

RESOLUTION NO. 2263A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF SOLEDAD CERTIFYING THE FINAL ENVIRONMENTAL
IMPACT REPORT FOR THE SOLEDAD GENERAL PLAN UPDATERECITALS

1. In order to comply with Government Code Section 65103(a), which requires that each City shall periodically review and revise, as necessary, its General Plan, the City of Soledad undertook preparation of revisions of specific elements of its General Plan in 1991. A decision to prepare a comprehensive General Plan Update was made in 1992.

2. The City of Soledad adopted the role of lead agency for purposes of environmental review of the General Plan Update pursuant to the California Environmental Quality Act ("CEQA").

3. A Draft Environmental Impact Report ("DEIR") was prepared for the Soledad General Plan Update and was completed in April of 1993. A Notice of Completion was filed with the State Secretary of Resources via the State Clearing House on April 19, 1993.

4. On April 4, 1993, a joint Planning Commission/City Council meeting was held to receive comments on the Draft General Plan Update and General Plan DEIR. No public comment was received at this time.

5. The DEIR was circulated for a forty-five (45) day public/agency review period beginning on April 19, 1993, and ending on June 3, 1993. Public notice of the availability of the DEIR was published in a newspaper of general circulation.

6. The City prepared responses to comments on environmental issues received during the public review period, which responses clarify and amplify the information contained in the DEIR, providing good faith reasoned analysis supported by factual information. As a result of said comments, modifications were made to the text of the EIR as well as to the General Plan itself. The comments and responses to comments are incorporated into the Soledad General Plan Update Final Environmental Impact Report ("FEIR") dated July 1993. Changes made to the text of the EIR are also reflected in the FEIR. The comments and responses to comments were distributed to or otherwise made available to the Soledad Planning Commission, responsible agencies, and other interested parties.

7. The Soledad General Plan Update FEIR identifies and recommends mitigations for potential significant adverse environmental impacts which will reduce such potential

significant adverse environmental impacts to a level of insignificance in various phases of implementation, planning, development, and compliance with the proposed General Plan Update. Additionally, the FEIR identifies certain significant adverse environmental impacts which cannot be mitigated to a level of insignificance.

8. On July 21, 1993, the Soledad Planning Commission considered all written and oral testimony submitted at a public hearing, and considered and reviewed the FEIR for the Soledad General Plan Update, dated July 1993.

9. On July 21, 1993, the Soledad Planning Commission found and certified that the FEIR for the Soledad General Plan Update had been completed in compliance with the requirements of the CEQA, and that said document reflected the independent judgment of the City of Soledad.

10. On July 26, 1993, the Soledad City Council held a public hearing, for which public notice was given, to consider the Soledad General Plan Update FEIR, all written and oral testimony submitted at the public hearing concerning the FEIR, and all modifications thereto.

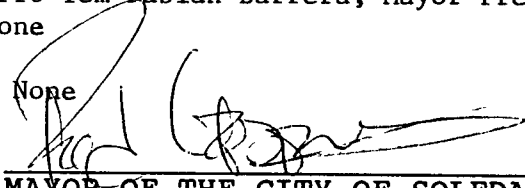
NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Council of the City of Soledad has reviewed and considered the Soledad General Plan Update Final Environmental Impact Report. The City Council hereby finds and certifies the Final Environmental Impact Report as complete, adequate, and in compliance with the CEQA, and further finds that the Final Environmental Impact Report reflects the independent judgment of the City Council and the City of Soledad as the lead agency.

PASSED AND ADOPTED by the City Council of the City of Soledad at a regular meeting duly held on the 26th day of July, 1993, by the following vote:

AYES, and in favor thereof, Councilmembers: John Holguin, Ben Jimenez, Jr., Richard Ortiz, Mayor Pro Tem Fabian Barrera, Mayor Fred Ledesma
NOES, Councilmembers: None

ABSENT, Councilmembers: None


MAYOR OF THE CITY OF SOLEDAD

ATTEST:


CITY CLERK OF THE CITY OF SOLEDAD

RESOLUTION NO. 2264

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLEDAD ADOPTING THE CITY OF SOLEDAD GENERAL PLAN UPDATE; MAKING FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE SOLEDAD GENERAL PLAN UPDATE; ADOPTING A MITIGATION MONITORING PROGRAM FOR THE SOLEDAD GENERAL PLAN UPDATE; AND RECOMMENDING PREPARATION OF A SPHERE OF INFLUENCE STUDY

Recitals

1. In order to comply with Government Code Section 65103(a), which requires that each city periodically review and revise, as necessary, its General Plan, the City of Soledad undertook preparation of revisions of portions of its General Plan in 1991. A decision to prepare a comprehensive General Plan update was made in 1992.

2. The City of Soledad adopted the role of lead agency for purposes of environmental review of the General Plan update pursuant to the California Environmental Quality Act (CEQA).

3. On August 28, 1991, the Soledad Planning Commission held a public meeting concerning preparation of the Housing Element of the General Plan. No public comment was received at said meeting. Subsequently, on September 4, 1991, a draft copy of the Housing Element was distributed for comment to members of the Planning Commission.

4. On September 22, 1991, the Soledad Planning Commission held a public meeting regarding preparation of the land use and circulation elements of the General Plan. No public comment was received during the course of this meeting. Subsequently, on November 6, 1991, a draft copy of the Land Use Element was distributed for comment to the Planning Commission.

5. In March of 1993, a draft of the comprehensive City of Soledad General Plan Update was completed. Thereafter, the City initiated preparation of the Draft Environmental Impact Report ("DEIR") for the General Plan Update.

6. On April 4, 1993, a joint Planning Commission/City Council meeting was held to receive comments on the Draft General Plan Update and DEIR. No public comment on either document was received at this time.

7. Pursuant to provisions of the State Planning and Zoning law, it is the function and duty of the Planning Commission of the City of Soledad to review and recommend action on the City's General Plan Update.

8. The Planning Commission held a duly noticed public hearing on the Soledad General Plan Update on July 21, 1993. After considering the document and all written and oral testimony submitted at the public hearing, as well as reviewing said document in accordance with the provisions of the CEQA, the Planning Commission adopted Resolution No. 93-10, certifying the Final Environmental Impact Report ("FEIR") as adequate and recommending City Council adoption of the Soledad General Plan Update and all memoranda attached thereto.

9. The City Council held a duly noticed public hearing on the General Plan Update on July 26, 1993. At said meeting, the City Council reviewed the General Plan Update in accordance with the provisions of the CEQA through the preparation and review of an environment impact report.

10. On July 26, 1993, the City Council of the City of Soledad adopted Resolution No. 2263 certifying the Soledad General Plan Update FEIR as adequate and complete. The FEIR identified significant adverse environmental impacts which can be mitigated to a level of insignificance through changes or alterations in the General Plan project. Therefore, pursuant to CEQA, findings adopting the changes or alterations are required and are contained in this Resolution. Some of the significant impacts cannot be mitigated to a level of insignificance and a statement of overriding considerations is therefore required pursuant to the CEQA and is also contained in this Resolution.

11. Section 15093 of the State CEQA Guidelines requires adoption by the City Council of the statement of overriding considerations if the Council approves a project which will result in unavoidable significant impacts on the environment.

12. The Soledad General Plan Update FEIR identifies certain significant adverse environmental effects.

13. Certain of the significant adverse environmental effects identified in the FEIR can be reduced to a level of insignificance by changes or alterations in the project.

14. Certain of the significant adverse environmental effects identified in the FEIR cannot be mitigated to a level of insignificance.

15. Public Resources Code Section 21081.6 requires the City to adopt a reporting or monitoring program for changes in the project or conditions imposed to mitigate or avoid significant

environmental effects in order to ensure compliance during project implementation.

16. Government Code Section 65300 authorizes the City Council to adopt the General Plan for land outside its boundaries which in the Planning Commission's judgment bears relations to its planning.

17. The Planning Commission has considered whether land outside the city boundaries bears relation to the City's planning.

18. Pursuant to Government Code Section 65585, in adopting or amending the Housing Element of a General Plan, the City shall consider the guidelines adopted by the Department of Housing and Community Development ("HCD"). Prior to adoption, the City must submit a draft of the element or any amendment to the HCD for review and written findings. The City must consider the findings before taking action. Drafts of the Housing Element of the General Plan Update were sent to HCD on June 15, 1992, and March 5, 1993. Written comments were received from HCD, and the City made revisions to the Housing Element is substantial compliance with said comments.

NOW, THEREFORE, be it resolved that the City Council of the City of Soledad does hereby approve and adopt, with the modifications described in the memorandum thereto, the Soledad General Plan Update 1993.

The City Council of the City of Soledad does hereby direct the staff to edit, format, and imprint the up-to-date Soledad General Plan with all City Council approved revisions.

BE IT FURTHER RESOLVED that the City Council of the City of Soledad does hereby make the findings set forth in Sections 1, 2, 3, and 4 of Exhibit A, attached hereto and incorporated herein by reference, for the Soledad General Plan Update.

BE IT FURTHER RESOLVED that the City Council of the City of Soledad finds and declares that the rationale for each of the findings set forth in Sections 1, 2, 3, and 4 of its findings (Exhibit A) is contained in each of the respective sections. The Council further finds that the mitigation measures for each identified impact in Section 1 of Exhibit A makes changes to, or alterations to, the Soledad General Plan Update, or are measures incorporated into the Soledad General Plan Update that, once implemented as described in the mitigation monitoring program, will avoid or substantially lessen the significant effects of the General Plan Update on the environment.

BE IT FURTHER RESOLVED that the City Council of the City of Soledad does hereby adopt the statement of overriding

considerations set forth in Section 4 of Exhibit A, attached hereto, which statement shall be included in the record of the project approval.

BE IT FURTHER RESOLVED that the City Council of the City of Soledad does hereby adopt the "mitigation monitoring program" for the Soledad General Plan Update, attached hereto and incorporated herein as Exhibit B, as the reporting and monitoring program required by Public Resources Code Section 21081.6 for the Soledad General Plan Update.

BE IT FURTHER RESOLVED that the City Council of the City of Soledad shall request that the Monterey County Local Agency Formation Commission, pursuant to Government Code Section 56425, undertake a sphere of influence study for the City of Soledad.

BE IT FURTHER RESOLVED that the City Council of the City of Soledad does hereby direct the City Clerk to file a Notice of Determination for the Soledad General Plan Update with the Monterey County Clerk in the State Office of Planning and Research.


BE IT FURTHER RESOLVED that the City Council of the City of Soledad does hereby direct the City Clerk to make available to the public, within one working day of the date of adoption of this resolution, copies of this resolution and the Soledad General Plan Update.

BE IT FURTHER RESOLVED that this resolution shall become effective thirty (30) days from the date of passage.

PASSED AND ADOPTED by the City Council of the City of Soledad at a regular meeting duly held on the 26th day of July, 1993, by the following vote:

AYES, and in favor thereof, Councilmembers: John Holguin, Ben Jimenez, Jr., Richard Ortiz, Mayor Pro Tem Fabian Barrera, Mayor Fred Ledesma
NOES, Councilmembers: None

ABSENT, Councilmembers: None


MAYOR OF THE CITY OF SOLEDAD

ATTEST:


CITY CLERK OF THE CITY OF SOLEDAD

SECTION 1- FINDINGS CONCERNING SIGNIFICANT IMPACTS AND MITIGATION MEASURES

Pursuant to Public Resources Code section 21081, the City Council, hereby makes the following findings with respect to the Project's¹ potential significant environmental impacts and the means for mitigating these impacts. Findings pursuant to section 21081, Sub. Div. (c), as they relate to "Project Alternatives", are made in Section 3.

SIGNIFICANT IMPACTS

SECTION 4.2 - LAND USE ELEMENT

IMPACT 4.2.1 - 4. Loss Of Prime Agricultural Land, Degradation Of Air Quality, Groundwater Overdraft, And Increased Demand On Public Services.

General Plan Program 4.2.1 - 4 calls for the City of Soledad to petition the Monterey County Local Agency Formation Commission (hereafter LAFCo) to request that the City's sphere of influence boundary be modified to be consistent with the twenty (20) year planning area boundary set forth in the General Plan Update. Although there are no primary impacts associated with the adoption of this program, potential secondary impacts resulting from implementation of this program include the loss of prime agricultural land, degradation of air quality, groundwater overdraft, and increased demand on public services. The loss of agricultural land, additional groundwater withdrawal, and potential air quality degradation are all considered to be significant unavoidable impacts. (FEIR pgs. xiii - xv, 110, 137, Section 5.1, pgs. 173-174.)

MITIGATION/FINDINGS

With respect to the loss of agricultural land, groundwater withdrawal, and air quality degradation, no mitigations are proposed to reduce these impacts to a level of insignificance. Therefore, a statement of overriding considerations must be adopted upon approval of the Project. However, implementation of General Plan program 4.2.1-6 will serve to mitigate adverse impacts and effects associated with program 4.2.1-4 by insuring that future development in Soledad adheres to the environmental standards set forth by LAFCo and the City of Soledad. Program 4.2.1-6 provides that the City of Soledad shall adopt guidelines and standards for annexation proposals consistent with the Knox-Nisbet Act, Monterey County

¹ The "Project" is the City of Soledad General Plan Update 1993, as described in pages xi through xiii of the City of Soledad General Plan Update Final Environmental Impact Report ("FEIR").

LAFCo's guidelines, the General Plan Update, and Environmental Standards, as follows:

General Guidelines and Standards:

1. All proposals for annexation to the City of Soledad shall contain information which addresses the Monterey County LAFCo standards for the evaluation of proposals.
2. All proposals shall be consistent with the City's General Plan and services and facilities plans for the City.

Area of Concern (AOC) to Urban Transition Area (UTA)-
Guidelines and Standards:

1. The City of Soledad shall require additional study of the Area of Concern including, but not limited to, a discussion of existing land uses, infrastructure availability, current and future market demands, agricultural significance, land use incompatibilities, and the need and ability of the City of Soledad to provide additional services.
2. The City of Soledad shall amend the Soledad General Plan Update 1993 to include land use designations, circulation patterns, service information, and policy direction for this area prior to requesting Monterey County LAFCo to consider sphere of influence boundary changes.

Urban Transition Area (UTA) to Urban Service Area (USA)
Guidelines and Standards:

1. The City of Soledad shall consider changing an Urban Transition Area to an Urban Service Area when it anticipates that public services and facilities will be available or are planned to be available for said area.
2. The City of Soledad shall consider changing an Urban Transition Area to an Urban Service Area when it identifies a planned need for additional residential development.
3. The City of Soledad shall consider changing an Urban Transition Area to an Urban Service Area when it identifies a planned need to provide more commercial development.
4. The City of Soledad shall consider changing an Urban Transition Area to an Urban Service Area when it identifies a planned need to provide a better jobs-to-housing balance.

Annexation Guidelines and Standards

1. That City of Soledad shall demonstrate that public services and facilities are available or are planned to be

available, with financial mechanisms identified.

2. The City of Soledad shall demonstrate an established demand for residential development.

3. The City of Soledad shall demonstrate the need to improve the jobs-to-housing balance.

4. The City of Soledad shall demonstrate that in-fill capabilities are unavailable or inappropriate.

5. The City of Soledad shall not consider annexations which create islands of unincorporated territory, do not have direct access to existing public streets, sewers, and water services, or where such access and services cannot be reasonably developed.

6. The City of Soledad shall give preferential consideration to annexation proposals which are within the sphere of influence and urban service area, incorporate design elements which buffer impacts on adjacent agricultural lands and farming practices, include water conservation elements in project design, include development proposals which create a high ratio of jobs per acre and a high ratio of jobs per gallon of water consumed, and which are of sufficient size to facilitate the provision and/or financing of infrastructure improvements.

7. To insure that annexation proposals will not promote urban sprawl or prematurely convert agricultural land to non-agricultural uses, the City shall evaluate each proposal to annex vacant land against the existing inventory of, and anticipated need for similarly zoned vacant land within the City boundaries.

8. In support of Soledad's General Plan Update, the City shall consider adopting a "right to farm" ordinance that would protect owners of agricultural land at the urban fringe from unwarranted nuisance suits brought by surrounding land owners and provide for resolutions of urban agricultural disputes, request Monterey County's LAFCo to update the city's sphere of influence to include the Area of Concern as illustrated on Figure 3, and request Monterey County LAFCo to update the City's sphere of influence boundary and urban service area boundary consistent with the General Plan Update as illustrated in Figures 4 and 7 of the FEIR.

RATIONALE FOR FINDING

Any and all losses of prime agricultural land, additional ground water withdrawal, and degradation of air quality are considered significant environmental impacts. Since these impacts cannot be mitigated to a level of insignificance, they will require adoption of a statement of overriding considerations.

Implementation of program 4.2.1-4 will enable the City to better accommodate build-out of the General Plan in an efficient and economic manner. The program is necessary to sustain urban development congruent with the City's needs. Implementation of program 4.2.1-6 will eliminate and/or control future impacts and effects associated with program 4.2.1-4.

IMPACT 4.2.1-5. Loss Of Prime Agricultural Land, Degradation of Air Quality, Groundwater Overdraft, And Increased Demands On Public Services.

General Plan Program 4.2.1-5 provides that the City shall petition LAFCo to request that the City's urban service area boundary be modified to be consistent with the extension of urban services within the sphere of influence and to promote a logical growth pattern. Although there are no primary impacts associated with the adoption of this program, potential secondary impacts resulting from implementation of this program include the loss of prime agricultural land, degradation of air quality, groundwater overdraft, and increased demand on public services. The loss of agricultural land, additional groundwater withdrawal, and potential air quality degradation are all considered to be significant unavoidable impacts. (FEIR pgs. xiii - xv, 110. 137, Section 5.1, pgs. 173-174.)

MITIGATION/FINDING

With respect to the loss of agricultural land, groundwater withdrawal, and air quality degradation, no mitigation measures are proposed to reduce these impacts to a level of insignificance. Therefore, a statement of overriding considerations must be adopted upon approval of the project. However, implementation of General Plan program 4.2.1-6 will serve to partially mitigate all adverse impacts and effects associated with program 4.2.1-5. The details concerning Program 4.2.1-6 are set out above in the Mitigation/Finding Section for Impact 4.2.1 - 4.

RATIONALE FOR FINDING

Any and all losses of prime agricultural land, additional groundwater withdrawal, and degradation of air quality are considered significant environmental impacts. Since these impacts cannot be mitigated to a level of insignificance, they will require adoption of a statement of overriding considerations.

Implementation of program 4.2.1-5 will accommodate build-out of the General Plan in a planned and orderly manner. The program is necessary to sustain urban development congruent with the City's needs. Implementation of program 4.2.1-6 will eliminate and/or control future impacts and effects associated with program 4.2.1-4.

SECTION 4.2.2 RESIDENTIAL DEVELOPMENT

IMPACT 4.2.2-15. Increased Demand For Public Services, Increased Demand For Parking, Increased Amount Of Traffic Congestion.

General Plan Program 4.2.2-15 provides that the City of Soledad shall pre-zone an appropriate amount of land within the City for multi-family residential dwelling units when portions of the urban expansion area are to be annexed. The purpose of the program is to insure that housing opportunities are made available to all segments of the population as the urban expansion area is developed. Although there are no primary impacts associated with adoption of this program, potential secondary impacts resulting from implementation of the program include increasing the demand for public services, increasing the demand for parking, and increasing the amount of traffic congestion. (FEIR pg. 117)

MITIGATION MEASURE

The City of Soledad shall require that all new residential, commercial, industrial, and public facility development in the City of Soledad shall be subject to further environmental review.

FINDING

Incorporation of the recommended mitigation into the Project will allow the City to avoid or substantially lessen the secondary impacts identified in the FEIR.

RATIONALE FOR FINDING

Environmental review of all new residential, commercial, industrial, and public facilities, will enable the City to identify potential impacts associated with the demand for public services, the demand for parking, and traffic congestion before they occur and will allow certain mitigation measures to be incorporated into development of the urban expansion area.

IMPACT 4.2.2-19. Increased Demand On Public Services, Increased Demand For Parking, Increased Amount Of Traffic Congestion.

General Plan Program 4.2.2-19 provides that the City shall revise the zoning ordinance to encourage lot consolidation and to promote clustering of residential units. The purpose of the program is to encourage a better housing type mix and provide more housing opportunities to all income groups in the City of Soledad. Although there are no primary impacts associated with the adoption of the program, potential secondary impacts resulting from the implementation of the program include increased demand on public services, increased demand for parking, and an increase in the amount of traffic congestion within the City. (FEIR pg. 118)

MITIGATION MEASURE

The City of Soledad shall require that all new residential, commercial, industrial, and public facility development in the City of Soledad shall be subject to further environmental review.

FINDING

Incorporation of the recommended mitigation into the Project will allow the City to avoid or substantially lessen the secondary impacts identified in the FEIR.

RATIONALE FOR FINDING

Environmental review of all new residential, commercial, industrial, and public facilities, will enable the City to identify potential impacts associated with the demand for public services, the demand for parking, and traffic congestion before they occur and will allow certain mitigation measures to be incorporated into future development approval.

IMPACT 4.2.2-21. Reduction Of Housing Units.

General Plan Program 4.2.2-21 provides that the City shall revise the zoning ordinance to allow institutional uses in residential zones. The purpose of the program is to plan for the expansion of school districts. If implemented, this program will

reduce the amount of housing units that can be built in residential areas. (FEIR pg. 21)

MITIGATION MEASURE

The City of Soledad shall require that residential development be clustered to provide more housing opportunities within affected zones.

FINDING

Changes in residential development incorporated into the General Plan will avoid or substantially lessen the significant effect of implementation of this program as identified in the FEIR.

RATIONALE FOR FINDING

The proposed program, which will permit institutional facilities to be located in or adjacent to residential areas within the City, may reduce the amount of available low density housing units. However, implementation of the required mitigation measure will encourage lot consolidation to provide larger sites or alternative patterns of development for high or medium density residential development, therefore providing additional housing opportunities and access to residents in need.

4.2.3 ECONOMIC DEVELOPMENT

IMPACT 4.2.3-22. Residential Land Uses In The City Of Soledad.

General Plan Program 4.2.3-22 provides that the City will use the land use plan map in the Land Use element as a guide for siting future commercial and industrial uses within the City. The program, which will promote additional commercial and industrial development within the City, will guide future growth and will require action by the Planning Commission to rezone certain areas of the City to be in compliance with the land use plan map. Although the City's goal in the General Plan is to locate new commercial and industrial uses in areas that are accessible and that will result in a minimum disruption to surrounding neighborhoods, implementation of this program may result in an adverse effect on residential land uses in the City of Soledad. (FEIR pg. 119)

MITIGATION MEASURE

In order to mitigate the adverse effect that implementation of this program will have on residential land within the City, the City should take measures to insure that ample residential land is available to meet the City's housing

goals as well as to provide an adequate jobs-to-housing balance.

FINDING

Implementation of measures to insure that the City's housing goals are met and that the appropriate jobs-to-housing balance is achieved have been incorporated into the General Plan, and will thus avoid or substantially lessen the significant effect identified in the FEIR.

RATIONALE FOR FINDING

By providing adequate land for the City's housing needs, the City will not subvert such needs to future commercial and industrial uses.

IMPACT 4.2.3-24. Unavoidable Loss Of Agricultural Land, Increased Traffic Congestion, Increased Demand For Residential Units And Urban Services.

General Plan Program 4.2.3-24 requires that the City designate a substantial amount of land for a large commercial use thus creating an incentive to bring diversified commercial users to the City. Implementation of this program will provide the City of Soledad with developable property that is accessible to public services and Highway 101 and that will attract commercial investors to the City. Implementation of the policy will also reduce retail leakage and assist the City in achieving the appropriate jobs-to-housing balance. Although there are no primary impacts associated with adoption of this program, potential secondary impacts resulting from implementation of the program include an unavoidable loss of agricultural land, increasing traffic congestion, and creation of a higher demand for residential units and urban services. The loss of agricultural land is considered a significant unavoidable impact. (FEIR pg. 121)

MITIGATION MEASURE

With respect to the loss of agricultural land, no mitigations are proposed to reduce the impact to a level of insignificance. Therefore, a statement of overriding considerations must be adopted upon approval of the project.

With respect to other perceived impacts, all future commercial, industrial, and public facilities development shall be subject to environmental review.

FINDING

Implementation of the environmental review process incorporated into the Project will avoid or substantially

lessen the significant effect identified in the FEIR.

RATIONALE FOR FINDING

Environmental review of all future commercial, industrial, and public facilities development will allow the City to identify potential related impacts before they occur, and will allow specific mitigation measures to be incorporated into all such development.

IMPACT 4.2.3-25. Incompatibilities Between Land Uses (lighting, visual, noise).

General Plan program 4.2.3-25 provides that certain areas of the planning area should permit neighborhood or convenience commercial uses. All such uses, which will help to reduce the number and length of automobile trips within the City, should be considered for the planned major intersections of roads in the urban expansion area and so designated on the Land Use Plan Map and Zoning map. The purpose of the program is to help reduce traffic hazards on neighborhood streets as well as to reduce air pollution. While there are no primary impacts associated with adoption of the program, potential secondary impacts resulting from implementation of this program may include incompatibilities between land uses concerning lighting, visual impacts and noise. (FEIR pg. 120)

MITIGATION MEASURE

All future commercial, industrial, public facility, and residential development shall be subject to further environmental review to insure land use compatibility.

FINDING

Implementation of the environmental review process incorporated into the Project will avoid or substantially lessen the significant effect identified in the FEIR.

RATIONALE FOR FINDING

Use of the environmental review process will allow the City to identify potential land use incompatibilities before they occur and will allow specific mitigation measures, including redesign, to be incorporated into any future development.

IMPACT 4.2.3-26. Additional Demand For Parking, Increased Traffic Congestion And Possible Incompatibility Between Land Uses.

General Plan Program 4.2.3-26 provides that the City will amend the zoning ordinance to allow mixed commercial and

residential uses in appropriate districts, such as the downtown area. The purpose of the Program is to reduce the number of vehicle trips between commercial and residential land uses, thereby reducing impacts to air quality, and to provide greater housing opportunities to lower income families. Although there will be no primary impacts associated with the adoption of this program, potential secondary impacts resulting from implementation of the program, which could concentrate more people in the downtown area, include additional demands for parking, increased traffic congestion, and possible incompatibilities between land uses. (FEIR pg. 121)

MITIGATION MEASURE

All mixed-use development that includes residential land uses shall be subject to further environmental review.

FINDING

Use of the environmental review process incorporated into the Project will avoid or substantially lessen the significant effect identified in the FEIR.

RATIONALE FOR FINDING

Environmental review of all mixed use development that includes residential land uses will allow the City to identify potential impacts on the concentration of persons in the downtown area, increased demands for parking, traffic congestion and incompatible land uses before they occur and will allow specific mitigation measures to be incorporated into development in the Project area.

Section 4.2.4 - INSTITUTIONAL/PUBLIC FACILITIES

IMPACT 4.2.4-45. Inability To Finance Additional Police And Fire Department Personnel Requirements.

General Plan Program 4.2.4-45 requires the City to identify and pursue a financing program to obtain additional capital facilities for the police and fire departments. This program will allow for capital facility improvements and will insure that new development assists the City in defraying the cost of providing additional public facilities and services in keeping with the needs generated by new development. However, while implementation of this particular program will allow for improvements and development of actual facilities, the program does not provide for the acquisition of new personnel. (FEIR pg. 125)

MITIGATION MEASURE

The City of Soledad should adopt a public safety mitigation impact fee for all new development to be shared jointly by the police and fire departments in Soledad.

FINDING

Incorporation of a program implementing a public safety mitigation impact fee into the project will avoid or substantially lessen the effect identified in the FEIR.

RATIONALE FOR FINDING

In collecting a public safety mitigation impact fee from new development for new vehicles, equipment and other capital facilities, the City will have access to monies normally dedicated to such purposes for use in employing additional personnel.

IMPACT 4.2.4-52. Uncertainty Concerning Restricted Access To School Property.

General Plan Program 4.2.4-52 mandates that the City establish a cooperative program between the school districts and the City to share parks and recreation facilities. Special emphasis is to be given to this cooperative effort in order to provide for the recreational needs of the City's residents. Program 4.2.4 - 52 will help the City to obtain its goal of one acre of parks/recreational facility space per every 250-333 persons in the population. However, as a result of restrictions that may be imposed as to the conditions by which school facilities can be used by the public, the public may incur a minor adverse impact due to uncertainty concerning restricted access to school property as park space during school hours. (FEIR pg. 127)

MITIGATION MEASURE

The City should create signage regulating joint use of school property as park space.

FINDING

Incorporation of a program implementing adequate park/school facilities use signage will avoid or substantially lessen the relatively minor effect identified in the FEIR.

RATIONALE FOR FINDING

Proper signage will provide all park users with adequate guidance concerning hours of use. The City and the school

districts should cooperate in order to maximize available use time and minimize any potential interference with school operations.

IMPACT 4.2.4-53. Uncertainty Concerning Restricted Access To School Property

General Plan Program 4.2.4-53 provides that in planning the future development of the urban reserve area, the City shall combine public parks/playgrounds with school yard playgrounds so that school playgrounds, when not in use, can be used by the general public as recreational space. This program would establish objectives and goals regarding the provision of adequate park and recreational facilities in the City. In addition, this program would prioritize the need for additional park or required improvements. However, as a result of restrictions that may be imposed as to the conditions by which school facilities can be used by the public, the public may incur a minor impact due to uncertainty concerning restricted access to school property as park space during school hours. (FEIR pg. 127)

MITIGATION MEASURE

The City should create signage regulating joint use of school property as park space.

FINDING

Incorporation of a program implementing adequate park/school facilities use signage will avoid or substantially lessen the relatively minor effect identified in the FEIR.

RATIONALE FOR FINDING

Proper signage will provide all park users with adequate guidance concerning hours of use. The City and the school districts should cooperate in order to maximize available use time and minimize any potential interference with school operations.

IMPACT 4.2.4-60. Discouragement Of Future Residential Development.

General Plan program 4.2.4-60 provides that to the extent allowed by law, in order to address the impacts on local school districts engendered by future development, the City shall require a land dedication and/or facilities from new residential developments to mitigate said impacts. In addition to, or instead of land dedication and/or facilities, school in-lieu fees may be assessed by the school district to reduce the impact upon current enrollment. This program will insure that new development assists the City and the school districts in defraying the cost of providing additional public facilities. However, as a result of

said additional costs, implementation of this program may deter future residential development in the City. (FEIR pg. ____)

MITIGATION MEASURE

Implementation of this program, which includes efforts on the City's part to encourage school districts and developers to enter into cooperative agreements to provide adequate future school facilities, will act as its own mitigation.

FINDING

Incorporation of a program implementing a number of methods to reduce the impact of development on relevant school districts will avoid or substantially lessen the minor adverse effect identified in the FEIR.

RATIONALE FOR FINDING

The City has committed itself to a policy of encouraging developers and school districts to achieve mitigation of development impacts on schools in the belief that such cooperative agreements will actually serve to promote future development. An aggressive policy of early identification of school needs will help developers to make appropriate adjustments to proposed developments and insure adequate educational facilities for prospective residents.

IMPACT 4.2.4-62. Potential School Restricting.

General Plan Program 4.2.4-62 provides that the City will encourage the Soledad Unified School District and the Gonzales Union High School District to maximize the use of existing school facilities, such as through implementation of year-round schools, and to continue to explore the use of available school funding options. School districts shall also be encouraged to provide the City with periodic reports concerning such efforts. While this program may require restructuring of the existing school system, the program is in itself a mitigation monitoring scheme in that it will provide the City with the means of monitoring the student population of the City more closely to determine the need for additional facilities. This program will also help to accommodate the future student population as development ensues in the City. Therefore, the City has determined that this particular impact is insignificant.

4.3 CIRCULATION ELEMENT

4.3.1 VEHICULAR CIRCULATION

IMPACT 4.3.1-15. Intrusion Of Impervious Surfaces Into Areas Of Prime Agricultural Land.

General Plan Program 4.3.1-15 requires the City of Soledad to encourage the County of Monterey to participate in the construction of the Los Coaches Drive extension to Highway 146. This program will provide industrial traffic with direct access to Highway 146 without travelling through the central business district and residential neighborhoods. However, construction of the Los Coaches Drive extension will place impervious surfaces into areas of prime agricultural land. (FEIR pg. 137)

MITIGATION MEASURE

Due to the fact that implementation of this program will result in the intrusion of impervious surfaces into prime agricultural land, the proposed program will result in the loss of agricultural land in the Monterey County area. This is considered a significant unavoidable impact.

FINDING

No mitigation measure is proposed to reduce the identified impact to a level of insignificance. Therefore, a statement of overriding considerations must be adopted upon approval of the project.

RATIONAL FOR FINDING

Given the fact that any loss of prime agricultural land has been deemed significant, intrusions caused by the construction of impervious surfaces over prime agricultural land, while representing a minimal loss in this instance, will nonetheless be significant.

4.4 HOUSING ELEMENT

IMPACT 4.4-27. Land use incompatibilities, increased traffic congestion, increased demand on public services and facilities.

General Plan Program 4.4-27 provides that the City will annex those sites identified in Section 5.4-5, Proposed Annexations, within the appropriate planning period to provide adequate land to accommodate the existing and projected demand for residential development. This program will ensure that an adequate amount of land will be available to meet the 1996 Regional Housing Goals established by the Association of Monterey Bay Area Governments in 1989. Implementation of this program has the potential to

establish land use incompatibilities, increase traffic congestion, and place an increased demand on public services and facilities. (FEIR pg. 147)

MITIGATION MEASURE

All proposed annexations in the City of Soledad will be subject to further environmental review and must comply with Program 4.2.1-6 of the Land use Element prior to annexation to the City. Details concerning Program 4.2.1-6 are set forth in the Mitigations/Finding section discussing IMPACT 4.2.1-4.

FINDING

Implementation of Program 4.2.1-6 will eliminate or substantially lessen the adverse impacts identified in the FEIR.

RATIONALE FOR FINDING

The comprehensive measures set forth in Program 4.2.1-6, which include a variety of considerations and "trigger mechanisms" related to growth and development, ensure that the perceived impacts will be identified and mitigated in the early stages of development.

IMPACT 4.4-28 Increased demand on public services and facilities, increased traffic congestion.

General Plan Program 4.4-28 provides that the City should undertake a study of the impact of requiring a conditional use permit for multi-family development in the R-3 zoning district to determine whether or not said requirement represents a constraint to development. The results of the study are then to be made available to the City Council for appropriate action (Zoning ordinance amendment). While Program 4.4-28 may alleviate unnecessary governmental constraints on the provision of high density development, the potential growth in such development may place increased demands on public services and facilities and increase traffic congestion. Generally speaking, application of the policies and programs set forth in the Land Use Element of the General Plan will serve to mitigate the potential adverse impacts of this Program to a level of insignificance. Thus, no mitigation is recommended.

4. OPEN SPACE ELEMENT

IMPACT 4.5-5. Liability concerning joint use of parks.

General Plan Program 4.5-5 provides that the City should consider developing a joint powers agreement with the local school districts and the Soledad Recreation District to facilitate a joint use agreement of existing parks and school facilities and to provide financial mechanisms to jointly develop and/or maintain common recreation areas. This program would establish objectives and goals regarding the provision of adequate park and recreational facilities in the City. Implementation of the program could bring about legal liability issues concerning joint use of parks and recreational facilities. (FEIR pg. 149)

MITIGATION MEASURE

The liability of all involved parties for joint use of park and school facilities be a matter of consideration during the course of any "Joint Powers Agreement" negotiations.

FINDING

Consideration of liability as part of the negotiation process will avoid or substantially lessen the adverse effect identified in the FEIR.

RATIONALE FOR FINDING

By requiring that liability be discussed as an actual element of any joint powers agreement, the City will ensure that each party understands its potential liability and bargains accordingly.

4.6 CONSERVATION ELEMENT

IMPACT 4.6.1-6. Constraints on water use.

General Plan Program 4.6.1-6 provides that the City of Soledad should support the Monterey County Water Resources Agency in registering and reporting all agricultural and domestic wells within the Salinas Valley as a method of managing the groundwater basin resource. The purpose of the program is to assess more precisely how much water is being used within the valley. Potentially, this program could impact farmers in the vicinity of Soledad by placing monetary constraints on the amount of water which they can use.

MITIGATION MEASURE

The City should consider establishing a pricing scale for

water use based on domestic and agricultural use. The City should also consider adopting an ordinance that restricts water use based on available ground water resources.

FINDING

Adoption of the above-referenced mitigation measures in the project shall avoid or substantially lessen the significant effect identified in the final EIR.

RATIONALE FOR FINDING

Coordination of water use restrictions will allow the City to assess the availability of water, to restrict water based on its availability, and to consider the implementation of scaled pricing to lessen the impact of water use restrictions on agricultural uses.

CUMULATIVE IMPACTS

Section 15130 of the CEQA guidelines requires that cumulative impacts be analyzed during the environmental process. Generally speaking, cumulative impacts are discussed in Section 5.2 of the FEIR (pgs. 174-180). Cumulative impacts identified in the FEIR as requiring some recommended course of mitigation are set forth below.

Cumulative Impact 5.2.1 Water Resources.

The groundwater basin for the Central Salinas Valley has been identified by the Monterey County Water Resource Agency as being in a state of overdraft. As such, any additional use of groundwater is considered to impact the overdraft. Cumulative development throughout the region will continue to contribute to the overdraft problem. In addition to concerns about the available quantity of water, concerns have also been raised with respect to groundwater quality. The advent of salt water intrusion and contamination related to agricultural and urban uses adversely affects water quality. Cumulative development throughout the region will only add to water quality problems.

Findings/Recommended Mitigation

The City of Soledad should work with Monterey County and other local jurisdictions to develop a regional water conservation program. This program should be implemented as a means to eliminate further overdraft of the groundwater basin. The program should be a cooperative effort and remain in place until the overdraft problem has been resolved. Adoption and implementation of the programs and policies contained in the General Plan Update, as discussed in Section 4.6.1 Water Resources Conservation of the FEIR, will serve as appropriate

mitigation.

Cumulative Impact 5.2.2 Traffic and Circulation

Regional cumulative development, as proposed in the General Plan for each local and regional jurisdiction in the Central Salinas Valley, will double the amount of regional traffic by the year 2013. Existing circulation problems within each local jurisdiction will be intensified as development occurs throughout the region. The amount of growth in Soledad alone will lead to substantial increases in traffic congestion within the area reviewed in the FEIR. However, in spite of these increases, most streets in Soledad will continue to operate above an acceptable level of service and increased traffic will not impact either of the highways that provide regional access to the City.

Findings/Recommended Mitigation

The City of Soledad should work with Monterey County and other local jurisdictions to develop a regional transportation program. The program would establish areas within the region that will require improvement in order to accommodate future growth. With respect to Soledad itself, efforts should be made to extend Gabilan Drive to connect with the U.S. Highway 101 interchange at the northwest end of the City and with Metz Road at the northeast portion of the City. The City should also explore available funding mechanisms for future residential and commercial development to implement traffic improvements required for cumulative traffic conditions within the City. Adoption and implementation of the programs and policies contained in the General Plan Update, as discussed in Section 4.3.1 Vehicular Circulation of the FEIR, will serve as appropriate mitigation.

Cumulative Impact 5.2.3 Air Quality

In general, air quality in the North Central Coast Air Basin, which consists of Monterey, Santa Cruz and San Benito counties, is relatively good. However, a contribution to the cumulative degradation of air quality throughout this region is inevitable with future development. Population estimates used to determine air quality standards for the southern Salinas Valley in the 1991 Air Quality Management Plan (AQMP) indicate that the population of the region including Greenfield, Soledad and Gonzales will increase by approximately 30,000 upon build-out of the general plans for each jurisdiction. Thus, the regional cumulative impact on air quality has the potential to be quite significant. However, some inaccuracies in the population estimates calculated by the Association of Monterey Bay Area Governments, ultimately used in the AQMP, may lead to erroneous conclusions concerning Soledad's contributing role in the air quality problem. Recalculation of such figures appears to be warranted.

Findings/Recommended Mitigation

Air quality impacts contributed by the Project alone have been identified in the FEIR as an unavoidable significant adverse environmental impact. However, until recalculation of population figures used in developing a AQMP for the region has been undertaken, the true cumulative impact of implementation of the General Plan Update will remain unknown. Adoption and implementation of the programs and policies contained in the General Plan Update, as discussed in Section 4.6.3 Air Quality Conservation of the FEIR, will help to mitigate and/or lessen cumulative impacts associated with air quality.

Cumulative Impact 5.2.5 Public Services

Water

Build-out of the General Plan will require the addition of wells and storage facilities to the existing Soledad Municipal Water System. With respect to regional impacts, the extraction of groundwater to accommodate future growth will contribute to the overdraft situation in the Central Salinas Valley. Although Soledad's increased demand for water will be minimal with respect to the amount of water needed in the entire region, the cumulative demand for water resources will be significant.

Findings/Recommended Mitigations

The demand for water contributed by the Project alone has been identified in the FEIR as an unavoidable significant adverse environmental impact. Notwithstanding, the City of Soledad should work with Monterey County and other local jurisdictions to establish a water conservation program that includes education concerning the overdraft problem. The City should also consider amending the current mitigation fee structure for new residential development to offset cumulative impacts to the Soledad Municipal Water District and establish a program that meters the amount of water consumed for domestic and agricultural uses. Adoption and implementation of the programs and policies contained in the General Plan Update, as discussed in Section 4.6.1 Water Resources Conservation of the FEIR, will help to mitigate and/or lessen cumulative impacts associated with water demand.

Fire

The Mission Soledad Rural Fire Protection District, to which the City of Soledad provides contractual services, offers fire protection to both incorporated and unincorporated areas of the region. Cumulative development in the region could place

additional demands on the District to the detriment of existing areas.

Findings/Recommendations

The City of Soledad should work with Monterey County and other local jurisdictions to establish a public safety impact fee which would help to offset the cumulative impacts on the District. This would enable the Soledad Fire Department and other regional fire departments to invest in more equipment to provide appropriate service throughout the community. Adoption and implementation of the programs and policies contained in the General Plan Update, as discussed in Section 4.7.2 Fire Safety and Law Enforcement of the FEIR, will help to mitigate and/or lessen cumulative impacts associated with fire protection services.

Schools

The Central Salinas Valley school systems are currently overcrowded. Cumulative development in the region will only serve to worsen such conditions. While the Soledad Union School District serves only Soledad, and thus will not be impacted by cumulative development within the region, the Gonzales High School District serves more than one jurisdiction and thus is impacted by cumulative growth.

Findings/Recommended Mitigation

The impact on schools generated by the Project alone has been identified in the FEIR as an unavoidable significant adverse environmental impact. Notwithstanding, the City of Soledad should cooperate with neighboring jurisdictions and the school districts to explore available options for school funding within legal limits. Adoption and implementation of the programs and policies contained in Section 4.2.4 Institutional/Public Facilities of the FEIR will help to mitigate and/or lessen the cumulative impacts associated with schools.

SECTION 2 ENVIRONMENTALLY INSIGNIFICANT IMPACTS

In preparing the environmental analysis of the City of Soledad General Plan Update, the City has employed a "self-mitigating" Program EIR. Rather than providing a project description and analysis with mitigations to be added at a later date, the City has attempted at the onset to incorporate policies and programs into the Update itself (and hence the project description) that will result in mitigation of impacts and effects associated with both the adoption of the general plan and implementation of the general plan on a project-specific basis.

By way of illustration, with respect to "Vegetation and Wildlife", the City has recognized that implementation of the goals proposed in the General Plan Update could potentially result in a loss of natural vegetation, cause the migration of animal life, and could impact some rare and endangered plant species. However, in general, these potential impacts will be mitigated to a level of insignificance by policies and programs contained in the Land Use and Conservation elements of the General Plan. For example, proposed General Plan policies and programs will mandate an appropriate analysis of the impacts of future development on native vegetation and require, where necessary, that proposed developments restore or enhance existing wildlife habitat or dedicate natural open space areas which may be utilized by a variety of species. Further environmental review of all such impacts on an as-needed basis will be required for all future development within the City.

Except where indicated in Section 1, the programs and policies proposed to be adopted in the Soledad General Plan Update will have no adverse impacts or effects in and of themselves. The vast majority of the programs and policies adopted therein will in fact act as mitigation measures for impacts and effects that may be encountered as a result of implementation of the General Plan.

Policies and programs provided in various elements of the General Plan will mitigate to a level of insignificance those secondary environmental impacts and effects associated with geology, soil suitability, surface water hydrology, visual concerns, cultural resources and storm drainage. Impacts associated with vegetation and wildlife, land use compatibility, traffic concerns, noise, police/law enforcement service, fire service, sewer service, water service, parks and recreation, utilities, population, land use and housing will also generally be mitigated to a level of insignificance by the policies and programs contained in the General Plan Update. Moreover, in accordance with the General Plan Update, further environmental review of such impacts will be required on a project specific basis for all future development.

Therefore, based on information contained in the FEIR and supported by evidence elsewhere in the record, the City Council finds that all impacts associated with the proposed Project not identified in Section 1 are not environmentally significant. No mitigation is required for these insignificant impacts.

SECTION 3 FINDINGS CONCERNING ALTERNATIVES

Pursuant to Section 15126(d) of the CEQA Guidelines, an EIR must contain a discussion of feasible alternatives to the proposed project which may serve to reduce or eliminate any associated significant adverse environmental impacts. The City hereby finds the three alternatives identified and described in the FEIR were considered and are found to be infeasible or not environmentally superior (FEIR section 5.6) for the specific economic, social or other considerations set forth below pursuant to CEQA Sections 21081, subdivision (c). One additional alternative was considered but rejected and thus did not undergo detailed analysis.

ALTERNATIVE NUMBER ONE: NO PROJECT

Finding: Infeasible. This option assumes that no general plan update would be prepared for the City of Soledad. The no-project alternative is found to be infeasible because as a result of such inaction, the City would continue to experience retail leakage, overcrowded conditions and an increased vacancy rate because of an inability to provide enough jobs and housing opportunities to meet the demands of its residents. The no project alternative would also make it more difficult for the City to achieve better per capita retail sales in comparison to other Salinas Valley cities resulting in economic losses. Finally, the no-project alternative is rejected because of the legal ramifications involved in non-compliance with specific statutory mandates that require periodic review and revision of elements of a city's general plan. Therefore, the "No Project" alternative has been found to be contrary to the City's best interests and has been deemed infeasible.

ALTERNATIVE NUMBER TWO: ALTERNATIVE LAND USE AND CIRCULATION PLAN

Finding re Land Use: Less Superior. There were four suggested alternatives to land use as proposed in the General Plan Update, all of which were found less superior for the reasons set out below.

Existing City Limits-

The area between Front Street and U.S. Highway 101 is designated by the proposed General Plan Update to be split into two separate land uses; Convenience Commercial between Front Street and the railroad tracks and General Commercial between the railroad tracks and U.S. Highway 101. One proposed alternative for the area between Front Street and the railroad tracks was to change the zoning designation for said property to either General Commercial or Industrial, or to leave the property as Highway Commercial. However, after consideration of setbacks and parking requirements, the area does not have

enough space to accommodate such designations. Another suggestion was that the area between the railroad tracks and Highway 101 could be changed to Industrial or left as Highway Commercial. However, in either case, accessibility from the highway is limited and the parking and setback requirements associated with these types of land designations would make mobility within this area very difficult. Therefore, the suggested alternatives were deemed less superior.

Outside City Limits-

Andalucia Property- The Andalucia property is currently designated primarily residential with four acres designated for a future park. Two suggested alternatives posed were to place an elementary school and park site together along the eastern property line or to designate the entire site residential. Both of these alternatives were found to be less superior than the proposed land use due to: 1) a land use incompatibility in locating a school in close proximity to property east of the Andalucia site which is currently in use for agricultural production; and 2) potential conflicts with an agreement between the city and the property owner with respect to the location of both a park and school. Subsequent to the consultant's finding that the proposed alternative was less superior, an agreement was reached between the property owner and the Soledad Unified School District concerning use of the Andalucia property for a school site. While the agreement may render considerations respecting use of any portion of the Andalucia property for school purposes moot, the Andalucia project has yet to be approved and thus the considerations set out above are still sufficient grounds for reaching a determination that the referenced alternatives are less superior than the land use proposed in the General Plan Update.

Hamby Property- A proposal was made to change the land use designation on the Hamby property from low-density residential to high density residential which would allow the City to create more housing opportunities. However, extension of public services and facilities to the area would be difficult and expensive, and increased density in this area would place a demand on those facilities and services beyond which could reasonably be accommodated. Therefore, the proposed alternative was found to be less superior than the proposed land use.

Braga Property- The General Plan proposes to designate the Braga property contiguous to Highway 101 in the northwestern portion of the City General Commercial. The proposed alternative, to not include the property

within the land use plan, would not allow the City to achieve its goal of self-sufficiency by accommodating a large commercial enterprise. Therefore, the alternative was determined to be less superior than the proposed land use.

Finding re Circulation - Less Superior.

Gabilan Drive to Orchard Lane- An alternative to the General Plan Update proposed extension of Gabilan Drive from Metz Road to the U.S. Highway 101 interchange in the northwestern portion of the city would be to extend Gabilan Drive from U.S. Highway 101 to Orchard Lane. This alternative, which primarily would provide use for proposed residential areas in the northern portion of the planning area, was discussed and deemed less superior than the circulation system proposed in the General Plan since it does not provide a logical circulation system that will ultimately link all factions of the City together.

Los Coches Drive to Metz Road- An alternative to the proposed extension of Los Coches Drive to Metz Road would be to exclude this extension on the proposed circulation plan. This alternative does little to establish an effective truck route system that will not only provide industrial areas with better access to regional routes, but that will also alleviate unnecessary disturbances related to industrial traffic. Therefore, this alternative was deemed less superior than the circulation system proposed in the General Plan.

West Street "Collector" Designation- An alternative to the proposed "collector" classification of West Street from Front Street to the La Cuesta Views Subdivision would be to change the classification to "arterial" from Gabilan Drive to Front Street, leaving the remainder as a collector. This alternative was discussed when preparing the circulation plan, and it was determined that the majority of traffic traveling from the northern portion of the planning areas to the downtown area would use Main Street, and that the location of a large commercial center in the northwest portion of the city would be accessed primarily by either Front Street or Gabilan Drive. Thus, the need to create more arterials was deemed unnecessary and the alternative deemed less superior.

ALTERNATIVE NUMBER THREE- INCREASED DENSITY

Finding re Increased Density: Less Superior. One suggested alternative to the growth and development pattern set forth in the programs and policies in the General Plan Update was to increase the density of housing in areas within the City's existing Sphere of Influence. The increased density alternative would designate all vacant under-utilized land within the City core as high-

density residential, would promote higher density development in R-1 areas of the City (primarily in the area near the Central Business District) and would designate the area north of Gabilan Drive between San Vicente Road and West Street and along the East Street corridor as mixed-use development. Perceived benefits of the alternative would be the provision of more affordable housing to lower income groups, compact urban development leading to more open space and potential encouragement for more neighborhood commercial development through mixed-use planning.

However, several considerations lead to the conclusion that the increased density alternative is less superior than the growth and development policies and programs set forth in the proposed General Plan Update. To begin with, in order to attain its goal of self-sufficiency, the City needs to develop more market rate housing. The development of market rate housing, and the influx of disposable income associated with the residents of such units, represents the best means by which the City can expand its tax and employment base. The establishment of such housing will also serve to induce industrial and commercial investment within the City, a much needed course of development if the City is to curtail retail leakage. Therefore, the proposed alternative, which if implemented would lead to the development of a greater number of lower-income units than market rate units, is contrary to the City's objectives.

The increased density alternative would also place a greater demand on public services and facilities in the downtown area. The water, sewer and storm drainage infrastructure in the downtown area is currently at capacity.

Other concerns regarding this alternative include impacts on the school districts, impacts on the police and fire departments in serving larger and more densely located structures, and an inability to provide adequate parking facilities for the use of potential residents.

Therefore, in conclusion, this alternative is less superior than the proposed policies and programs for growth set forth in the General Plan Update since it conflicts with the City's objectives of providing more market rate housing, reducing retail leakage and improving the City's fiscal status, and represents potentially detrimental impacts on the downtown infrastructure, police and fire department service and parking availability.

ALTERNATIVE CONSIDERED BUT REJECTED- WESTSIDE DEVELOPMENT

Alternative rejected- Some consideration was given to establishing a growth pattern for the City of Soledad west and south of Highway 101. This growth pattern has many benefits, including accessibility to public services and suitability for commercial development due to its high visibility from Highway 101 in both directions. However, the alternative was rejected because of its

impact on prime agricultural land. The conversion of such lands to non-agricultural uses would have a detrimental effect on the agricultural economy in the Central Salinas Valley as a whole.

SECTION 4 STATEMENT OF OVERRIDING CONSIDERATIONS

1. General.

Pursuant to CEQA Guidelines Section 15093, the City Council of the City of Soledad hereby makes the following statement of overriding considerations.

The City Council has balanced the benefits of adoption of the Soledad General Plan Update (hereafter "the Project") to the City of Soledad against the adverse impacts identified in the City of Soledad General Plan Update 1993 FEIR as significant and potentially significant which have not been eliminated or mitigated to a level of insignificance.

The City Council, acting pursuant to CEQA Guidelines Section 15093, hereby determines that the benefits of the Project outweigh the unmitigated adverse impacts and that the Project should be approved.

The City Council has carefully considered each impact in reaching its decision to adopt the proposed Project and the programs and policies contained therein. Although the City Council believes that many of the unavoidable environmental effects identified in the FEIR will be substantially lessened by mitigation measures and programs and policies incorporated into the Project and future development plans, as well as future mitigation measures implemented with future approvals, it recognizes that adoption of the Project carries with it unavoidable adverse environmental effects.

The City Council specifically finds that to the extent that the identified adverse or potentially adverse impacts have not been mitigated to acceptable levels, there are specific economic, social, environmental, land use, and other considerations which support approval of the Project. The City Council further finds that any one of the overriding considerations identified hereafter in subsection 3 is sufficient basis to approve the Project as mitigated.

2. Unavoidable Significant Adverse Impacts.

The following unavoidable significant environmental impacts are associated with the proposed Project as identified in the Final Environmental Impact Report for the project.

Agricultural Land Conversion. Implementation of the General Plan will convert approximately 720 acres of agricultural land to non-agricultural land uses. Approximately half of the area anticipated to be used is considered to be prime agricultural land. The conversion of agricultural land to urban uses is considered to be an unavoidable significant adverse environmental impact. No

feasible mitigation measures are available to reduce this impact to a level of insignificance. The only project alternative which could reduce this impact to a level of insignificance is the No Project Alternative. This alternative has been found to be infeasible (See Section 3 above). (FEIR pgs. xiii - xv, Section 5.1, pgs. 173-174.)

Groundwater Overdraft. The proposed project is anticipated to generate an additional annual demand of 2,037.8 gross acre feet of water. Based on this estimate, the proposed project will require 1,256.3 acre-feet of water more than is currently being used in the developed portion of the City core planning area, and will use 77.6 acre feet more than the past use of the land. However, the General Plan Update contains a number of policies and programs, including the incorporation of LAFCo standards, that provide additional water conservation measures to further reduce the impact on ground water overdraft. These policies and programs, in conjunction with the water recharge capabilities of the wastewater treatment plant (estimated to be approximately 35% of the water used in the City), could reduce the amount of water used by the City by 10 to 25% resulting in an additional demand of between 993.4 to 1,192.1 net acre feet of water. However, due to current groundwater overdraft in the Central Salinas Valley, any additional groundwater withdrawal, resulting from either Project specific or cumulative demands, is considered to be an unavoidable significant adverse environmental impact. No feasible mitigation measures are available to reduce this impact to a level of insignificance. The only project alternative which could reduce this impact to a level of insignificance is the No Project Alternative. This alternative has been found to be infeasible (See Section 3 above). (FEIR pgs. xiii - xv, Section 5.1, pgs. 173-174.)

School Overcrowding. Currently, both the Soledad Unified School District and Gonzales Union High School District are operating at maximum capacity. Even with mitigation and implementation of recommended procedures and policies, the proposed build out of the General Plan would increase the student population beyond that which the existing facilities can accommodate. Furthermore, the State of California has no funds to extend to the school districts so that facilities can be constructed to accommodate existing and future student populations. In addition, the impact fees levied against new residential development in the City do not offset the impacts on school districts. Therefore, implementation of the General Plan Update, as well as cumulative impacts associated with growth in the region, will result in an unavoidable significant adverse environmental impact to both the Soledad Unified School District and the Gonzales Union High School District. No feasible mitigation measures are available to reduce this impact to a level of insignificance. The only project alternative which could reduce this impact to a level of insignificance is the No Project Alternative. This alternative has been found to be infeasible (See

Section 3 above). (FEIR pgs. xiii - xv, Section 5.1, pgs. 173-174.)

Air Quality. The Association of Monterey Bay Area Governments (hereafter "AMBAG") has projected a population for the City of Soledad of approximately 22,200 by the year 2010. This figure includes the prison population. It is estimated that development in accordance with the General Plan Update will result in a total free population of approximately 22,309 by the year 2010. If the projected prison population is added to this figure, the total population of Soledad by the year 2010 could potentially reach 30,729. This increase would exceed the forecasted AMBAG population by approximately 8,529 people. Since the 1991 Air Quality Management Plan (hereafter "AQMP") is based on AMBAG population projections, the underlying premise being that air quality concerns can be directly correlated with population-related emissions, the proposed project is considered to have an unavoidable significant adverse environmental impact on air quality. Additional unavoidable impacts on air quality will also result from cumulative growth in the immediate region. Substantial modifications to the AMBAG projections for Soledad, based on the prison expansion, relocation of the Dole vegetable processing plant, and the proposed Area of Concern, should lead to a more accurate estimate of the City's population in future years, thus mitigating the identified unavoidable impact on air quality to a level of insignificance. However, at this time, no feasible mitigation measures are available to reduce this impact to a level of insignificance. The only project alternative which could reduce this impact to a level of insignificance is the No Project Alternative. This alternative has been found to be infeasible (See Section 3 above). (FEIR pgs. xiii - xv, Section 5.1, pgs. 173-174.)

3. Overriding Considerations.

The City Council has considered the public record of proceedings on the proposed Project, and the documents related thereto, and hereby determines that approval and implementation of the Project would result in the following substantial public benefits.

Economic Considerations. Substantial evidence is included in the record and documents demonstrating the economic benefits which the City would derive from implementation of the Project. Such benefits include, but are not limited to: (a) The creation of new jobs related to industrial and commercial development as well as a substantial number of construction jobs; (b) Increase in sales revenues for the City; and (c) Enhancement of service commercial facilities.

Social Considerations. Substantial evidence exists in the record and documents demonstrating the social benefits which the City would derive from implementation of the Project. These benefits

include, but are not limited to: (a) Increases in housing opportunities in the City; (b) Increases in the amount of affordable housing in the community; (c) Achievement of a better housing/jobs balance in Soledad which will reduce the level of long distance commuting that occurs thus promoting a community atmosphere; and (d) Reduction in over-crowded conditions in households throughout the City.

Other Considerations. Substantial evidence exists in the record and documents demonstrating other public benefits which the City would derive from implementation of the Project. They include: (a) Comprehensive planning incorporating innovative and extensive environmental premitigation, programs and policies; (b) Implementation of a program to increase the ratio of acres of park space to people within the City of Soledad, as well as designation of certain areas as open space for development as community/regional parks.

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EXHIBIT B: MITIGATION MONITORING PLAN

In accordance with Public Resources Code Section 21081.6, the City Council hereby adopts the following mitigation monitoring program:

MONITORING PROGRAM

The basis for this monitoring program are the programs included in the comprehensive General Plan Update and in Section 4 of the City of Soledad General Plan Update 1993 Final Environmental Impact Report (FEIR). These programs are designed to eliminate or reduce significant adverse environmental effects to a level of insignificance. Where the programs are unable to mitigate impacts to a level of insignificance, it is recommended that further environmental review be required at a project specific level. The programs and mitigation measures contained in the matrix located in Section 4 of the FEIR will be considered conditions of project approval which the City of Soledad is required to complete during and after implementation of the proposed project.

Due to the nature of the proposed project, it is difficult to prepare a mitigation monitoring checklist that identifies the responsible person or agency to ensure that the mitigation measure or program is complied with and implemented prior to or in conjunction with implementation of the proposed project. Therefore, it is determined that the City Manager and City Staff through the City Council be the responsible parties for insuring that the mitigation measures and programs set forth in the City of Soledad General Plan Update 1993 and the City of Soledad General Plan Update 1993 Final Environmental Impact Report are implemented prior to or in conjunction with future development in the City.