

RESOLUTION NO 2277**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLEDAD
REQUESTING THE MONTEREY COUNTY LOCAL AGENCY FORMATION
COMMISSION TO TAKE PROCEEDINGS FOR A SPHERE OF
INFLUENCE AMENDMENT FOR THE ANDALUCIA PHASE
FOUR SUBDIVISION VESTING TENTATIVE
SUBDIVISION MAP**

WHEREAS, Andalucia, Ltd. is the owner of property adjacent to the City of Soledad identified as Assessor's Parcel Number 22-301-07 and located north of Gabilan Drive and east of West Street; and,

WHEREAS, Andalucia, Ltd. has applied to the City of Soledad for a sphere-of-influence amendment, rezoning and zoning map amendment, annexation, and approval of a vesting tentative subdivision map to allow for the development of single-family residential, dual-family residential, and public land uses; and,

WHEREAS, the City of Soledad desires to initiate proceedings in accordance with the requirements of the Cortese-Knox Local Government Reorganization Act, Chapter 4, Part 2, Division 3, commencing with Section 54625 of the California Government Code, for a sphere-of-influence amendment designating the entire 54+/- acre project site as entirely within the City of Soledad sphere-of-influence urban service area; and,

WHEREAS, the territory proposed to be so designated is uninhabited, and a map of the boundaries of the territory is included in "Exhibit A" attached hereto and incorporated herein by reference; and,

WHEREAS, the findings for such request that the Monterey County Local Agency Formation Commission amend the sphere-of-influence for the City of Soledad are included in "Exhibit B" attached hereto and incorporated herein by reference; and,

WHEREAS, the Planning Commission of the City of Soledad held a public hearing on the proposed project on August 18, 1993 and recommended that the City Council of the City of Soledad approve a request of the Monterey County Local Agency Formation Commission to initiate proceedings for the amendment of the City of Soledad's sphere-of-influence urban service area to include the entire 54+/- acre project site; and,

WHEREAS, the City Council of the City of Soledad has adopted a resolution for certification of the Andalucia Phase Four Subdivision Final Supplemental Environmental Impact Report (FSEIR) as adequate, and such certification and findings are included in "Exhibit C" attached hereto and incorporated herein by reference.

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NOW, THEREFORE, be it hereby resolved by the City Council of the City of Soledad as follows:


- 1. This resolution is hereby adopted by the City Council of the City of Soledad requesting the Monterey County Local Agency Formation Commission to initiate proceedings for the amendment of the City of Soledad sphere-of-influence to include the entire 54+/- acre project site within the City of Soledad sphere-of-influence urban service area as described in "Exhibit A" attached hereto and incorporated herein by reference in the manner provided by the Cortese-Knox Local Government Reorganization Act of 1985.

PASSED AND ADOPTED at the regular meeting of the City Council of the City of Soledad duly held on the 27th day of September, 1993, by the following vote:

AYES, and in favor thereof, Councilmembers: John Holguin, Ben Jimenez, Jr., Richard Ortiz, Mayor Pro Tem Fabian Barrera.

NAYES, Councilmembers: None

ABSENT, Councilmember: Mayor Fred Ledesma

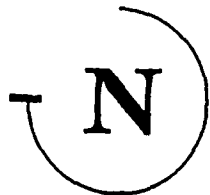


 MAYOR PRO TEM OF THE CITY OF SOLEDAD

ATTEST:



 CITY CLERK OF THE CITY OF SOLEDAD



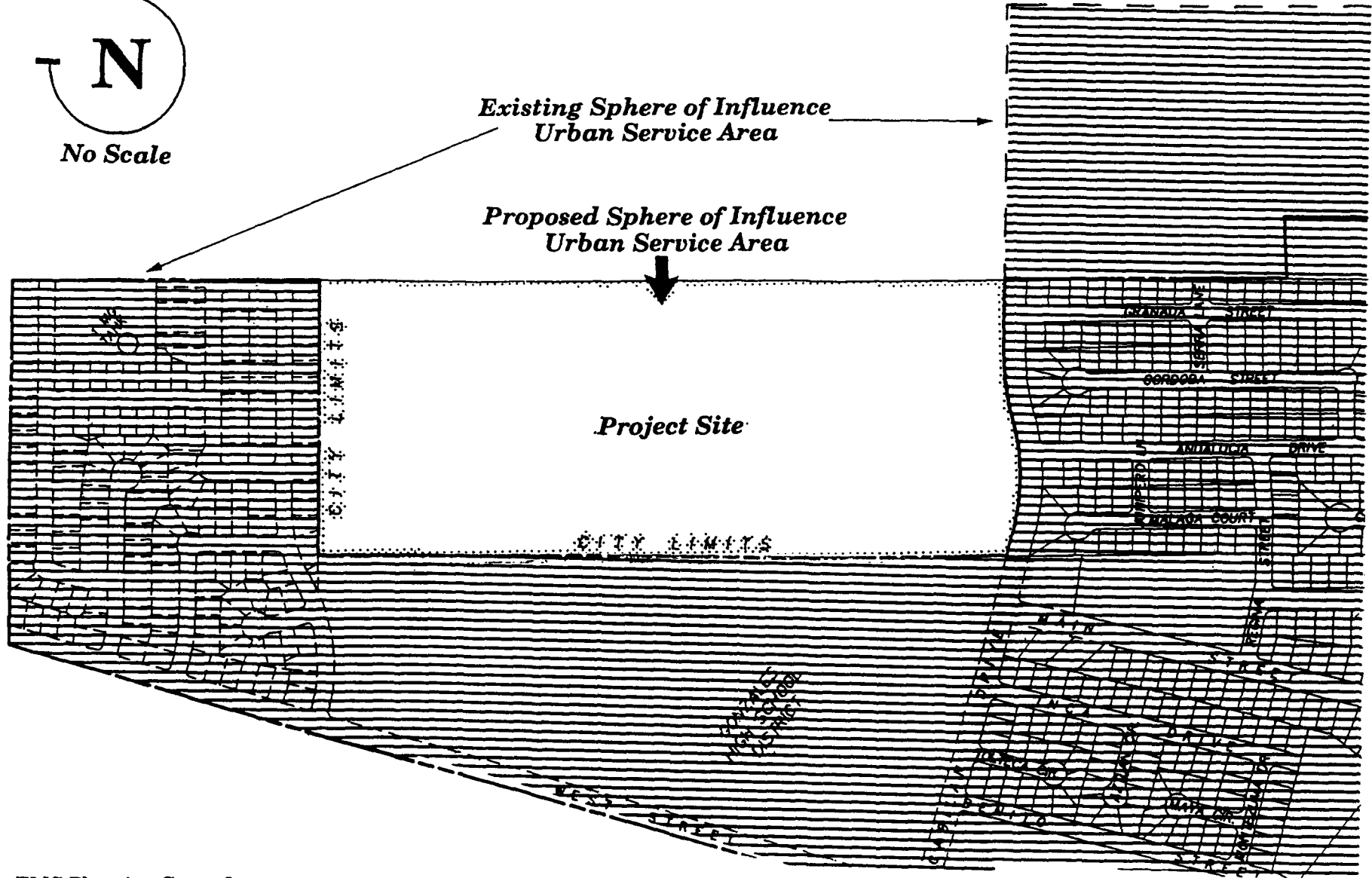
No Scale

Existing Sphere of Influence
Urban Service Area

Proposed Sphere of Influence
Urban Service Area

Project Site

CITY LIMITS



Source: EMC Planning Group Inc.



A Land Use Planning
and Design Firm

Andalucia Phase Four Subdivision

Sphere of Influence Boundary Map

Exhibit

A

Exhibit B

Sphere-of-Influence Amendment Findings

The City Council of the City of Soledad finds as follows

- 1 **Finding:** The Soledad Sphere-of-Influence Study was last amended by the Monterey County Local Agency Formation Commission in 1992 and defines the existing City of Soledad sphere-of-influence boundary
2. **Finding:** The entire project site is currently outside of the existing sphere-of-influence boundary. The existing sphere-of-influence boundary will have to be amended by the Monterey County Local Agency Formation Commission to include the entire project site within the sphere-of-influence urban service area in order for the proposed project to be consistent with the sphere-of-influence boundary.
- 3 **Finding:** The proposed project is located within the Urban Reserve area of the City of Soledad as designated by Monterey County in the Greater Salinas Valley Area Plan. The Urban Reserve designation is to denote areas which Monterey County believes should be annexed and developed in a phased manner as part of an incorporated city to ensure effective provision of public services. As discussed below, adequate public services are available or will be available to serve the proposed project.
- 4 **Finding:** The proposed project is located in an area designated as Low Density Residential (0-8 Units Per Acre) in the Soledad General Plan. This area is defined as lands that are suitable for residential development and such residential development will add to a stable urban boundary.
- 5 **Finding:** The project site is surrounded on three sides by property within the existing city limits and constitutes in-fill development. Single-family residential land uses are located north and south of the project site and a proposed high-school site is located west of the project site. The proposed project constitutes a logical extension of the existing urban area and, as conditioned, will be compatible with existing and future surrounding land uses.
- 6 **Finding:** The proposed project will result in the addition of a maximum of 311 residential units to the existing housing supply. The City of Soledad currently has a household occupancy rate of 4.65 persons per household, which represents a housing overcrowding problem. This is the highest household occupancy rate of all jurisdictions in Monterey County. Therefore, the proposed project will fulfill a significant unmet need for housing in the City of Soledad.

- 7 **Finding:** The proposed project will assist the City of Soledad in meeting their regional fair-share housing goals for the present planning period. The regional fair-share housing allocation established for the City of Soledad indicates that the City of Soledad needs to provide an additional 1,192 housing units during the planning period between January 1, 1989 and June 31, 1996. Taking into consideration the housing units constructed, under construction, or which could be constructed on vacant and underutilized land within the City of Soledad between January 1, 1989 and June 31, 1996 (766 housing units), there is still a need to provide an additional 426 housing units during this planning period to meet the established regional fair-share housing goals for the City of Soledad.
- 8 **Finding:** The proposed project may include a maximum of 160 dual-family residential units. The dual-family residential units will expand the number of affordable rental housing units for moderate-income renters. There is a high demand for rental housing in the City of Soledad.
- 9 **Finding:** The proposed project will assist the City of Soledad in providing additional housing in order to accomplish a better jobs-to-housing ratio in the City of Soledad. Currently, most of the city's workforce does not reside within the City of Soledad. For example, the largest employer in the City of Soledad, the Soledad Correctional Training Facility, only employs approximately eight percent of the city residents (116 of 1,450 employees). Therefore, additional housing units are needed in order to accommodate more of the city's workforce.
- 10 **Finding:** The proposed project will result in on- and off-site public service improvements that will provide adequate public services to the proposed project and future planned development in the area.

Water Service. The proposed project will generate additional water demand over existing uses of the project site. It is anticipated that the city's existing wells will be adequate to serve the proposed project. However, the proposed project may require additional water storage facilities to adequately serve the proposed project. Therefore, the proposed project will have a significant adverse environmental impact on the existing water system.

Mitigation measures have been included as conditions of approval which require the project proponent to pay water service impact fees, and provide all applicable pumping, piping, and controls for connection to the existing water system. With the implementation of these mitigation measures, adequate water service will be provided for the proposed project.

Sewer Service. The proposed project will generate additional wastewater. The existing wastewater treatment facility has adequate capacity to serve the proposed project. However, the proposed project is proposing to connect to the existing sewer lines located in the previous phase of the original subdivision. The down-stream sewer lines may not be adequate to

serve the proposed project. Therefore, the proposed project may have a significant adverse environmental impact on sewer service.

Mitigation measures have been included in the conditions of approval which require that the project proponent install a new sewer line west along Gabilan Drive to an existing sewer interceptor line near West Street which extends to the waste-water treatment facility. An alternative to the installation of a new sewer line would be to require that the project proponent provide conclusive evidence that there is sufficient sewer line capacity from the proposed project to the wastewater treatment plant by way of an alternate route through the existing developed portions of the City of Soledad. With the implementation of this mitigation measure, adequate sewer service will be provided for the proposed project.

Storm-Drainage. The proposed project will generate additional storm-drainage through the introduction of impervious surfaces. The proposed project proposes to direct the additional storm-drainage to existing storm-drainage infrastructure located in previous phases of the original subdivision. However, the down-stream storm-water drainage infrastructure may not be adequate to serve the proposed project. Additionally, there are no provisions for controlling sediments entering the storm-drainage infrastructure. As a result, the sediments carried into the storm-drainage infrastructure could reduce the capacity of the existing and proposed storm-drains. Therefore, the proposed project may have a significant impact on the existing storm-drainage infrastructure.

Mitigation measures have been included in the conditions of approval which require the installation of a new storm-drain line west along Gabilan Drive to an existing storm-drain interceptor line near West Street which extends to the wastewater treatment facility. An alternative to the installation of a new storm drainage line would be to require that improvements be made to the existing storm drainage line that currently serves phases one, two, and three to reduce the capacity problems to a level of insignificance. Another alternative would be to modify the proposed detention pond to provide adequate storm water detention so as not to impact existing downstream storm drainage facilities. Additionally, all storm-drainage detention facilities shall also provide for sediment control facilities. With the implementation of these mitigation measures, adequate storm-drainage infrastructure will be provided for the proposed project.

Fire Protection Service. The proposed project will generate additional demand for fire protection service. The existing water pressure for the project site may not meet the minimum fire-flow pressure requirements. Therefore, the proposed project may have a significant adverse environmental impact on fire protection services.

Mitigation measures have been included in the conditions of approval which require the project proponent to provide adequate residual fire-flow water pressure. Additionally, the project proponent will be required to

install a temporary booster system on top of the existing temporary booster system including a generator and backup generator to operate the system on a daily basis. Additionally, the project proponent will be required to pay public safety impact fees for fire protection capital improvement requirements to serve the proposed project. With the implementation of these mitigation measures, adequate fire protection services will be provided for the proposed project.

Police Protection Service. The proposed project will generate additional demand for police protection service. However, the proposed project will not reduce the level of service for essential police services and will not have a significant adverse environmental impact on police protection services.

Parks and Recreation. The proposed project will generate additional demand for park and recreation facilities and services. The proposed project includes four acres for a public park. With the dedication of the four acres for a public park, the proposed project will provide adequate park and recreation facilities and services.

Schools. The proposed project will generate additional students which will result in additional impacts on the two school districts that serve the project site. Based on the current overcrowded state of the school districts and the need for an elementary school site of adequate size, as well as a new elementary school, the proposed project will have a significant adverse environmental impact on both school districts.

Mitigation measures have been included in the conditions of approval which require the project proponent to pay the state-mandated school impact fees. Additionally, the project proponent has entered into an agreement with the Soledad Union School District. The Soledad Union School District has indicated that with the implementation of this agreement, the proposed project will fully mitigate the impact on the Soledad Union School District (Gene Martin, Director of Business, Soledad Union School District, April 16, 1993). However, the proposed project will still have a significant adverse environmental impact on the Gonzales Union High School District. It should be noted that a statement of overriding considerations will have to be adopted by the City of Soledad for approval of the proposed project.

- 11 **Finding:** The City of Soledad has adopted a public facilities financing plan to provide adequate public facilities and to prevent the degradation of public facilities. The project proponent will be required to pay all applicable public facilities fees in conjunction with the proposed project.
- 12 **Finding:** The Andaluca Phase Four Final Supplemental Environmental Impact Report (FSEIR) identifies potential significant adverse environmental impacts of the proposed project and mitigation measures to avoid or reduce the potential significant adverse environmental impacts to a level of insignificance.

Exhibit C

CEQA Certification and Findings

1.0 Certification

1.1 Project Description

The proposed project is the fourth and final phase of a phased subdivision that was originally proposed in 1980. The proposed project includes the subdivision of 54+/- acres of land into 231 residential lots. A maximum of 80 of the residential lots have been designated as dual-family residential lots. Therefore, the proposed project could accommodate 151 single-family residential units and a maximum of 160 dual-family residential units for a maximum of 311 residential units on the project site.

The single-family residential lots have a minimum lot size of 6,000 square feet and the dual-family residential lots have a minimum lot size of 7,000 square feet. The average lot size of all residential lots is 6,675 square feet. All residential lots comprise approximately 35.40 acres. In addition, the proposed project includes public roadways which comprise approximately 15.25 acres and a public park which comprises approximately 4.00 acres.

The proposed project supersedes a previously proposed project for the project site. The previously proposed project included 212 residential lots. A maximum of 72 residential lots were designated as dual-family residential lots. Therefore, the previously proposed project could accommodate 140 single-family residential units and a maximum of 144 dual-family residential units for a maximum of 284 residential units on the project site. Additionally, the previously proposed project included a four-acre elementary school site and a four-acre park site.

The FSEIR prepared for the previously proposed project has been reviewed for its applicability to the proposed project. Based on this review, it has been determined that the proposed project does not change the conclusions made for the previously proposed project regarding the significant adverse environmental impacts or unavoidable significant adverse environmental impacts and no additional mitigation measures are necessary for the proposed project.

1.2 Certification

The City Council of the City of Soledad hereby certifies the following:

- 1 That the Andalucia Phase Four Subdivision Final Supplemental Environmental Impact Report (FSEIR) has been completed in compliance with the California Environmental Quality Act (CEQA); and,
2. That the FSEIR was presented to the City Council of the City of Soledad, and,
- 3 That the City Council of the City of Soledad reviewed and considered the information contained in the FSEIR prior to approving the vesting tentative subdivision map for the Andalucia Phase Four Subdivision (hereinafter "proposed project")

2.0 Findings for Certification of the FSEIR

The City Council of the City of Soledad finds as follows

2.1 General Findings

- 1 **Finding:** In accordance with the requirements of the CEQA guidelines section 15063, the City of Soledad conducted an initial study for the proposed project and determined to prepare a supplemental environmental impact report for the proposed project.
- 2 **Finding:** In accordance with the requirements of the CEQA guidelines section 15082, the City of Soledad prepared and distributed a Notice of Preparation (NOP) to all appropriate responsible and trustee agencies stating that an EIR would be prepared. The NOP was sent to all organizations and individuals requesting notice, including but not limited to the California Office of Planning and Research (state clearinghouse), California Department of Food and Agriculture, Association of Monterey Bay Area Governments (local clearinghouse), Monterey Bay Unified Air Pollution Control District, Monterey County Local Agency Formation Commission, Monterey County Planning and Building Inspection Department, Monterey County Water Resources Agency, Monterey County Environmental Health Department, Gonzales Union High School District, and Soledad Union School District. All responses to the NOP were considered in the preparation of the DSEIR.
- 3 **Finding:** Prior to completing the DSEIR, the interested agencies and individuals were contacted to secure their input, these agencies and individuals are listed in the FSEIR. The responses are also included in the FSEIR and are supported by empirical data, studies, and explanatory information.

- 4 **Finding:** In accordance with the requirements of the CEQA guidelines section 15085, the DSEIR was completed and a Notice of Completion (NOC) was filed with the California Office of Planning and Research on October 9, 1992. The NOC briefly describes the proposed project and location and indicates that the DSEIR was available for review, where it was available for review, how long it was available for review, together with the deadline for submittal of comments on the DSEIR. Copies of the DSEIR were also sent to responsible and trustee agencies.
- 5 **Finding:** A public review period of forty-five days commenced on October 9, 1992 and ended on November 23, 1992, and copies of the DSEIR were made available at the City of Soledad. The City of Soledad also consulted with and requested comments on the DSEIR from the public agencies listed in CEQA guidelines section 15086(a)
- 6 **Finding:** In accordance with the requirements of CEQA guidelines section 15088, all comments received from persons who reviewed the DSEIR which raised significant environmental issues were evaluated by the City Staff of the City of Soledad and a written response was prepared. Both the comments and responses thereto are incorporated into the FSEIR.
- 7 **Finding:** The FSEIR contains all the necessary components of a FSEIR. The FSEIR consists of the DSEIR prepared for the City of Soledad by EMC Planning Group Inc. dated September 1992, the response to comments and revisions to the DSEIR prepared for the City of Soledad by EMC Planning Group Inc. dated November 1992, all comments and recommendations received on the DSEIR, a list of persons, organizations, and public agencies commenting on the DSEIR, and other information deemed necessary or appropriate by the City of Soledad, including, but not limited to.
- (a) Identification, description, and discussion of all potential significant adverse environmental impacts of the proposed project, both direct and indirect, both short-term and long-term.
 - (b) A description of those potential significant adverse environmental impacts which cannot be avoided or which can be mitigated, but not to a level of insignificance.
 - (c) A description of mitigation measures proposed to minimize each potential significant adverse environmental impact of the proposed project identified in the FSEIR.
 - (d) A description of a range of reasonable alternatives to the proposed project or to the location of the proposed project or various components thereof and evaluation of the comparative merits and potential significant adverse environmental impacts of the alternatives, including the "no project" alternative.

- (e) A discussion of potential growth inducing impacts of the proposed project, including the ways in which the proposed project could foster economic or population growth, or the construction of additional housing, both directly or indirectly, in the surrounding areas, the potential impacts on existing public service facilities such as water service, sewer service, storm-drainage, fire protection, police protection, and schools, and the characteristics of the proposed project which may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively
 - (f) A discussion of cumulative impacts.
 - (g) A list of all federal, state, and local agencies, other organizations and private individuals consulted in preparing the FSEIR, and the firm preparing the FSEIR, and
- 8 **Finding:** The City Council of the City of Soledad has considered the potential significant adverse environmental impacts presented in the FSEIR and found that all the potential significant adverse environmental impacts presented in the FSEIR resulting from the implementation of the proposed project could be reduced to a level of insignificance with the implementation of mitigation measures proposed in the FSEIR, with the exception of impacts on agricultural resources, ground-water resources, and schools. The City Council of the City of Soledad finds that the impacts on agricultural resources, ground-water resources, and schools are significant adverse environmental impacts that cannot be reduced to a level of insignificance with the implementation of mitigation measures, and are therefore, subject to a statement of overriding considerations.
- 9 **Finding:** There is no reasonable basis or support in the record for finding other unavoidable significant adverse environmental impacts except for those mentioned above. With respect to the identified unavoidable significant adverse environmental impacts, or any other remaining unavoidable significant adverse environmental impacts, the City Council of the City of Soledad finds them to be acceptable and approves the proposed project because the benefits of the proposed project expressly outweigh such unavoidable significant adverse environmental impacts. A statement of overriding considerations is included later in these findings.
- 10 **Finding:** The City Council of the City of Soledad finds that the approval of the proposed project is within the scope of the previously proposed project analyzed in the FSEIR, that in accordance with the requirements of CEQA guidelines section 15162, there are no new significant adverse environmental impacts that could occur and no new mitigation measures are required, and that no new environmental document is required. No subsequent changes have been incorporated into the previously proposed project evaluated in the FSEIR which will require important revisions to the FSEIR due to the involvement of new significant adverse environmental impacts not considered in the FSEIR. No substantial changes have occurred with respect to the circumstances in which the

previously proposed project evaluated in the FSEIR is to be undertaken which will require important revisions to the FSEIR due to the involvement of new significant adverse environmental impacts not covered in the FSEIR. No new information of substantial importance to the previously proposed project evaluated in the FSEIR has become available that was not known and could not have been known at the time the FSEIR was certified as complete.

- 11 **Finding:** The City Council of the City of Soledad certifies and finds that both the DSEIR and the FSEIR have been independently reviewed and analyzed to ensure that both the DSEIR and the FSEIR are objective and adequate for consideration.

2.2 Significant Adverse Environmental Impacts and Mitigation Measures

The FSEIR evaluated the potential significant adverse environmental impacts of the proposed project and recommended mitigation measures to avoid or reduce the potential significant adverse environmental impacts to a level of insignificance.

The purpose of the recommended mitigation measures are to form the basis for the conditions of approval of the proposed project and provide standards and criteria by which future development will proceed on the project site.

The City Council of the City of Soledad finds that, for each significant adverse environmental impact identified in the FSEIR, changes or alterations have been required in, or incorporated into the conditions of approval, which avoid or reduce the significant adverse environmental impacts to a level of insignificance. As used in these findings, the term "level of insignificance" means a level that is not significant.

Most of the recommended mitigation measures contained in the FSEIR have been incorporated as conditions of approval for the proposed project. Some of the mitigation measures included in the FSEIR have been incorporated into the proposed project and therefore are not required as conditions of approval for the proposed project. The following subsections briefly explain the manner in which each of the recommended mitigation measures has been incorporated into the conditions of approval and supply the rationale for the finding that each significant adverse environmental impact, as identified in the FSEIR has been reduced to a level of insignificance.

The FSEIR identified the following potential significant adverse environmental impacts and recommended mitigation measures for the proposed project.

Geology and Soils Impacts

The project site is located in an alluvium-filled valley which responds strongly to seismic waves generated by an earthquake. While ground shaking is a major seismic hazard throughout the valley, ground failure is also anticipated to cause structural damage on the project site, depending on the composition and degree of water saturation of the soil.

The proposed project would include grading on the project site and the addition of impervious surfaces. Both of these activities will increase run-off and create a potential for soil erosion.

Geologic and Soils Mitigation Measures

1. A soils investigation shall be prepared by a registered geotechnical or soils engineer for the purpose of providing sound structural design for the proposed housing and public improvements.
2. The project proponent shall prepare an erosion control plan. The erosion control plan shall include the following information.
 - a. Measures for controlling erosion during construction of the proposed project, including contractor specifications, detention basins to hold pre-development drainage volumes for a 100-year storm event, reseeding of disturbed areas, and periodic watering during excessive winds.
 - b. Measures for controlling erosion after construction on the project site, including reseeding of disturbed areas.

Note: This mitigation measure has been revised as a condition of approval. The condition of approval requires detention basins to hold pre-development drainage volumes for a 10-year storm event. This revision was done to reflect the previously approved and constructed detention basin on the project site.

Implementation of these mitigation measures will reduce the impact to a level of insignificance by requiring construction standards to be implemented that will result in habitable structures that can withstand groundshaking and ground failure from seismic activity on a regional fault. Implementation of these mitigation measures will also reduce the impact to a level of insignificance by requiring the preparation of an erosion control plan and implementation of erosion control measures to eliminate wind and water erosion during and after construction activities.

Agricultural Impacts

The proximity of the agricultural land (Hamby property) to the east of the proposed project may present a compatibility issue because that land is productive

and, depending on the type of crop grown and equipment used (e.g., sprayed pesticides), the proposed project could be incompatible. Traditional wind patterns in the Salinas Valley establish this land as downwind from the proposed project, which lessens the likelihood that the proposed project will have an impact on the productive techniques this agricultural land uses. Nevertheless, the proximity of the proposed project to this agricultural land is considered to be a significant impact.

Agricultural Mitigation Measures

- 3 The proposed project shall be revised to include a minimum 25-foot buffer zone contiguous with the eastern property line where it is adjacent to active agricultural uses. This buffer zone shall conform to the existing public utilities easement along the eastern property line. This buffer zone shall contain a fully landscaped earth berm between three and five feet in height. All landscaping shall consist of native indigenous plant materials. A drainage ditch shall be constructed on the easterly side of this fully landscaped earth berm on the adjacent property to ensure that drainage from the adjacent property does not enter the project site.

Note: This mitigation measure has been revised as a condition of approval. The condition of approval has been clarified to indicate that the buffer shall be required only adjacent to the proposed residential lots, and will not be required adjacent to proposed roadways. This revision was done to reflect that proposed roadways represent a minimum 25-foot buffer zone contiguous with the eastern property line where it is adjacent to active agricultural uses and no additional buffer is necessary adjacent to proposed roadways.

- 4 The project proponent shall construct a six-foot-high fence or wall along the southern property line of the project site between the residential lots of the proposed project and Gabilan Drive.

Implementation of these mitigation measures will reduce the impacts to a level of insignificance by establishing an open space area between the proposed residential lots and the adjacent agricultural land and by providing a wall or fence between the proposed residential lots and Gabilan Drive to reduce or eliminate land-use incompatibility impacts associated with these surrounding land uses.

Hydrology Impacts

The existing storm drainage facilities, both in the older part of Soledad and in the previous phases one, two, and three of the Andalucia property, are inadequate for the projected run-off from storms of 10-year frequency or larger. There are also no provisions for controlling sediments entering the storm drainage facilities. As a result, the sediments carried into the storm drainage facilities could reduce the capacity of the existing and proposed storm drains. Consequently, the added storm drainage from the proposed project and the lack

of sediment control devices in the existing storm drainage facilities would cause a significant impact.

Hydrology Mitigation Measures

- 5 The project proponent shall be responsible for the installation of a new storm drain line west along Gabilan Drive sized to carry the 10-year post-development flow from drainage areas A and B to an existing storm drain interceptor line near West Street which extends to the waste-water treatment facility

An alternative to the installation of a new storm drain line would be to require that improvements be made to the existing storm drain line that currently serves phases one, two, and three to reduce the capacity problems to a level of insignificance. Another alternative would be to require that a detention basin be provided on the project site separate from the proposed public park.

Note: This mitigation measure has been revised as a condition of approval. The condition of approval has been clarified to indicate that another alternative would be to modify the proposed detention pond to provide adequate storm water detention so as not to impact existing downstream storm drainage facilities. This would replace the alternative of requiring a detention basin separate from the proposed public park.

- 6 Any storm drainage detention facilities shall also provide for sediment control facilities.

Implementation of these mitigation measures will reduce the impact to a level of insignificance by requiring adequate storm drainage infrastructure improvements to accommodate the storm drainage from the proposed project. Further, these mitigation measures will require improvements that reduce the sedimentation accumulation in the storm drainage infrastructure.

Visual Impacts

The project site is highly visible from all locations around the project site and has the features of an in-fill development. The proposed project includes the construction of major roadways and structures. The major roadways include Gabilan Drive and Andalucia Drive (Prado Drive). The additional of a substantial amount of impervious surface will change the existing visual characteristics of the project site and will increase the visual mass and scale of the proposed project. This is considered a significant impact.

Visual Mitigation Measures

- 8 The project proponent shall plant street and park trees along the southern property line of the proposed project within the public right-of-way of Gabilan Drive.
- 9 The project proponent shall plant trees on both sides along the public right-of-way of Andalucia Drive (Prado Drive)

Implementation of these mitigation measures will reduce the impact to a level of insignificance by requiring street trees along major streets in and around the project site. Gabilan Drive and Andalucia Drive (Prado Drive) are the major streets serving the project site. The intent of the street trees is to reduce the visual mass and scale of the proposed project.

Traffic Impacts

The proposed project is expected to generate a total of 3 542 daily trips. The level of traffic in and around the project site will not reach a level that will overburden the surrounding streets. However, several intersection improvements should be considered in association with the proposed project.

Based on the evening peak-hour volumes on the various street segments in the study area, 33- to 66-percent increases in traffic volume can be expected on Main Street and Andalucia Drive, and about a 79-percent increase in traffic volume can be expected on West Street between North Street and Gabilan Drive. Although the volume of traffic to be generated by the proposed project will increase substantially, there will be no change in the level of service, with the exception of Andalucia Drive between Metz Road and Gabilan Drive. The level of service for this segment will drop from LOS A to B. This is considered to be a significant impact.

The proposed project will be accessible only by Andalucia Drive (Prado Drive) via Gabilan Drive, which will serve as the main collector for the proposed project and one of the primary collectors for the La Cuesta Views subdivision. The "T" intersection of Andalucia Drive/Gabilan Drive is not adequately offset to provide for left-turn channelization. Therefore, it will have to be offset a greater distance in order to provide adequate traffic operations when through traffic is introduced on Gabilan Drive. This is considered to be a significant impact.

In order for Andalucia Drive (Prado Drive) to function as a collector street, the northern end of Andalucia Drive (Prado Drive) should be realigned directly with Prado Drive to provide a continuous street from the La Cuesta Views Subdivision to Gabilan Drive. Otherwise, the level of service will be inadequate to serve the project site and the La Cuesta Views Subdivision. This is considered to be a significant impact.

Traffic is currently directed to Highway 101 via either Andalucia Drive or Main Street, both of which are two-lane collector streets. Upon build-out of the pro-

posed project, both of these streets may incur significant increases in traffic volumes which will reduce their level of service. In addition, Front Street will incur more traffic congestion between Main Street and the north northbound Highway 101 on-ramp. These are considered to be significant impacts.

The proximity of the proposed high-school site and the project site will generate pedestrian and bicycle traffic between them. The proposed pedestrian throughway from the project site to the high-school site could encounter congestion that would make passage difficult at peak hours. This would be a significant impact.

Traffic Mitigation Measures

10. The project proponent shall construct Gabilan Drive to its full width fronting the project site to intersect with West Street. The cost of developing the half street section fronting the Soledad Housing Authority property (Benito Street to West Street) shall be proportionally shared with the Soledad Housing Authority through a reimbursement agreement with the Soledad Housing Authority. All other costs associated with this roadway improvement shall be the sole responsibility of the project proponent.

Note: This mitigation measure has been revised as a condition of approval. The condition of approval has been clarified to indicate that the cost of developing the half street section fronting the Gonzales Union High School District property shall be proportionally shared with the Gonzales Union High School District through a reimbursement agreement with the Gonzales Union High School District.

11. The "T" intersections between the south leg and the north leg of Andalucia Drive (Prado Drive) at the intersection of Gabilan Drive shall be further offset to provide adequate left-turn storage along Gabilan Drive between these two intersections.

Note: The vesting tentative subdivision map has been revised to incorporate an additional offset of 60 feet. Therefore, this mitigation measure has been incorporated into the vesting tentative subdivision map and is no longer required as a condition of approval for the vesting tentative subdivision map.

12. The project proponent shall align Andalucia Drive with Prado Drive at the north end of the project site and change the name from Andalucia Drive to Prado Drive.

Note: The vesting tentative subdivision map has been revised to align Andalucia Drive with Prado Drive at the north end of the project site. Therefore, a portion of this mitigation measure has been incorporated into the vesting tentative subdivision map and is no longer required as a condition of approval for the vesting tentative subdivision map. However, the remainder of this mitigation measure requiring changing the name from Andalucia Drive to Prado Drive has been included as a condition of approval for the proposed project.

- 13 The project proponent shall install appropriate traffic controls on the northbound and southbound Andalucia Drive (Prado Drive) approaches to Gabilan Drive.

Note: This mitigation measure has been revised as a condition of approval. The condition of approval has been clarified to indicate that the project proponent shall install appropriate traffic controls on only the southbound approach to Gabilan Drive. Further, the condition of approval has been clarified to indicate that appropriate traffic controls do not include an electrical traffic signal. This revision was done because there is no northbound approach to Gabilan Drive at this intersection.

14. The project proponent shall provide a second pedestrian connection to the northerly portion of the proposed high-school site.

Note: The vesting tentative subdivision map has been revised to incorporate two vehicular and pedestrian connections to the proposed high-school site. Therefore, this mitigation measure has been incorporated into the vesting tentative subdivision map and is no longer required as a condition of approval for the vesting tentative subdivision map.

Implementation of these mitigation measures will reduce the impact to a level of insignificance by requiring adequate on- and off-site transportation infrastructure improvements to serve the proposed project. These mitigation measures require the construction of on- and off-site improvements to complete the circulation system in the vicinity of the project site. These improvements will also result in better vehicle and pedestrian circulation between the project site and surrounding properties.

Water Service Impacts

Two wells are currently in the process of being upgraded or replaced. Both wells are expected to be in operation prior to implementation of the proposed project. However, the proposed project may require additional storage facilities to adequately serve the proposed project. This is considered a significant impact.

Water Service Mitigation Measures

- 15 The developer shall pay the water service impact mitigation fees for the upper pressure zone.
- 16 All applicable pumping, piping, and controls for connection to the city water system are the responsibility of the applicant. In addition, the applicant shall provide a stable source of water (e.g., one million gallon storage tank) for the project in accordance with city, county, and state standards.

Note: This mitigation measure has been revised as a condition of approval. The condition of approval has been clarified to indicate that the project proponent does not need to provide a stable source of water for the

proposed project. This revision was done because it is assumed that the payment of water service impact mitigation fees provides the City of Soledad with a revenue source to secure water needed to accommodate the proposed project.

Implementation of these mitigation measures will reduce the impact to a level of insignificance by requiring adequate water service infrastructure improvements to accommodate the domestic water demand from the proposed project.

Sewer Service Impacts

The project proponent is proposing to connect the sanitary sewer lines serving the project site to the existing sewer lines located south of Gabilan Drive in the previous phases of the proposed project. Although there may be adequate capacity in the sewer facilities located in the previous phases of the proposed project, there is not adequate capacity in the sewer facilities located farther south of the previous phases of the proposed project. Therefore, this is considered a significant impact.

Sewer Service Mitigation Measure

- 17 The project proponent shall be responsible for the installation of a new sewer line west along Gabilan Drive. This sewer line shall be large enough to carry sewage generated by the proposed project and future development to the east to an existing sewer interceptor line near West Street which extends to the waste-water treatment facility

Note: This mitigation measure has been revised as a condition of approval. The condition of approval has been clarified to indicate that an alternative to the installation of a new sewer line would be to require that the project proponent provide conclusive evidence that there is sufficient sewer line capacity from the proposed project to the wastewater treatment plant by way of an alternate route through the existing developed portions of the City of Soledad

Implementation of this mitigation measure will reduce the impact to a level of insignificance by requiring adequate sewer service infrastructure improvements to accommodate the sewer demand from the proposed project.

Fire Service Impacts

The water pressure for the project site may not meet the minimum fire-flow water pressure requirement of 40 psi and 20 psi of residual pressure for a large portion of the project site. This is considered a significant impact.

The fire department will incur difficulty in providing an adequate ISO rating of service to the City of Soledad because it does not have enough funds to improve its facilities (i.e., trucks, hoses, and fire safety equipment) The development of

the proposed project combined with the other proposed or approved projects will require fees to offset the impacts that the increased residential development in the City of Soledad will have on the fire department. Therefore, this is considered a significant impact.

Fire Service Mitigation Measures

18 The project proponent shall be required to provide evidence to the satisfaction of the City Staff and the City Fire Chief that sufficient residual fire-flow water pressure will be available to all of the proposed residential units within the project site.

19 The project proponent shall be required to install a booster system or addition to the existing temporary booster system. This includes the provision of a portable emergency backup generator (220 kv) The booster system shall include a pump and valve array system that will allow for additional storage facilities and shall be located on the city property adjacent to the existing water tank. The booster system shall be provided by the project proponent to create additional pressure to correspond with the residual fire-flow water pressure requirement that is necessary for all residential units located in the upper pressure zone for the City of Soledad.

Note: This mitigation measure has been revised as a condition of approval. The condition of approval has been revised to indicate that the project proponent shall be required to install a temporary booster system or addition to the existing temporary booster system.

20 All applicable pumping, piping, and controls for connection to the city water system are the responsibility of the project proponent. In addition, the project proponent shall provide a pump and valve array system that will allow for additional storage facilities and shall provide a stable source of water (storage tank) for the project in accordance with city, county, and state standards.

Note: This mitigation measure has been deleted as a condition of approval. This mitigation measure has been deleted because it was found to be redundant with Mitigation Measure 16

21. The project proponent or subsequent property owners shall pay \$0 43 per square foot of new habitable residential structures for fire protection capital improvement requirements to serve the proposed project.

Implementation of these mitigation measures will reduce the impact to a level of insignificance by requiring adequate fire protection infrastructure improvements to provide fire protection services to the proposed project. These include both on- and off-site infrastructure improvements. Further, these mitigation measures will require adequate fire-flow water pressure to serve the proposed project.

Parks and Recreation Impacts

The proposed project meets the park area requirements set by the City of Soledad General Plan Land-Use Element and Conservation Element on a project-specific basis. The impacts will remain significant, however, because the four acres have not yet been dedicated as a public park. Therefore, this is considered a significant impact.

Parks and Recreation Mitigation Measure

- 22 The project proponent shall convey or dedicate in fee to the City of Soledad the proposed four acres for a park as designated on the vesting tentative subdivision map

Implementation of this mitigation measure will reduce the impact to a level of insignificance by requiring dedication of area for a public park. This is necessary to meet the park demands of the future residents of the project site and residents of surrounding residential areas.

2.3 Unavoidable Significant Adverse Environmental Impacts and Mitigation Measures

The FSEIR identified significant adverse environmental impacts that are unavoidable. An unavoidable significant adverse environmental impact is a significant adverse environmental impact that cannot be mitigated to a level of insignificance. A statement of overriding consideration is necessary for approval of a proposed project which will result in unavoidable significant adverse environmental impacts. The unavoidable significant adverse environmental impacts are presented below. Additionally, mitigation measures are presented. These mitigation measures will reduce the significant adverse environmental impact, but not to a level of insignificance.

Agricultural Impacts

The proposed project will result in the loss of 54.6 acres of agricultural land, of which 37.5 acres are considered to be prime agricultural land. The loss of this prime agricultural land will not significantly affect the agricultural production in Monterey County because the project site has remained fallow and uncultivated since 1980. Further, due to various other concerns, agricultural production is no longer feasible on the project site. Nevertheless, the proposed project will result in an unavoidable significant adverse environmental impact because there will be a loss of prime agricultural land.

Agricultural Mitigation Measures

No mitigation measures are feasible.

Hydrology Impacts

The proposed project will create a demand for an additional 92.45 acre-feet (net) per year of water. This water will be supplied by the ground-water basin through the municipal water system. Historically, the project site has used more water for agricultural production than the proposed project will use. However, it has been 12 years since the project site has been used for agricultural production, and due to the current ground-water overdraft problem in the Central Salinas Valley, any additional net usage of ground water is considered to incrementally add to the overall problem. Therefore, the additional net water usage of 92.45 acre-feet of ground water is considered an unavoidable significant adverse environmental impact.

Hydrology Mitigation Measure

7. A declaration of restrictions shall be recorded with the final subdivision map. The declaration of restrictions shall state that specific water-conservation methods will be included in any future development. The specific water-conservation measures shall include the following:
 - a. Ultra-low-flush toilets. Ultra-low-flow toilets are defined as toilets that use a maximum of 1.5 or 1.6 gallons of water per flush.
 - b. Low-flow shower heads. Low-flow shower heads are defined as shower heads that use a maximum of 2.5 gallons of water per minute.
 - c. Drought-tolerant landscaping (referred to as "xeriscape" landscaping) as defined by the Monterey County Water Resources Agency Water Conservation Ordinance and the California Association of Nurserymen. Water-efficient irrigation systems shall also be installed in accordance with the Monterey County Water Conservation Ordinance.
 - d. The project proponent shall provide, as a part of the sale, the front yard landscaping for all residential lots within the proposed project in compliance with state standards.

Note: This mitigation measure has been revised as a condition of approval. The condition of approval has been clarified to indicate that the project proponent shall provide, as a part of the sale and as a condition to the close of escrow, the front yard landscaping for all residential lots within the proposed project in compliance with state standards. This revision was done to allow the purchaser of the homes to choose the landscaping from a variety of approved plans, just as the purchaser is allowed to choose interior colors and options.

School Impacts

The Soledad Union School District does not have the money to build a new elementary school because Soledad is a low-wealth district and cannot match the state's 50/50 program. Even if the school district had the money to build a new elementary school, the four acres that have been set aside by the project proponent for the elementary school site are not in accordance with the original EIR and the state standards. Furthermore, the school districts (i.e., Soledad Union School District and the Gonzales Union High School District) are overcrowded and cannot accommodate the additional students that the proposed project is projected to generate. Therefore, based on the current overcrowded state of the school system and the need for an elementary school site of adequate size, as well as a new elementary school, the proposed project will have both a project-specific and cumulative unavoidable significant adverse environmental impact on both school districts.

School Mitigation Measures

- 23 In accordance with state law, the project proponent shall pay the school impact fees.
24. The project proponent shall convey or dedicate in fee to the Soledad Unified School District 7.25 acres of land for an elementary school. The elementary school site shall be separate and distinct from any other dedication requirements contained herein, including the required dedication of four acres for a public park.

Note: The revised vesting tentative subdivision map does not include the four-acre elementary school site. This was deleted from the proposed project based on an agreement reached between the project proponent and the Soledad Union School District. With the implementation of this agreement the proposed project will fully mitigate the impact on the Soledad Union School District. Therefore, this mitigation measure is no longer required as a condition of approval for the vesting tentative subdivision map.

However, the proposed project will still have an unavoidable significant adverse environmental impact on the Gonzales Union High School District.

3.0 Findings for Approval of the Proposed Project

3.1 Significant Adverse Environmental Impacts

The City Council of the City of Soledad has, in approving the proposed project, avoided or reduced all potential significant adverse environmental impacts to a level of insignificance, with the exception of the three identified unavoidable sig-

nificant adverse environmental impacts regarding agricultural resources, ground-water resources, and schools.

The City Council of the City of Soledad finds that the proposed project, as conditioned, will not have a significant adverse environmental impact, with the exception of the three identified unavoidable significant adverse environmental impacts. As regards these three identified unavoidable significant adverse environmental impacts, the City Council of the City of Soledad adopts the following statement of overriding considerations:

Statement of Overriding Considerations

Most of the recommended mitigation measures identified in the FSEIR to avoid or reduce significant adverse environmental impacts to a level of insignificance have been incorporated into the conditions of approval for the proposed project. Some of the recommended mitigation measures included in the FSEIR have been incorporated into the proposed project and therefore are not required as conditions of approval for the proposed project. On the evidence presented, the incorporation of the recommended mitigation measures into the conditions of approval, as explained in these findings, reduces all potential significant adverse environmental impacts to a level of insignificance with the exception of the three identified unavoidable significant adverse environmental impacts with regard to agricultural resources, ground-water resources, and schools.

The City Council of the City of Soledad finds that specific social, economic, environmental, and other benefits outweigh any unavoidable significant adverse environmental impacts and include the following:

- The proposed project will result in the addition of a maximum of 311 residential units to the existing housing supply. The City of Soledad currently has a household occupancy rate of 4.65 persons per household, which represent a housing overcrowding problem. This is the highest household occupancy rate of all jurisdictions in Monterey County. Therefore, the proposed project will fulfill a significant unmet need for housing in the City of Soledad.
- The proposed project will assist the City of Soledad in meeting their regional fair-share housing goals for the present planning period. The regional fair-share housing allocation established for the City of Soledad indicates that the City of Soledad needs to provide an additional 1,192 housing units during the planning period between January 1, 1989 and June 30, 1996. Taking into consideration the housing units constructed, under construction, or which could be constructed on vacant and underutilized land within the City of Soledad between January 1, 1989 and June 30, 1996 (766 housing units), there is still a need to provide an additional 426 housing units during this planning period to meet the established regional fair-share housing goals for the City of Soledad.

- The proposed project includes a maximum of 80 dual-family residential lots which can accommodate a maximum of 160 dual-family residential units. The dual-family residential lots will expand the number of affordable rental housing units in the City of Soledad. There is a high demand for rental housing in the City of Soledad.
- The proposed project will provide additional housing, thus providing needed revenues to the City of Soledad through increased property taxes and sales taxes.
- The proposed project will assist the City of Soledad in providing additional housing in order to accomplish a better jobs-to-housing ratio in the City of Soledad. Currently, most of the City of Soledad's workforce does not reside within the City of Soledad. For example, the largest employer in the City of Soledad, the Soledad Correctional Training Facility, only employs approximately eight percent of the City of Soledad residents (116 of 1,450 employees) Therefore, additional housing units are needed in order to accommodate more of the City of Soledad's workforce.
- The proposed project is presently within the City of Soledad's Urban Reserve area as designated by Monterey County in the Greater Salinas Valley Area Plan. The Urban Reserve designation is to denote areas which Monterey County believes should be annexed and developed in a phased manner as part of an incorporated city to ensure effective provision of public services. As discuss below, adequate public services are available to serve the proposed project.
- The proposed project is located in an area designated as Low Density Residential (0-8 Units Per Acre) in the Soledad General Plan. This area is defined as lands that are suitable for residential development and such residential development will add to a stable urban boundary
- The proposed project constitutes an infill development on property surrounded on three sides by property within the existing city limits. Single-family residential land uses are located north and south of the project site and a proposed high-school site is located west of the project site. The proposed project constitutes a logical extension of the existing urban area and, as conditioned, will be compatible with existing and future surrounding land uses.
- The proposed project is located on property that has not been in agricultural production for over 12 years and based on past expert evaluations and testimony of agricultural producers in the area, the project site is not considered high-quality agricultural land.
- The proposed project will result in on- and off-site transportation improvements that will complete the circulation system in the vicinity of the project site. The proposed project includes the construction of a portion of an arterial street (Gabilan Drive) and the construction of a collector street (Andalucia Drive) from Gabilan Drive to Prado Drive to provide a

secondary access to the La Cuesta Views Subdivision located immediately north of the project site.

- The proposed project will result in on- and off-site public service improvements that will provide adequate public services to the proposed project and future planned development in the area.
- The proposed project will result in the payment of school impacts fees under an agreement with the Soledad Union School District, which will assist in reducing overcrowded conditions in the existing elementary schools.
- The proposed project will result in the dedication of a proposed park site. The proposed park site will provide additional park and recreation opportunities for the future residents of the proposed project and the residents of surrounding residential areas

3.2 Alternatives

In accordance with the requirements of the CEQA guidelines section 15126(d), the FSEIR contains a discussion of a range of reasonable alternatives to the proposed project that could avoid or reduce any significant adverse environmental impacts resulting from the implementation of the proposed project. The FSEIR considered a "no project" alternative and three alternative locations. The FSEIR also considered a phase development alternative, but after consideration, this alternative was rejected for various reasons as stated in the FSEIR.

In accordance with the requirements of the CEQA guidelines section 15126(d)(2), the discussion of alternatives must identify the "environmentally superior alternative" among the alternatives presented. The FSEIR identified the "no project" alternative as the environmentally superior alternative.

The no project alternative has not been selected because this alternative would not assist the City of Soledad in meeting existing housing demand and would not alleviate severe household overcrowding conditions within the City of Soledad. Additionally, this alternative would not assist the City of Soledad in meeting their regional fair-share housing goals.

The alternative locations have not been selected because these alternative locations would not result in the elimination of the unavoidable significant adverse environmental impact associated with the proposed project regarding agricultural resources, ground-water resources, and schools. Specifically, in the case of the alternative locations, the agricultural resources in these locations are more productive than the agricultural resources on the project site.

The phased development alternative has been considered but rejected for various reasons.

First, public services are available and adequate to serve the project site. The extension of these public services from immediate surrounding areas would be more economically feasible if all public services were implemented at one time. Phasing the implementation of improvements would be costly. Additionally, some of the improvements, such as transportation infrastructure is necessary to complete the circulation system in the vicinity of the project site and to provide enhanced access to surrounding properties.

Second, the City of Soledad has identified a need for additional housing. The vacancy rate as indicated in the FSEIR was identified as 5.97 percent. However, this information is overstated in that approximately 30 to 40 housing units under construction but unoccupied were counted during the recent census. Therefore, a more realistic vacancy rate is approximately 4.0 to 4.5 percent. The need for additional housing is further evidenced by the high persons-per-household rate of 4.65 persons per household. This is the highest persons per household rate of all cities in Monterey County.

Third, the City of Soledad has identified a need to provide additional housing units in order to accomplish a better jobs-to-housing ratio in the City of Soledad. Currently most of the City of Soledad's workforce does not reside within the City of Soledad. For example, the largest employer in the City of Soledad, Soledad Correctional Training Facility, only employs approximately eight percent of City of Soledad residents (116 of 1,450 employees). Additional housing units are needed in order to accommodate more of the City of Soledad's workforce.

Fourth, the regional fair-share housing allocation established for the City of Soledad indicates that the City of Soledad needs to provide an additional 1,192 housing units during the planning period between January 1, 1989 and June 30, 1996. Taking into consideration the housing units constructed, under construction, or which could be constructed on vacant and underutilized land within the City of Soledad between January 1, 1989 and June 30, 1996 (766 housing units), there is still a need to provide an additional 426 housing units during this planning period to meet the established regional fair-share housing allocation for the City of Soledad.

Finally, the proposed project constitutes in-fill development. The project site is surrounded on three sides by property located within the City of Soledad. Land uses on these properties are as follows: to the north and south is residential and to the west is a proposed high-school site. The proposed project would result in the elimination of this partial island of unincorporated land surrounded on three sides by incorporated land, and thus result in a logical municipal boundary. Phasing the annexation of the project site would continue to result in a partial island of unincorporated land surrounded on three sides by incorporated land.

All of these reasons support the need for development of the entire project site in the near future.

3.3 Mitigation Monitoring Program

Most of the mitigation measures identified in the FSEIR have been incorporated into the conditions of approval for the proposed project in order to avoid or reduce the potential significant adverse environmental impacts to a level of insignificance. Some of the mitigation measures included in the FSEIR have been incorporated into the proposed project and therefore are not required as conditions of approval for the proposed project.

In accordance with the requirements of California Governmental Code Section 21081.6, a mitigation monitoring program for the above mitigation measures will be adopted upon approval of the vesting tentative subdivision map for the proposed project.