designated "Residential Low Density"; 188.44 acres of land will be designated "Residential Medium Density"; 59.84 acres of land will be designated "Residential High Density"; 24.68 acres of land will be designated "Mixed Use"; 49.76 acres of land will be designated "Park"; 35.03 acres of land will be designated "Open Space"; and 92.23 acres of land will be designated "Public/Semipublic". These proposed land uses are consistent with the land uses envisioned under the General Plan for this area.

The maximum number of dwelling units (without density bonus, conversion of commercial floor area, or accessory dwelling units) provided in the Plan Area is 4,340, which meets the overall minimum average density of nine dwelling units per net residential acre required under the General Plan for residential development in the FGA. The Specific Plan has also been designed and planned to ensure that 15%-25% of the dwelling units fall in the density range of 16-24 dwelling units per net residential acre, and 35%-45% fall in the density range of 7-14 dwelling units per net residential acre. These percentages are required under the General Plan to ensure a variety of dwelling types, specific densities and affordability levels are provided in the Plan Area.

The maximum square footage of proposed retail/commercial uses permitted under the Specific Plan is 571,500 square feet. Parks, schools (comprised of two existing schools and three proposed school sites) and open space (supplemental stormwater basins) are also provided in the Plan Area. These land uses and development intensities are consistent with the types of uses and development capacity anticipated for the North of Boronda FGA under the General Plan.

The Specific Plan has incorporated New Urbanism Design Principles, Crime Prevention Through Environmental Design (CPTED) and other design principles in accordance with the requirements of the General Plan to guide development in the FGA. Emphasis on pedestrian-friendly development through traffic calming, narrow streets, pedestrian linkages and dwellings oriented to the street promote walkability and foster a sense of community as envisioned under the General Plan. On-street bicycle lanes and routes will also be provided along the southerly and northerly greenways, East Boronda Road, Russell Road , San Juan Grade Road, McKinnon Street, El Dorado Drive and Natividad Road to promote the use of alternative forms of transportation and provide off-site connections to surrounding facilities. The Project also includes provisions for electrical vehicle charging to promote energy conservation and to reduce fossil fuel consumption as encouraged by the General Plan.

Appendix C of the Specific Plan further substantiates the project's consistency with the General Plan and is herein incorporated by reference.

2. **Finding:** The development will not be detrimental to the public health, safety, or welfare of persons residing or working in or adjacent to such a development, nor detrimental to properties or improvements in the vicinity or the general welfare of the City.

Evidence: The potential environmental effects of the Project were fully evaluated in the Final Program Environment Impact Report (EIR) prepared for the project. The project includes significant and unavoidable impacts as well as impacts that can be mitigated to a less than significant level. The full explanation (of environmental impacts) is discussed in Attachment 20 of the staff report, CEQA Findings and Statement of Overriding

Considerations, incorporated herein by reference.
The Specific Plan proposes land uses and improvements, which are generally compatible with and complementary to surrounding development located to the north, south, east and west of the Plan Area. It also includes standards, which implement design principles such as CPTED to promote "eyes on the street" through the use or porches and other elements to discourage criminal activity and promote safer neighborhoods.

The Specific Plan incorporates Low Impact Development (LID) and other features to ensure the Project is in compliance with the requirements of the General Plan, City's Storm Water Management Program and the City's National Pollutant Discharge Elimination System Permit.

Local demand for housing is high, particularly for affordable housing. The project will contribute to public welfare by providing dwelling units across a variety of housing types, densities and affordability levels. Market rate and inclusionary housing will be provided. The Project will be subject to City's Inclusionary Housing Ordinance.

3. **Finding:** The Specific Plan and resulting development will be consistent with the provisions of Article 8 of Chapter 3 of California Government Code, commencing with Section 65450 as may be subsequently amendment by the State of California.

Evidence: The California Government Code sections referenced above include Sections 65450 through 65457. Of these, Sections 65451, 65454 and 65455 are directly applicable to the adequacy of the Specific Plan and to discretionary actions related to its implementation.

California Government Code Section 65451 addresses the content requirements of a specific plan. The West Area Specific Plan has been reviewed by City staff and the City Attorney and found to be consistent with the content requirements in Section 65451.

California Government Code Section 65454 requires that a specific plan may not be adopted or amended unless it is consistent with the City's General Plan. As described in Finding "A.1" herein, and the proposed Planning Commission resolution recommending approval and adoption of the Specific Plan, the West Area Specific Plan has been found to be consistent with the Salinas General Plan.

California Government Code Section 654455 provides that no public works project may be approved, no tentative or parcel map may be approved, and no zoning ordinance may be adopted or amended within the areas covered by a specific plan unless it is consistent with the adopted specific plan. The on-site infrastructure needed for the Project has been designed to support the proposed uses and development in the Specific Plan area. Any parcel or tentative map proposed for the Project site will be required to be consistent with the Specific Plan in order to be approved. Development within the Specific Plan area will be subject to the

requirements of the Salinas Zoning Code except as modified by the Specific Plan. Should any conflict arise between the two regulations, the Specific Plan regulations will prevail.

B. Rezoning Findings

1. **Finding:** The amendment (Rezone) is consistent with the Salinas General Plan, any applicable specific plan, and other plans and policies adopted by the Salinas City Council.

   Evidence: The proposed amendment (Rezone) will facilitate the development of the West Area Specific Plan within the North of Boronda FGA, which is consistent with the City's General Plan policy to plan for and manage future growth within designated future growth areas of the City. The Project incorporates New Urbanism and other design principles and provides a variety of dwelling types and densities in accordance with the land use and housing mix required by the General Plan. The proposed Rezone will not conflict with other plans and policies of the Salinas City Council.

   Appendix C of the Specific Plan further substantiates the project's consistency with the General Plan and is herein incorporated by reference.

2. **Finding:** The amendment (Rezone) will not have the effect of reversing the policies of the Salinas General Plan, any applicable specific plan, and other plans and policies adopted by the Salinas City Council.

   Evidence: The proposed amendment (Rezone) will facilitate the approval and development of the proposed West Area Specific Plan. The Specific Plan provides specific policies to implement the General Plan, Zoning and other plans and policies adopted by the Salinas City Council. There are no policies in the Salinas General Plan that will be reversed as a result of this amendment.

   Appendix C of the Specific Plan further substantiates the project's consistency with the General Plan and is herein incorporated by reference as additional evidence of the project's consistency.

3. **Finding:** The amendment (Rezone) would not create an isolated district unrelated to adjacent zoning districts.

   Evidence: The proposed Rezone will enable the project site to be developed as a New Urbanism Specific Plan as envisioned under the General Plan. Upon annexation of the project site in 2008, the site was zoned New Urbanism Interim (NI) with a Specific Plan Overlay to provide an interim holding zone until such time specific plans were approved by the City Council for the North of Boronda FGA and the ultimate zoning districts for the area were established. As such, upon the approval of the Specific Plan and Rezone, the project site will be rezoned from the New Urbanism Interim (NI) with a Specific Plan Overlay zoning district to

Neighborhood Edge (NE)/Low Density Residential, Neighborhood General-1(NG-1)/Medium Density Residential, Neighborhood General 2 (NG-2)/High Density Residential, and Village Center (VC) as well as the Park (P), Open Space (OS) and Public/Semipublic zoning districts. The Specific Plan Overlay district will continue to be applicable to each of the districts as well. These districts are compatible with and complementary to the existing residential (low, medium and high density), commercial, park and open space districts located across the major arterial roads, which form the project boundaries.

The proposed Rezone will facilitate the development of a variety of dwelling types and densities, neighborhood commercial retail and services, parks and supporting uses necessary to serve the proposed Specific Plan community and surrounding area. For example, the various residential districts (NE, NG-1 and NG-2) and the Village Center (VC) district will allow the development of 4,340 dwelling units in the Plan Area. Additionally, other types of dwellings such as density bonus units and accessory dwelling units will also be permitted. The Parks (P) district will facilitate the development of 11 parks, which will provide a variety of recreational opportunities for residents of the plan area and the surrounding area. The Open Space (OS) district will facilitate the development of the supplemental detention/retention basins located throughout the site. These basins create open space, passive recreation opportunities and are intended to serve the storm water surface run-off needs of the West Area. The Public/Semipublic district will provide sites for two new elementary schools and one middle school. Lastly, the Village Center (VC) district will facilitate the development of the Specific Plan's town center. This area (including the town square and mixed-use commercial and residential development) is intended to be a destination and focal point for both residents of the Plan Area and surrounding area.

4. **Finding:** The City has the capability to provide public utilities, roads, and services to serve the uses allowed by the proposed Rezoning.

Evidence: The EIR and Specific Plan thoroughly analyzed the infrastructure including public utilities, roads, and services necessary to serve the Project. Respectively, sections 3.11, 3.10, and 3.9 of the EIR address these topics. Through adoption of the Specific Plan, Development Agreement, West Area Specific Plan Final Program Environmental Impact Report (FEIR) and associated Mitigation Monitoring and Reporting Program, the City will ensure the provision of public utilities, roads and services necessary to serve the proposed development is provided.

According to the fiscal impact analysis prepared for the project (Attachment 14), the cost of City services would be offset by increased revenues generated by the Project. No unfunded City services costs have been identified. The West Area Specific Plan is projected to generate an annual surplus of between approximately $1,541,619 to $3,376,303.

C. Development Agreement Findings

1. **Finding:** The Development Agreement is consistent with the Salinas General Plan, any applicable specific plan, and other applicable plans and policies adopted by the Salinas City Council.

Evidence: The Development Agreement is proposed in conjunction with the West Area Specific Plan in accordance with the Salinas General Plan. The Specific Plan implements the goals and policies of the General Plan by providing a comprehensively planned and orderly development in the North of Boronda FGA, designed to incorporate and implement the tenets of New Urbanism, CPTED and other design principles. Additionally, it provides potential employment and recreational opportunities for future and nearby residents and increased tax revenue and expansion to support City services. In this regard, the *Fiscal Impact Analysis* prepared for the Project (included as Attachment 14 to the staff report), is projected to generate an annual revenue surplus of approximately $1,541,619 to $3,376,303 to the City's General Fund. Most importantly; the project will provide critically needed housing in a variety of dwelling types, densities and affordability levels to address the City's housing shortage and overcrowding issues.

Appendix C of the Specific Plan further substantiates the project's consistency with the General Plan and is herein incorporated by reference.

2. **Finding:** A development agreement that includes a subdivision shall not be approved unless the agreement provided that any tentative map prepared for the subdivision will comply with the provisions of Government Code Section 66473.7.

Evidence: Government Code Section 66473.7 addresses the provision of adequate water supply. A Water Supply Assessment was prepared for the project, and is included in the Appendices of the West Area Specific Plan Final Program EIR as Appendix G. California Water Services Company (Cal Water), the water purveyor to the project site, has provided a "Can and Will Serve" letter for the subject project.