



# City of Salinas

OFFICE OF THE CITY MANAGER  
200 Lincoln Avenue Salinas, California 93901

(831) 758-7201 Fax (831) 758-7368

January 8, 2009

Monterey County  
Planning and Building  
Administration

Carl Holm, Assistant Planning Director  
County of Monterey RMA  
Planning Department  
168 West Alisal Street, 2<sup>nd</sup> Floor  
Salinas, CA 93901

RECEIVED

**SUBJECT: 2007 GENERAL PLAN AND DRAFT PROGRAM ENVIRONMENTAL IMPACT REPORT**

Dear Mr. Holm:

The City of Salinas submits the following comments on the County of Monterey's 2007 General Plan and Draft Program Environmental Impact Report. Many of the City's comments have been previously submitted in response to the 2006, version of the General Plan Update. These concerns remain applicable where similar policies exist. Copies of the City's prior correspondence dated October 6, 2006 and September 25, 2007 are attached.

### Land Use

Greater Salinas Area Plan Policies GS-1.1 through GS-1.12 identify multiple Special Treatment Areas (STAs) and Study Areas (SAs), including Butterfly Village, Spence/Potter/Encinal Road and Highway 68/Foster Road among others. These STAs and SAs are intended to establish standards to guide development at those locations. In some cases, this is accomplished quite effectively. For example, GS 1.4 stipulates that development would only be allowed under specific conditions, within the identified land use boundaries shown in the Area Plan. In other areas, discussed further below, the Greater Salinas Area Plan does not establish clear guidelines for orderly development or does so in a manner that is inconsistent with the Greater Salinas Area Memorandum of Understanding (GSA-MOU).

As you know, the Greater Salinas Area Memorandum of Understanding (GSA-MOU) was adopted at a historic joint session of the Monterey County Board of Supervisors and Salinas City Council on August 29, 2006.

Some of the key elements of the GSA-MOU (excerpted and paraphrased below) were:

- City growth to the North and East, except as provided in the agreement;
- County support for the City's Future Growth Area annexation proposal to LAFCO;

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 2007 Monterey County General Plan  
 January 6, 2009

County support for the City's Fresh Express and Uni-Kool annexation proposals, subject to appropriate environmental review, and subject to appropriate agricultural conservation easements;

- Agricultural easements to the west and south;
- Consultation with the City in the planning process for any development in the Greater Salinas Planning Area;
- No development by County contiguous to the City limits if those proposals require either or both a General Plan amendment or a rezoning. Proposals requiring such changes shall be referred to the City for consideration and possible annexation;
- City and County support for regional transportation system (TAMC);
- County development of a County-wide Traffic Impact Fee within 18 months of the adoption of the County General Plan;
- City and County cooperation regarding the alignment of the future Westside Bypass which shall establish a development boundary for the City;
- Development in area west of Davis Road and east of the future Westside 'Bypass, excluding the Boronda Redevelopment Area, shall be limited to expansion of City's retail sales capacity and shall take place after annexation;
- City and County to work cooperatively to address impacts on the Reclamation Ditch Watershed Area, recognizing that a comprehensive financing program is needed. County to complete a nexus study and hearing process, within 36 months of adoption of the GSA-MOU [August 29, 2009].

Our review of the 2007 General Plan and Draft Program EIR has focused first and foremost on an analysis of consistency with the GSA-MOU. The City of Salinas is pleased to see that the Land Use Map for the Greater Salinas Area has been amended to restore an Agricultural land use designation to those lands previously considered in the prior versions of the Rancho San Juan Specific Plan (pre Butterfly Village). The exception being those existing developed commercial parcels adjacent Highway 101 at the northerly entrance to the City. As we have mentioned in our informal monthly City – County staff meetings, it would be appropriate to designate that area northeasterly of the City as a Special Study Area (SA) subject to specific planning requirements and its potential annexation into the City of Salinas.

The City maintains its advocacy of city-centered growth and was therefore, concerned to see an acknowledgement of the potential for the development of general commercial uses in the vicinity of the Salinas River and Highway 68.

The City appreciates the agricultural-tourism nature of *"The Farm,"* as addressed in Policy GS-

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1.3, however, the addition of general commercial uses as contemplated by Policy GS-1.5, or any commercial uses other than row-crop agriculture along this agricultural, scenic corridor would not be appropriate.

The City of Salinas has been diligent in its adherence to maintaining a distinct urban boundary. Unfortunately, that distinction is often blurred by commercial ventures at important gateways into the City. Of particular note is the cluster of heavy commercial, storage and even a mobile home park at the northerly entrance to the City as viewed from US 101. We fear that similar conditions are evolving along Highway 68 just south of Salinas as a series of metal buildings, ostensibly "fruit stands" are being developed. The aforementioned Policy GS-1.5 affirms the City's concern in this regard.

The City also questions Policy GS-1.6 addressing the potential development of commercial uses on commercially designated parcels between Harrison Road and Highway 101 to the north of the City. It is the City's position that any commercial development along this city gateway should be limited to only the redevelopment of those properties containing existing development. Additional development is inherently in conflict with the idea of city-centered growth and in conflict with the spirit of the Greater Salinas Area Memorandum of Understanding. Absent further consultation with the City, any undeveloped properties between Harrison Road and Highway 101 should be designated and limited to agricultural farmland use.

If not limited to row crop production, as a gateway into the City of Salinas (if not annexed into the City of Salinas), at minimum the properties should be developed to a very high architectural standard.

Policy GS-1.11 establishing a study area for Espinosa Road suggests the intention of the introduction of industrial uses in this location. Consideration of a General Plan policy and the establishment of a Special Study Area would is not an appropriate solution to a code enforcement concern. The introduction of industrial uses in this location - in near proximity to the City of Salinas is in conflict with the principles of city-centered growth and again in conflict with the Greater Salinas Area Memorandum of Understanding.

The City of Salinas is also concerned regarding Policy GS-6.2 permitting the development of coolers, cold rooms, loading docks and farm equipment shops on agriculturally designated land. These are industrial activities and as such should be located in an appropriate industrially designated, city-centered location.

**Circulation**

The discussion regarding the public transportation services provided by Monterey-Salinas Transit fails to mention the service provided to South County.

The City is pleased to see that the Capital Improvement and Financing Plan (CIFP) are to be completed within the 18 month period established by the Greater Salinas Area Memorandum of Understanding (GSA-MOU). It is interesting that the County has determined that Level of

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Service (LOS) D is being proposed as a County standard. LOS D is more typically an urban rather than rural standard. LOS D may be appropriate in designated Community Areas; however as an overall standard for the County, it may condone traffic congestion in rural locations where traffic problems are typically not anticipated. Regrettably, the electorate did not see the ultimate value in Measure Z (the 1/2 cent sales tax initiative to address region and local serving roads) which makes it all the more imperative that the County of Monterey along with other regional entities adopt timely transportation congestion/safety policies.

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### **Conservation and Open Space**

The City of Salinas questions Policy OS-1.1 encouraging the establishment *voluntary* restrictions to the development potential of property located in designated visually sensitive areas. Monterey County is visually stunning. Areas which are deemed to be visually sensitive should have development regulations and public review processes established to ensure that Policies OS-1.2 through OS-1.9 remain viable.

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Regarding Policy OS-3.7 encouraging *the voluntary preparation of a coordinated resources management plan in watersheds of State designated impaired waterways*; the City of Salinas encourages the County of Monterey to require the preparation of stormwater management and control plans meeting the requirements as imposed on the City by the state Central Coast Regional Water Quality Control Board. This is particularly relevant to those properties within the Zone 9 watershed area as defined by the Monterey County Water Resources Agency.

### **Safety**

Safety policy S-2.3 provides for an exemption to the guidelines established by FEMA and the National Flood Insurance Programs as well as ordinances enacted by the Monterey County Board of Supervisors for grading activities carried out in the course of routine agricultural operations. It has been the City of Salinas' experience that the greatest contributor to the siltation of the creeks and their tributaries flowing through the City is a result of upstream agricultural grading practices. The City of Salinas recommends an agricultural grading policy that would result in the detention/retention of storm and irrigation water on-site. Table PS-1 indicates that agricultural lands result in no net increase in harmful run-off. This statement is contrary to the herbicide and pesticide measurements that have been collected in the stream corridors flowing through the City as a result of upstream agricultural operations. Drainage and agricultural management and mitigation monitoring plans should be required for run-off into the regional watershed.

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### **Agriculture**

The 2007 General Plan update anticipates the conversion of approximately 2,571 acres of Important Farmland to non-agricultural uses. Although the Draft Environmental Impact Report (DEIR) states that no mitigation beyond the 2007 General Plan policies is feasible, the City was pleased to see the commitment to the preparation, adoption and implementation of a program to mitigate for the loss of that farmland in Policy AG-1.2. The City of Salinas recommends that the

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County of Monterey consider the Agricultural Land Preservation Program established in consultation with the County of Monterey as a potential regional model [Resolution No. 19422 (NCS)] for the loss of important farmland.

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### Water Resource Management

The Water Resources section of the Draft Environmental Impact Report for the 2007 Monterey County General Plan update commendably addresses many of the hydrologic conditions throughout the County of Monterey. However, with the attention that the community has given Can Lake, and with the concerns expressed by the Monterey County Water Resources Agency, the City was surprised to note that Section 4.3 Water Resources did not address this significant natural stormwater management facility along with the accompanying 1907 Reclamation Ditch that was created to enable the cultivation of this watershed feature.

It is vital that the County implement Paragraph #13 of the GSA-MOU and work in good faith with the City and other interested parties to complete its comprehensive financing program for the Reclamation Ditch, including finalization of the nexus study and hearing process.

The City did note the reference to existing storm drain systems and the potential that they may be insufficient to accommodate future "Special Treatment Areas" outside of the city-limits. The properties within these "Special Treatment Areas" must be included in the solution to address the deficiencies identified by the Monterey County Water Resources Agency.

The Reclamation Ditch is a man made feature connecting the regions natural watercourses: Gabilan and Natividad Creeks and Alisal and Tembledero Sloughs. As these natural and man-made riparian and drainage features are improved the City of Salinas encourages the County to establish policies that would establish a recreation trail extending from the foothills of the Gabilan Mountains to the beach at Moss Landing for the benefit of all our respective residents.

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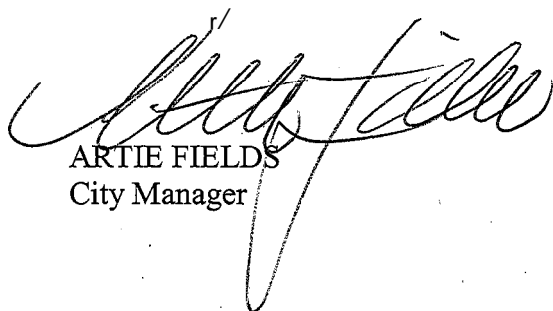
The City of Salinas appreciates that the County of Monterey has had many challenges throughout its lengthy General Plan Update process. The City also acknowledges that the adoption of the GPU initiates the requirement to bring all of the County's land use, zoning and development policies into conformance with the General Plan. In this regard, the City of Salinas urges the County of Monterey to limit the permissive and conditionally permissive land uses and development that may be considered in Agriculturally designated lands which surround the cities of the Salinas Valley to maintain the distinct urbanlrural boundaries that contribute so significantly to the beauty and bounty of this region.

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The City is grateful for the progress that has been made and hopes that its comments assist in improving the document and ensuring that mitigation measures are consistent with the GSA-MOU.

Respectfully submitted,

CITY OF SALINAS



ARTIE FIELDS  
City Manager

Enclosures

Correspondence dated October 6, 2006 and September 25, 2007  
Resolution No. 19422 establishing an Agricultural Land Preservation Program

cc: Mayor and Salinas City Council  
Monterey County Board of Supervisors  
City Attorney  
Deputy City Manager / City Engineer



# City of Salinas

OFFICE OF THE CITY MANAGER  
200 Lincoln Avenue Salinas, California 93901

(831) 758-7201 Fax (831) 758-7368

September 25, 2007

BY HAND DELIVERY

Chairman Dave Potter  
Vice-Chair Fernando Armenta and Members of the  
Monterey County Board of Supervisors  
168 West Alisal St., 1st Floor  
Salinas, CA 93901

**Re: City of Salinas Comments re Planning Commission Recommendations for GPU-5**

Dear Chairman Potter and Members of the Board:

Please accept these comments on behalf of the City of Salinas concerning the recommendations by the Planning Commission and the Planning Commission Ad Hoc Subcommittee for GPU-5. The City commends the County's efforts to arrive at a comprehensive and credible compromise General Plan update document.

The City's primary considerations pertain to policies in support of City Centered Growth, and development in the Greater Salinas Area. The Greater Salinas Area Memorandum of Understanding (GSA-MOU), approved by the Monterey County Board of Supervisors and the Salinas City Council on August 29, 2006 (attached as Exhibit A) establishes a framework of guiding principles to ensure orderly and appropriate development for the Greater Salinas area.

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This is consistent with our previous communications to the County, most recently in October 2006 (copy of letter attached as ExhibitB).

It is critical to the City of Salinas that GPU-5 be consistent with the GSA-MOU and that the GSA-MOU be distributed and reviewed as part of the regular planning and environmental review process for any project or development in the Greater Salinas Area of Monterey County. Specific comments pertaining to the Planning Commission recommendation are as follows:

- : Rancho San Juan: The City positively considers the deletion of Rancho San Juan/ Butterfly Village as a "Community Area" in GPU-5.
- : Development in the Greater Salinas Area: The City notes that under the GSA-MOU, the City and County agreed that "developments within the area designated by the County General Plan as the Greater Salinas Planning Area shall only occur after consultation with the City in the planning process." (GSA-MOU, Paragraph 6 (emphasis added))

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- Community Areas generally: Community Area policies that establish designated areas for urban uses are not generally consistent with basic and widely accepted "smart growth" principles which are city-centered and take advantage of existing urban infrastructure, transit and public and emergency services. Any development within designated "Community Areas" (including redevelopment areas) should not proceed prior to the adoption of a Community Plan or Specific Plan.

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- Boronda: With respect to the designation of Boronda as a "Community Area", the City notes that any development in the undeveloped southern portion of the Boronda Redevelopment area must be consistent with Paragraph 14-15 of the GSA-MOU.

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- Affordable Housing Overlays: The City notes that under the GSA-MOU, the City and County agreed "to support each other's efforts to construct affordable housing throughout the County necessary to achieve the Fair Share Housing Allocation as approved by the Association of Monterey Bay Area Governments (AMBAG)." (GSA-MOU, Paragraph 16 (emphasis added)) The City commends the County's efforts to promote affordable housing throughout the County.

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- Traffic: In addition to the Planning Commission's recommendation that the Board require the adoption of a concept-level Capital Improvement Financing Plan (CIFP), the City notes that the GSA-MOU also requires the County "to develop a County-wide Traffic Impact fee program for the improvement of major County roads in accordance with the County's adopted General Plan." (GSA-MOU, Paragraph 10.) Also, please note our previous concerns with the traffic modeling assumptions prepared for the 2006 General Plan Draft Program Environmental Impact Report.

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Annexations: The City and County have also agreed "to work cooperatively and expeditiously in annexation matters consistent with this agreement." (GSA-MOU, Paragraph 8.)

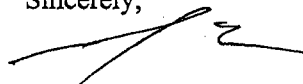
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These comments are not intended to be exclusive and merely highlight some of the provisions of the GSA-MOU that have application to GPU-5.

The City is available and welcomes the opportunity meet and consult with County staff concerning any of these comments.

Thank you for your consideration.

Sincerely,



DAVE MORA  
City Manager



Monterey County Board of Supervisors  
September 25, 2007  
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Enclosures:

Exhibit A -- City of Salinas Letter to Mike Novo dated October 6, 2006  
Exhibit B -- GSA-MOU

cc: Mayor and City Council (without enclosures)  
Vanessa Vallarta, City Attorney (w/ enclosures)  
Robert C. Russell, PE, Deputy City Manager/City Engineer (w/o enclosures)  
Jorge Rifa, Deputy City Manager (w/o enclosures)  
Mike Novo, Monterey County Planning Department (w/ enclosures)  
Wayne Tanda, Resource Management Agency (w/ enclosures)  
Charles, McKee, County Counsel (w/ enclosures)

GREATER SALINAS AREA  
MEMORANDUM OF UNDERSTANDING

**Preface**

The negotiated terms of the Greater Salinas Area Memorandum of Understanding (MOU) will replace the previous Boronda Memorandum of Understanding between the City of Salinas and the County of Monterey and shall be adopted only after a joint public meeting of the Monterey County Board of Supervisors and the Salinas City Council. In the event of a successful challenge to any provision of this MOU by a third party, such provision shall be removed from the Greater Salinas Area MOU.

This Memorandum of Understanding (MOU), by and between the County of Monterey (County) and the City of Salinas (City), is to set forth certain agreements between the parties to express their intent to jointly pursue action to assure orderly and appropriate land use development in the area designated in the General Plan of Monterey County as the Greater Salinas Area Plan area and in the City of Salinas. Specific objectives to be achieved through the implementation of the land use and associated policies included in this MOU are the preservation of certain agriculture land, the provision of future growth areas, and the provision of adequate financing for the services and facilities of benefit to the residents of the Greater Salinas Area Plan area and the City. It is recognized that, with respect to some of the provisions set forth herein, numerous actions must be taken pursuant to State and local laws and regulations before such policies can be implemented. Such actions include, in some instances; the need to comply with the California Environmental Quality Act (CEQA), the need, to hold public hearings and/or otherwise seek public input before reaching binding decisions, and the need to obtain approvals from other agencies such as the Local Agency Formation Commission (LAFCO). For all such provisions, this MOU shall be understood to constitute tentative policy commitments that can only become fully binding after all such legal prerequisites have been satisfied. Even so, both parties agree to make a good faith effort to follow and implement the provisions of this MOU subject to the foregoing.

The City and County do hereby mutually agree to the following:

**City Growth**

1. City and County agree that the future growth direction of the City shall be to the north and east of the current City limits, except as otherwise provided for in this MOU.
2. County supports the City's 2005 Preliminary Sphere of Influence/Annexation Proposal to LAFCO to the north and east of the City's existing City Limits (Exhibit
3. County supports the City's 2005 Preliminary Sphere of Influence/Annexation Proposal to LAFCO to the south of the City's existing City Limits (Exhibit A) for the exclusive purpose of agricultural processing and processing capacity (Fresh Express). County further supports future City Sphere of Influence./ Annexation proposals to the

GREATER SALINAS AREA  
MEMORANDUM OF UNDERSTANDING

south of the City's existing City Limit for the exclusive purpose of agricultural processing and processing capacity (Unikool), subject to the establishment of appropriate agricultural conservation easements.

4. City and County agree to the creation and implementation of agricultural conservation easements in the unincorporated areas to the west and south of the City's Sphere of Influence insofar as the easements are consistent with the adopted General Plans of the two jurisdictions.
5. City and County agree to work cooperatively and in concert with the affected property owners to annex developed unincorporated areas (e.g. Bolsa Knolls) adjacent to or within the City's Sphere of Influence as shown in Exhibit A and to transfer existing County sanitation facilities (e.g. Boronda) upon future City annexation that support these areas subject to the property owners paying any required sanitation system connection fees established by MRWPCA. It is anticipated that an initial effort consistent with this annexation commitment shall be cooperation by all parties to consider and facilitate the proposed Chapin Rogge Road annexation application insofar as the annexation is consistent with the provisions of LAFCO.
6. City and County agree that developments within the City's 2005 Preliminary Sphere of Influence/Annexation Proposal shall only occur after annexation to the City and that the City shall consult with the County in the planning process. City and County also agree that the developments within the area designated by the County General Plan as the Greater Salinas Planning Area shall only occur after consultation with the City in the planning process.
7. City and County agree that the County shall not process any proposals for development in areas contiguous (immediately adjacent) to the City's City Limit /
  - it those proposals would require either or both a County General Plan amendment or a rezoning. Proposals for development requiring a General Plan amendment or a rezoning shall be referred to the City for consideration and possible annexation to the City.
8. City and County agree to work cooperatively and expeditiously in annexation matters consistent with this agreement
9. City and County agree to support fees and taxes needed to mitigate the collective impact of new and existing development on the regional transportation system to the extent that the fees and taxes reflect the overall financing program adopted by TAMC.
10. City and County agree that County will develop a County-wide Traffic Impact fee program for the improvement of major County roads in accordance with the County's adopted General Plan. The County fee program will be developed in consultation with TAMC and Monterey County cities. It is recognized that there

GREATER SALINAS AREA  
MEMORANDUM OF UNDERSTANDING

will be development within the City of Salinas related to the anticipated annexation of land to the north and east of the existing City Limits, and it is the desire of both jurisdictions that the County not rely upon the imposition of an ad hoc traffic fee on City development. Therefore the development of the Traffic Impact Fee for the Salinas Area, as shown in Exhibit R, will be a priority and a nexus study and hearing process should be completed within 18 months of adoption of the 2006 County General Plan. The County Traffic Impact Fee will be imposed on development in affected cities and unincorporated areas.

11. City and County agree to work cooperatively on establishing the alignment, phasing and financing of the regional roadway facility commonly referred to as the Westside Bypass and will expedite the completion of a Project Study Report for this future roadway. City and County agree that the ultimate alignment of the future Westside Bypass shall establish the development boundary for the City. It is the intent of both parties to minimize the impact on agricultural land in establishing the Westside Bypass alignment so that the ultimate alignment shall not result in the development of acres of agricultural land in excess of that anticipated in the Westside Bypass alignment as shown in the City of Salinas 2002 adopted General Plan (Exhibit C).
12. City and County agree that future development between the area west of Davis Road and east of the future Westside Bypass, excluding the Boronda Redevelopment Project area, shall be limited to expansion of the City's retail sales capacity and shall take place after annexation.
13. City and County agree to work cooperatively to address the collective impact of current and anticipated land uses in the Reclamation Ditch Watershed Area. There is a recognition that a comprehensive financing program is needed that includes grants, benefit assessments, appropriate development impact fees, and special uses required to address current and anticipated impacts. The County, in consultation with the City, should complete a nexus study and hearing process, assessing benefit of current and existing land uses, within 36 months of adoption of this MOU. The adopted impact fee will be imposed on current and existing land uses in both the City and unincorporated areas.

**Boronda Redevelopment Project Area**

14. City and County agree that in the undeveloped southern portion of the Boronda Redevelopment Project Area (Exhibit D) the County shall take the lead in the planning, review, and approval process subject to concurrent City review so that the final approved project is consistent with existing City development standards. City recognizes the County's desire and intent to assure development that is consistent with commitments made to the Boronda community-regarding required amendments to the current adopted Boronda Community Plan and that the anticipated development is assumed to provide financial benefit (i.e. tax increment) to the Boronda Development Area. City and County will work

GREATER SALINAS AREA  
MEMORANDUM OF UNDERSTANDING

**cooperatively** to assure that those commitments will result from and through the final approvals for development and annexation to the City of Salinas. City and County further agree that there will be no final development approvals prior to the completion of all requirements (including final LAFCO approval) for annexation of the subject area to the City of Salinas.

City and County agree that infill development in the northern portion of the Boronda Redevelopment Project Area (Exhibit D) Will continue to be processed by the County subject to consultation with the City.


- 15. City and County agree that property tax generated within the Boronda Redevelopment Area shall continue to accrue to the Boronda Redevelopment Area for implementation of the current (January 1, 2006) adopted Redevelopment Area Plan. Upon completion of the aforementioned Plan, the former Redevelopment Property Tax increment shall be allocated between the City and the County on a 50/50 basis.

**Affordable Housing**

- 16. City and County agree to support each other's efforts to construct affordable housing throughout the County necessary to achieve the Fair Share Housing Allocation as approved by the Association of Monterey Bay Area Government (AMBAG).
- 17. City and County agree that if the 100% affordable housing project on Rogge Road approved by the County in 2006 is annexed to the City that the project shall be credited to the County's Fair Share Housing Allocation.

**Other**

- 18. City and County mutually agree that neither will pursue future development related litigation against the other insofar as the subject development is consistent with this agreement.

<p>CITY OF SALINAS A municipal corporation of the State of California By: _____ Anna Caballero, Mayor Dated: <u>2/20/06</u></p>	<p>COUNTY OF MONTEREY A political subdivision of the State of California By:  Jerry Smith Chairman of the Board of Supervisors Dated: <u>02/20/06</u></p>
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GREATER SAUNAS AREA  
MEMORANDUM OF UNDERSTANDING

ATTESTED TO:

*Ann Campbell*  
City Clerk



C. nirty Clerk



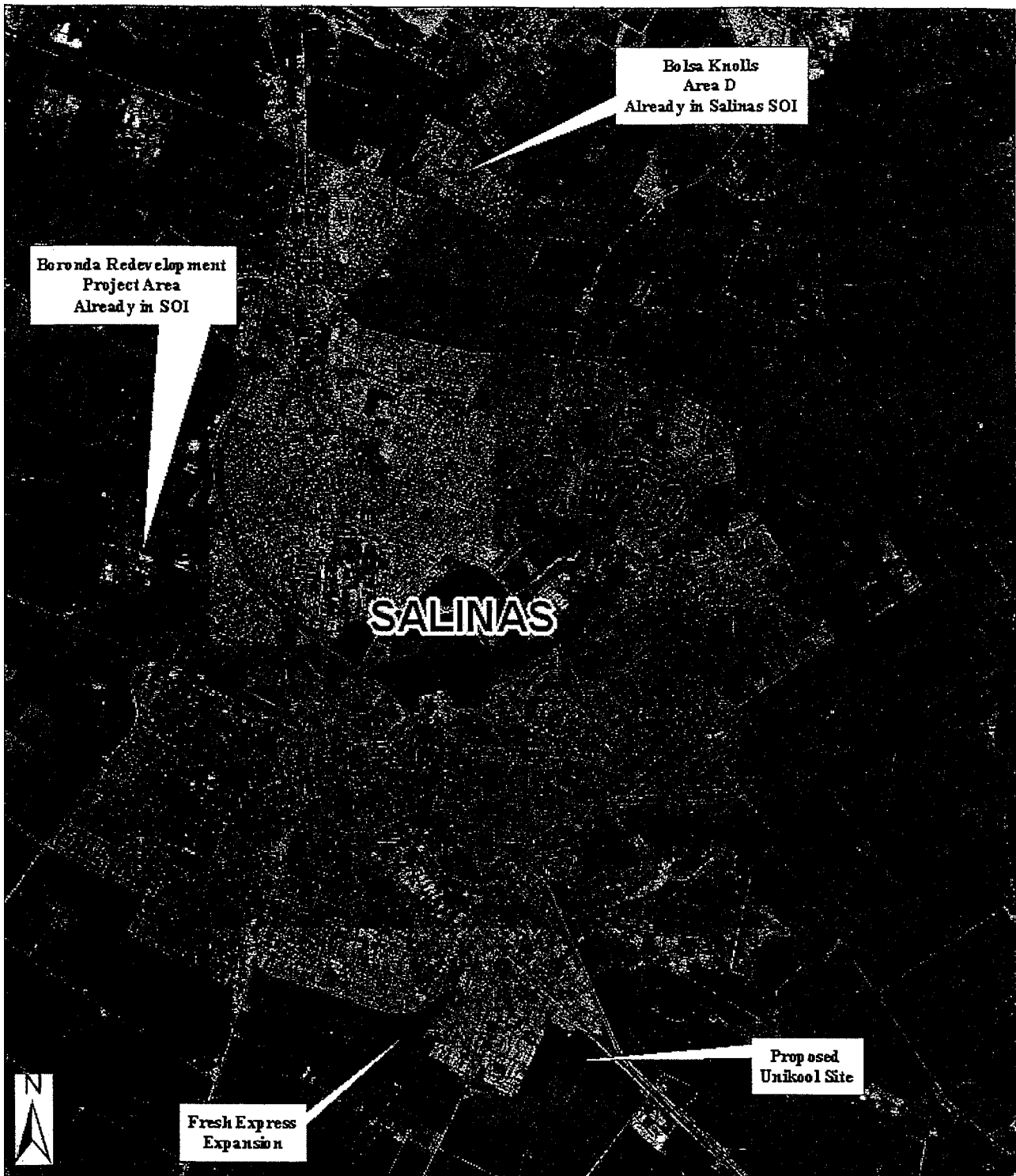


EXHIBIT A

Salinas 2005 Preliminary Sphere of Influence (SOI)  
Annexation Proposal Map

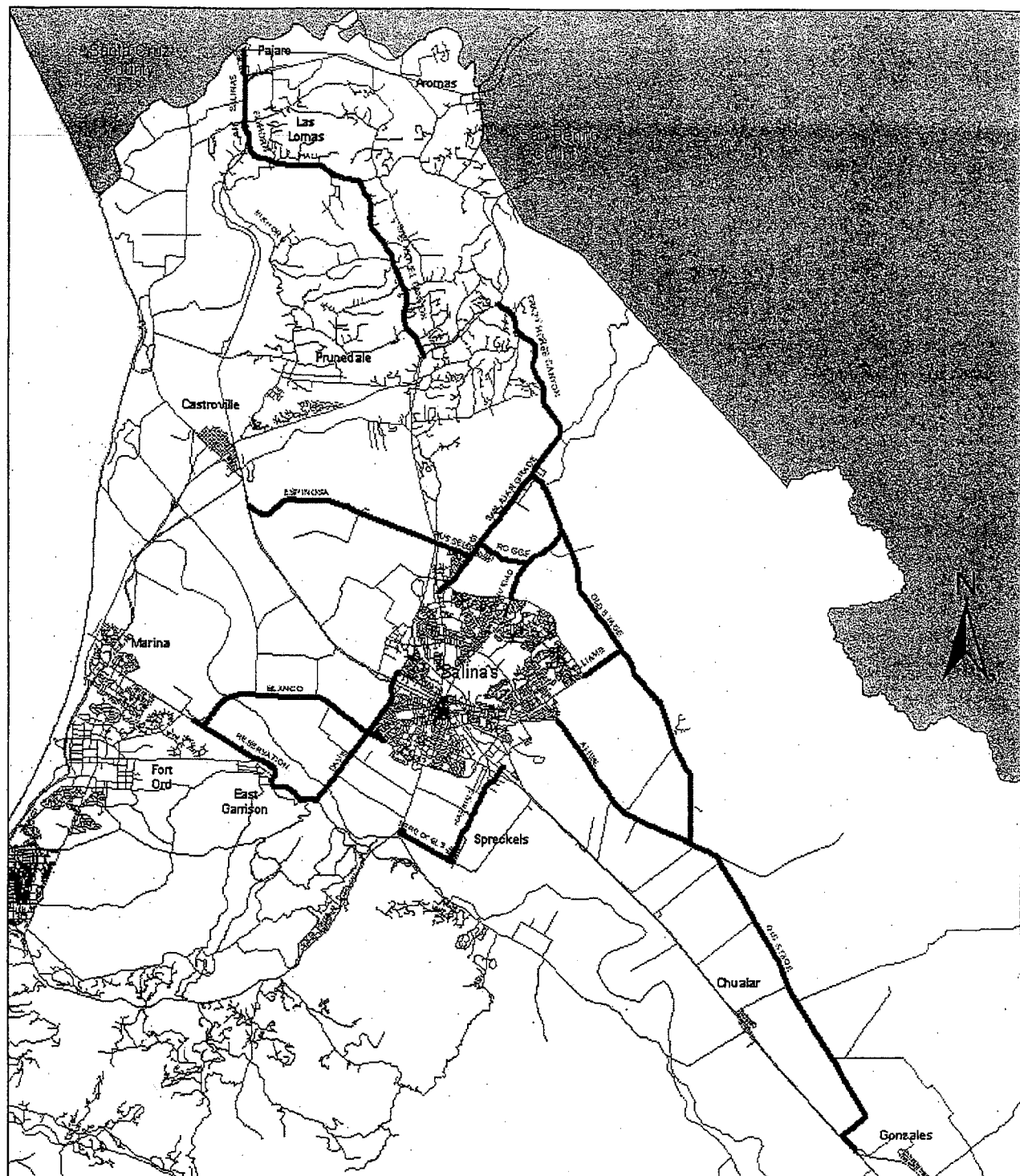
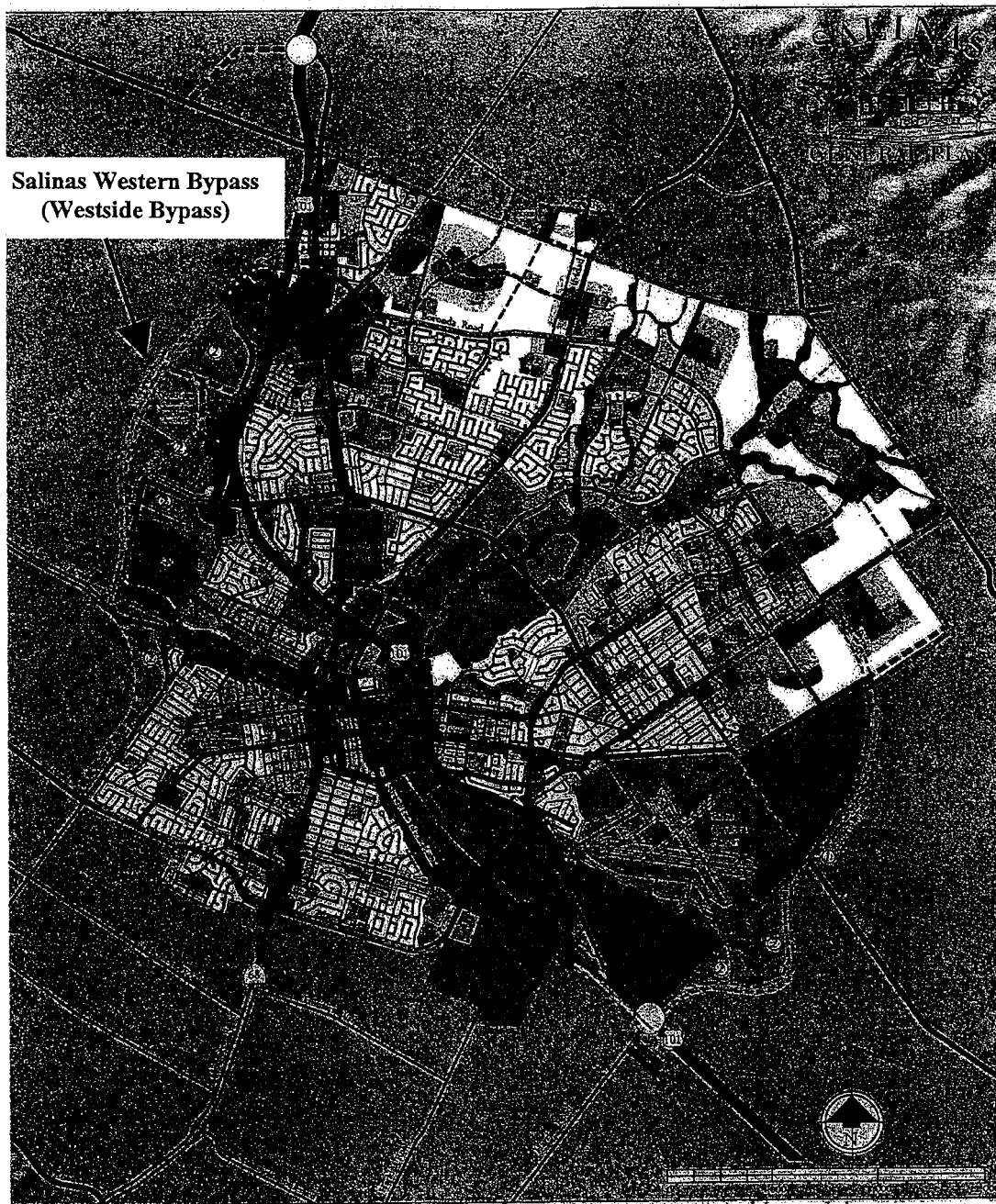


EXHIBIT B

Salinas Area Traffic Impact Fee  
Affected Major County Roads





Sources: City of Salinas; Cotton/Bridges/Associates

### EXHIBIT C

Westside Bypass Alignment  
City Salinas 2002 General Plan



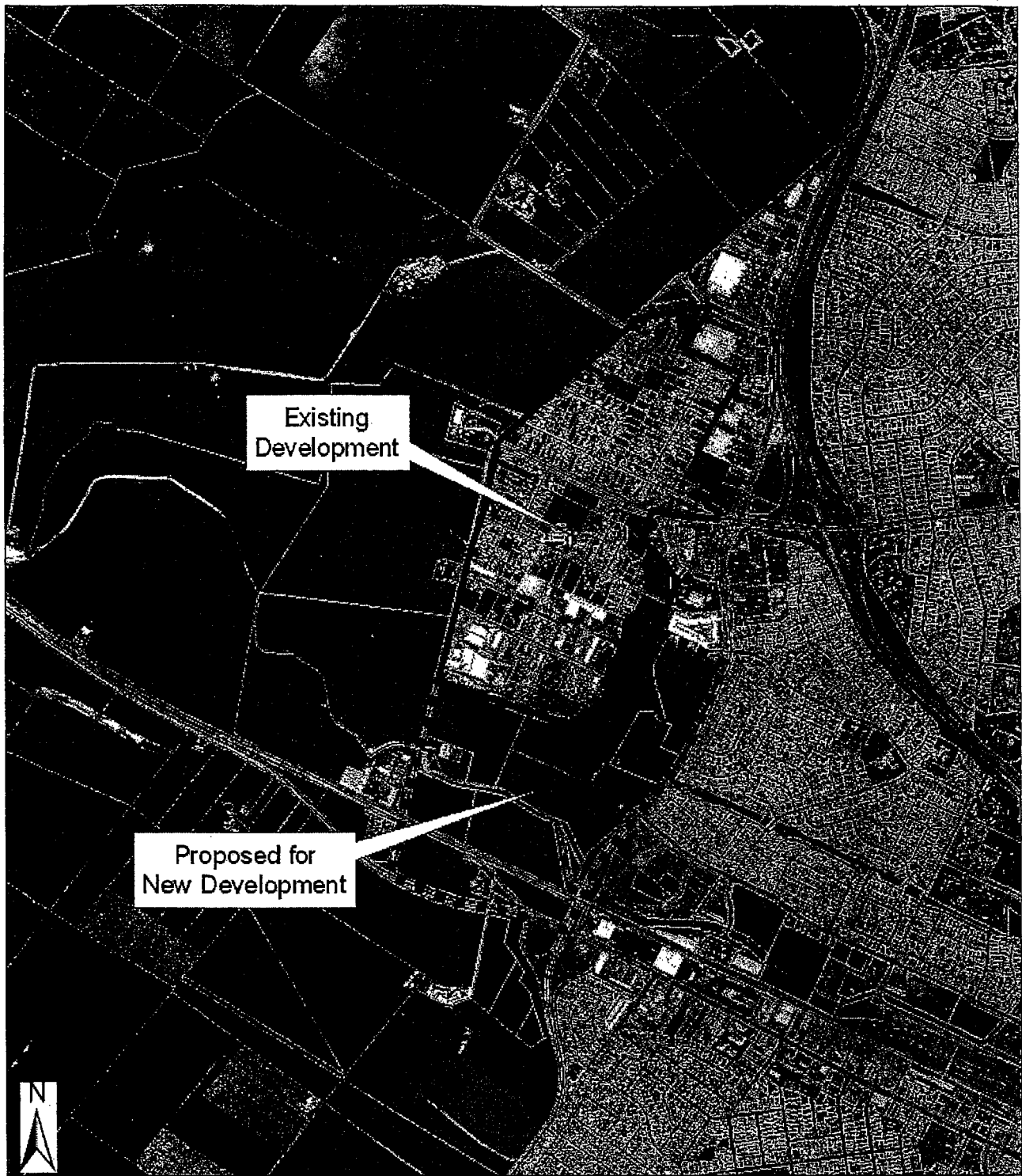


EXHIBIT D

North Boronda Redevelopment Project Area  
South Boronda Redevelopment Project Area



# City of Salinas

OFFICE OF THE CITY MANAGER  
200 Lincoln Avenue Salinas, California 93901

(831) 758-7201 Fax (831) 758-7368

October 6, 2006

Mike Novo, Interim Planning Director  
County of Monterey, Resource Management Agency  
Planning Department  
168 West Alisal Street, Second Floor  
Salinas, CA 93901

SUBJECT: 2006 MONTEREY COUNTY GENERAL PLAN AND GENERAL PLAN EIR

Dear Mr. Novo:

The August 15, 2006 Monterey County staff presentation to the Salinas City Council was beneficial and assisted the City Council to identify areas of importance to the City of Salinas and its residents. The City's primary considerations pertain to policies in support of City Centered Growth and the Greater Salinas Area. It is acknowledged that the Greater Salinas Area Memorandum of Understanding (GSA-MOU), approved by the Monterey County Board of Supervisors and the Salinas City Council on August 29, 2006 (copy attached) establishes a framework of guiding principles to ensure orderly and appropriate development for the Greater Salinas area.

The following comments provide an overview of the policy considerations that the City of Salinas would like the County of Monterey to address in the 2006 Monterey County General Plan (2006 GPU). In general, the City of Salinas expects the adopted County General Plan to be consistent with the GSA-MOU.

**City Centered Growth**

- Policies LU-2.1—LU-2.4 should cross reference City Centered Growth policies LU-2:15-2.19.
- Policy 2.15 does not acknowledge the sovereignty of local jurisdictions and reads as if it was a policy for other jurisdictions to implement. As such, an appropriate revision to this policy would be *encourage* rather than emphasize redevelopment and infill. Development proposals that are contiguous to current or planned city limits • should be directed to the respective city for annexation and development.
- Policy LU-2.17a. should be expanded to direct, to the greatest extent possible, development to the existing incorporated cities within the Salinas Valley *in accordance with the jurisdiction's adopted General Plan.*
- Policy LU-2.17b. is overly broad. Establishing a "demonstrable benefit to the residents of the County as a whole" is quite vague and bears no relationship to the findings that LAFCO must establish for the determination of a jurisdiction's sphere of influence. The

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**EXHIBI**



Mike Novo  
 October 6, 2006  
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City recommends that this policy be deleted.

- Policy LU-2.18, *"The County shall critically review development proposals and general plan amendments within cities to assure that the impacts of growth in cities on the County's infrastructure are adequately quantified and fully mitigated"* is expressed in an overbearing manner and does not reflect the spirit of cooperation embodied in the GSAMOU. It is recommended that this policy be either deleted or restated to indicate that the County will coordinate with cities to cooperatively evaluate development proposals both in the County and within the cities to discuss issues of mutual concern, and to mitigate, when feasible, impacts on infrastructure.
- Community Area Policies LU-2.20-2.27 establishing designated areas for urban uses is contrary to the fundamental principle of City Centered Growth.
- Policy LU-2.25 should be revised to prohibit development within designated Community Areas (including redevelopment areas) prior to the adoption of a Community Plan or Specific Plan.
- Agricultural Policies AG-2.1 and AG-23 prohibit the development of agricultural support and processing facilities in the unincorporated area on lands designated as Farmland, Permanent Grazing and Rural Grazing. These policies are contrary to City Centered Growth. These policies allow for the conversion of prime agricultural lands into industrial business parks. Agricultural support and processing facilities are a critical component of the regional economy, however, these industrial facilities are most appropriately located in the incorporated cities where infrastructure has been developed and where the workforce resides.

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### Circulation

The discussion regarding public transit services should be expanded to address MST's service to South County.

- Policy C-1.1 implies that Levels of Service (LOS) may be reduced through a Community Plan. This policy should be reconsidered. If LOS cannot be maintained at the appropriate standard, the approving authority may make findings of overriding consideration in conjunction with its consideration of the environmental impact report for the Community Plan.

Policy C-1.8 is similar to Policy LU-2.18 discussed above. The City recommends that the policy be revised to indicate that the County will coordinate with cities to cooperatively evaluate development proposals both in the County and within the cities to discuss issues of mutual concern and to mitigate, when feasible, impacts on the circulation system.

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- Policy C-4.3 implies that agricultural uses take precedence over all other uses – the development of an efficient circulation system is a benefit for all including agricultural users. All public rights of way should include appropriate provisions for drainage and utilities; however, agricultural drainage should not be a part of the public infrastructure.
- Policies C-5.1-C-5.6 support scenic roads and highways. As such, all of the County's roads and highways should be considered scenic. Monterey County and its incorporated cities rely on the quality of the landscape to support its principal economic activities: agriculture and tourism. This also supports Policy LU-1.12 that discourages off site advertising. The City of Salinas has prohibited the erection of new billboards and off premise advertising structures for many years and recommends that Monterey County also consider such a prohibition.
- Policy C-6.5 is recommended to include a reference to City Centered Growth as urban development allows for more viable transit options.

#### **Conservation&Open Space**

- Policy OS-1.1 encouraging voluntary restrictions to the development potential of property located in a visually sensitive area is meaningless. Development in visually sensitive areas should be linked to an implementation program or mitigation measure as appropriate.

#### **Emergency Services**

- Policy S-6.5 (misabeled as Policy P-6.5) indicates service levels for urban (Community Areas), suburban (Rural Centers) and rural areas. The response time for urban areas is established as 8 minutes or less, 90% of the time. The County may wish to consider a more aggressive response time similar to the City of Salinas. The emergency response service level adopted in the City's General Plan is 6 minutes, 90% of the time.

#### **Public Services**

- Policy PS-3.2 -" in determining whether there is a long term sustainable water supply, credit may be given for a significant reduction in the historic water use on site. Up to 50% of the average annual water use of 10 of the previous 20 years may be conserved for the proposed development." The intent of this policy is unclear. As it reads, one is led to believe that the policy is intended to contravene the doctrine of correlative rights and reasonable use which gives an overlying property owner the right to the reasonable use of the basin supply. Establishing the "reasonable use" of the water basin is typically established by creating a water balance demonstrating that the new use will use no more water than the historic use. This policy seems to imply that the "reasonable use" for a *new* use is one-half that of the historic use on the property. This policy appears inequitable.

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- Policy PS-4.5- "New development proposed in the service area if existing wastewater collection, treatment and disposal should seek service from those facilities whenever possible." The City recommends that this policy emphasize City Centered Growth and be strengthened to require annexation into a member agency's jurisdiction.

### Agricultural

- The inconsistency of policies AG-2.1 and AG-2.3, that support the conversion of farmland and grazing lands to agricultural support and processing facilities with the fundamentals of City Centered Growth is discussed above. The use of farmlands and grazing lands should be limited to raising crops and grazing livestock. The addition of industrial uses in locations outside of incorporated jurisdictions exacerbates traffic conditions on rural roads not designed to accommodate significant movements of truck traffic. Further, these policies have the potential to create isolated work environments in locations bereft of appropriate urban services and housing to serve the workforce. Additionally, the conversion of farmlands and grazing lands to support industrial processing would result in the erosion of the scenic aspects of the open lands used for row crop production and livestock grazing to the detriment of the region's attractiveness as a tourist destination.

### Economic Development

- Policies AG-2.1 and AG-2.3 policies conflict with Economic Development policy ED-2.3 which states: "Work with cities to place commercial and industrial development in the most appropriate locations."
- Policy ED-2.3 should reference and reinforce City Centered Growth.

### Greater Salinas Area Plan Supplemental Policies

- **FIGURE #10 Land Use Plan Greater Salinas**  
 This map and inserts continue to reflect urban land uses in the area formerly designated as Ranch San Juan with significant portions of the property designated for high density residential, industrial and commercial uses. The area is designated as a "Study Area," however the City recommends that the underlying land uses be designated as **Agricultural Farmlands** until the study is completed through either a Community Plan or Specific Plan in conjunction with the annexation into the City of Salinas.

Further, the City also recommends that the lands located northeasterly of the City's Future Growth Area (the generally triangularly shaped area formed by the extension of San Juan Grade road [both sides] and Old Stage Road as it extends to Crazy Horse Canyon Road be designated as a Study Area. Development within this area should be prohibited until the adoption of the required Community Plan or Specific Plan in conjunction with the annexation into the City of Salinas. The insert map entitled

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Butterfly Village and Rancho San Juan should be revised to include only the approved Butterfly Village project reflecting the Board of Supervisor's action. The inclusion of balance of the *former* Rancho San Juan area in this detail is misleading as Rancho San Juan is now limited to only Butterfly Village.

The Greater Salinas Area Land Use Map should also acknowledge the City's Future - Growth Area initially adopted by the City in 1988, and affirmed with the City's adoption of its 2002 General Plan.

- Policy GS-1.1 discusses the requirement for a special study for the area located north of Russell Road between Harrison Road and San Juan Grade Road adjacent the 671-acre Butterfly Village (a.k.a. Revised Rancho San Juan Specific Plan). Included in the discussion is a list of affected participants — the City of Salinas must be included in this discussion as should opportunities for City Centered Growth.

In addition to the above referenced General Plan policies, the City of Salinas has a potentially significant concern with the traffic modeling assumptions prepared for the 2006 General Plan Draft Program Environmental Impact Report. The basis of this concern stems from the work recently conducted by Fehr & Peers Transportation Consultants to assess the transportation implications of the Salinas Future Growth Area proposal using the AMBAG Regional Traffic Demand Forecasting Model. Seemingly, this traffic model includes a number of assumptions regarding trip distribution that appear to be flawed. The "flaws" seem to undermine the validity of the "regional model." Fehr & Peers have indicated that the model may be able to be utilized, however, it will take a significant effort in time and resources to correct the problems. Given the controversial nature of transportation related concerns, the City of Salinas would urge the comment period for the Draft Environmental Impact Report be extended until the concerns with the AMBAG Regional Traffic Demand Forecasting Model can be resolved.

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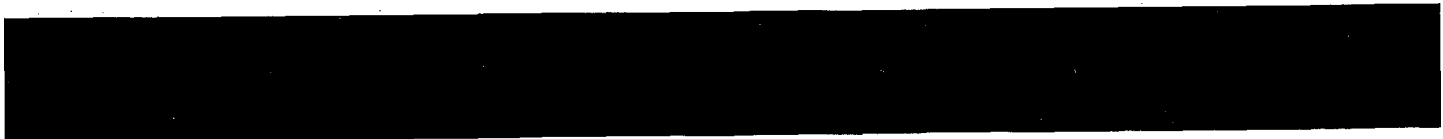
Thank you for presenting these concerns and considerations to the Planning Commission and Board of Supervisors.

Sincerely,

/s/

DAVE MORA  
City Manager

Cc: Mayor and City Council  
Vanessa Vallarta, City Attorney  
Robert C. Russell, PE, Deputy City Manager/City Engineer  
Jorge Rifa, Deputy City Manager





**RESOLUTION NO. 19422 (N.C.S.)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SALINAS  
APPROVING THE AGRICULTURAL LAND PRESERVATION PROGRAM**

**WHEREAS**, the City of Salinas has adopted and implemented various policies and mitigation measures in its 2002 General Plan and General Plan Final Program EIR relating to the conversion of agricultural lands to urban uses;

**WHEREAS**, these policies and measures include cooperation and agreements with the County of Monterey to confirm the general growth direction of the City to the north and east, as memorialized in the 2006 Greater Salinas Area Memorandum of Understanding (GSA-MOU);

**WHEREAS**, these policies and measures adopted in the 2002 General Plan also include priority to redevelopment and infill projects, as well as City-Centered growth principles; right to farm notices to ensure respect for farming rights; and buffers between agricultural and non-agricultural uses, amongst other General Plan policies and City codes that support and preserve agricultural lands;

**WHEREAS**, the City in the 2002 General Plan and in the 2006 GSA-MOU expressed its commitment to the development of an agricultural land conservation easement program;

NOW THEREFORE, **BE IT RESOLVED** that the City Council of the City of Salinas wishes to clarify and state the basic elements of the City's Agricultural Land Preservation Program.

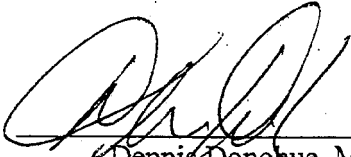
NOW THEREFORE, **BE IT FURTHER RESOLVED** that the Council approves adopts the attached Agricultural Land Preservation Program attached hereto and incorporated by reference.

PASSED AND ADOPTED this 8<sup>th</sup> day of April 2008, by the following vote:

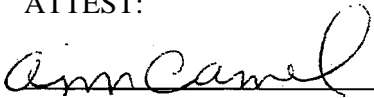
AYES: Councilmembers Barnes, Barrera, Sanchez, Villegas, and Mayor Donohue

NOES : Councilmember Lutes

ABSENT: Councilmember De La Rosa

  
\_\_\_\_\_  
Dennis Donohue, Mayor

ATTEST:

  
\_\_\_\_\_  
Ann Camel, City Clerk

## CITY OF SALINAS

## AGRICULTURAL LAND PRESERVATION PROGRAM

The City adopted and accordingly commits to, the following mitigation measures in 2002 General Plan Final Program.EIR relating to the conversion of agricultural lands to urban uses:

*Cooperation with the County*

AG-1. The City will implement Implementation Program COS-9, which requires the City to continue to cooperate with the County of Monterey to implement the Boronda Memorandum of Understanding [Greater Salinas Area-MOU], which directs that City growth occur generally to the north and east away from the most productive farmland.

*Priority to Redevelopment and Infill*

AG-2. The City will implement Implementation Program LU-7, *which* requires the City to give priority to redevelopment and infill projects that reduce development pressure on agricultural lands. Establish an incentive program to promote these projects, such as priority permit processing and density bonuses for such developments.

*Right to Farm Notices*

AG-3. The City will implement the Implementation Program COS-11, which requires the City to be consistent with the County of Monterey's "Right-to-Farm" Ordinance, and the policies with respect to farming rights found in the 2007 County of Monterey Draft General Plan, revise the City's Zoning Ordinance to require the recordation of a Right-to-Farm Notice as a condition of discretionary permit approval for residential development within 1,000 feet of an established agricultural operation. The purpose of the Notice is to acknowledge that residents in the area may experience inconveniences and discomfort associated with the normal fanning and grazing activities, such as noise and dust. The Notice shall specifically state that a variety of activities may occur that may be incompatible with the proposed development and that an established agricultural operation in full compliance with applicable laws, shall not be considered a nuisance due to changes in the surrounding area. The Notice shall also state that a person's right to recover under a nuisance claim against those activities may be restricted.

***Buffers between Agricultural and Non Agricultural Uses***

AG-4. The City will implement Implementation Program COS-10, which requires the City to encourage the provision and maintenance of buffers, such as roadways, topographic features, and open space, to prevent incompatibilities between agricultural and non-agricultural land uses. A number of factors shall be used to determine the appropriate buffer, including type of agricultural use, topography, and pesticide and machinery use, among others.

City of Salinas  
Agricultural-Land Preservation Program

*Agricultural Land Conservation Easement Program*

AG-5. The City will work with the County of Monterey, and other local jurisdictions, to create and implement an agricultural land conservation easement program including such measures as securing the dedication of easements or by paying a mitigation fee that could be used to purchase easements through a mitigation bank.

**200 Greater Salinas Area Memorandum of Understanding (GSA-MGU)**

#4. City and County agree to the creation and implementation of agricultural conservation easements in the unincorporated areas to the west and south of the City's Sphere of Influence insofar as the easements are consistent with the adopted General Plans of the two jurisdictions. (Emphasis added)

Program will include (in addition to AG1—AG5•noted above):

- Tax Sharing Agreement that confirms the growth-direction of the City and conra:ns severe fiscal penalties for growth that is not consistent with the City's established 2002 adopted General Plan and/or City-County policy (i.e., GSA-MOU).
- For development to the west and south of City, the City shall require the dedication of agricultural conservation easements to provide for the permanent protection of agricultural land. For example, the proposed Salinas Ag-Industrial Business Park (UniKool property) includes agricultural conservation easements that will be established prior to final approval by the City, consistent with GSA-MOU paragraph #3. All other GSA-MOU identified growth areas to the south and west of Highway 101, including the Fresh Express annexation project area, the Westside Bypass area as generally shown on Exhibit C to the GSA-MOU and development in the Boronda Redevelopment project area shall be subject to their own separate environmental review and appropriate mitigation measures.
- For development of lands within the GSA-MOU identified growth areas to the • north and east of Highway 101, no agricultural mitigation easement shall be required and a mitigation fee of \$750 p/acre shall be assessed for agricultural lands currently designated by the California Department of Conservation's Farmland Mapping and Monitoring Program as "Prime" or "of Statewide Importance.

City of Salinas  
Agricultural Land Preservation Program

- For purposes of this program, "GSA-MOLT identified growth areas" means annexations or changes in organization in the following areas: the north and east of the City limits that existed in 2005 and that are referenced in Figure LU-1 of the 2002 City General Plan, as well as the other areas identified in the GSA-MOU, including but not limited to Balsa Knolls and the Salinas Future Growth Annexation and Sphere of Influence (SOI) Area, the Chapin Rogge Road property, areas within the boundary of the final alignment of the Westside Bypass, the proposed Fresh Express expansion and the proposed Unikool Site to the south of Highway 101, and the Boronda Redevelopment Project Area, all as shown on Exhibits A and C to the GSA-MOU. A copy of the GSA-MOU is attached to this Program as Exhibit A.
- Any agricultural mitigation fees assessed by the City pursuant to this Program may, in the City's sole discretion, be applied toward the following types of activities designed to preserve and promote agriculture in the Greater Salinas Area (list is not intended to be all inclusive):
  - University level agricultural research, e.g. scientific research for solving agriculture's needs (e.g., food safety).
  - Increased agricultural educational programs in local high schools and community colleges.
  - Programs for expanding markets for local agricultural products.
  - Promoting careers in agriculture (e.g., scholarships).
  - Contributions to non-profit associations dedicated to agricultural education, promotion or preservation.
  - Contributions to USDA and the University of California Cooperative Extension. .

The City of Salinas Agricultural Land Preservation Program shall apply to all lands subject to the 2002 Salinas General Plan, and the GSA-MOU identified growth areas noted above.