

RESOLUTION NO. 5436**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLEDAD APPROVING A VESTING TENTATIVE MAP FOR THE MIRAMONTE SUBDIVISION, INVOLVING APPROXIMATELY 647 ACRES**

WHEREAS, the adopted City of Soledad 2005 General Plan designates certain lands for urban growth and development within areas designated by the General Plan as the Mirassou, San Vicente West and Northwest Expansion Areas; and

WHEREAS, Soledad General Plan (Program 2.1) does direct the City to pursue an application to the Monterey County Local Agency Formation Commission (LAFCO) for an amendment of its sphere of influence consistent with the General Plan; and

WHEREAS, the City of Soledad and the County of Monterey developed, adopted, and signed a memorandum of agreement (MOU) in 2016, incorporated herein by reference, to cooperate on common planning, growth, and development issues; and

WHEREAS, the MOU established planning principles for both parties to promote logical and orderly development, direct development away from the best agricultural lands, stay within the urban growth boundary established by the City's General Plan and the MOU, encourage "City Center" growth, and provide compact urban form development through the use of specific plans; and

WHEREAS, through adoption of Resolution 2018-04, the Planning Commission recommended that the City Council of the City of Soledad initiate proceedings with LAFCO for an amendment to its sphere of influence (SOI) and for Reorganization, including Annexation, to include approximately 647 acres of property ("Subject Property") to the city, which property currently falls within the Mirassou, San Vicente West, the North Entry Commercial Specific Plan Area and Entry Commercial Expansion Area, and Northwest Expansion Areas as set forth in the City of Soledad's General Plan; and

WHEREAS, the subject property is located in unincorporated Monterey County generally between San Vicente Road and Orchard Lane north and west of the current City limits, and consists of Assessor's Parcel Numbers 417-151-082, 417-151-084, 417-151-089, 417-151-090, 417-151-091, 417-151-092, and additional properties in 257-081-005 and beyond to accommodate the San Vicente Road rights of way; and

WHEREAS, the the City Council of the City of Soledad adopted a General Plan Amendment and Specific Plan for the subject properties known as the Miramonte Plan Area through Resolution 5433; and

WHEREAS, the City Council of the City of Soledad adopted Ordinance 718, Pre-zoning the subject properties to be consistent with the Miramonte Specific Plan; and

WHEREAS, the City Council adopted Resolution 4565 in 2010 directing City Staff to pursue a SOI amendment, but those applications were never filed with Monterey County LAFCO to request the amendment; and

WHEREAS, the City of Soledad did, however, comply with the requirements of the California Environmental Quality Act (“CEQA”), Public Resources Code Section 21000 et seq., the CEQA Guidelines, California Code of Regulations, Title 14 Section 15000 et seq.; and the City Council, prior to or concurrent with the approval of Resolution 4565, considered and certified the Final Environmental Impact Reports for both the City of Soledad 2005 General Plan (SCN# 2005032722) and for the proposed 2010 Miravale III Specific Plan (SCN# 2006081129); and

WHEREAS, both adequately address the environmental effects of the proposed Specific Plan and boundary change pursuant to CEQA, and with the adoption of the Soledad General Plan on September 21, 2005 the City Council did make certain findings of fact regarding the significant environmental impacts of the General Plan and did adopt a Statement of Overriding Consideration through approval of Resolution 3678; and

WHEREAS, the Applicant for the Miravale III project resubmitted project applications on July 26, 2017, under the name Miramonte, for a reduced size project; and

WHEREAS, in an attempt to address the 2010 City Council concerns, the Applicant reduced the project planning boundary from 920 acres to 647 acres (a 273 acre project reduction) and the project residential density from 4,200 to 2,392 (a 2,081 residential unit reduction), as well as removing residential lots from above the 400 foot contour consistent with the City’s General Plan; and

WHEREAS, the City Council finds that due to the reduction in size of the project boundary (by 273 acres) and density (by 2,081 residential units) that the 2010 certified Miravale III FEIR is adequate to evaluate the proposed project with the addition of an Addendum, prepared in accordance with Section 15164 of the CEQA guidelines, to describe the revised and reduced project and to clarify mitigations contained in the 2010 certified FEIR; and

WHEREAS, the City of Soledad City Council adopted the Addendum to and Mitigation Monitoring and Reporting Program for the 2010 certified Miravale III FEIR through Resolution 5431 and Resolution 5432; and

WHEREAS, the principal reasons for the City Council to approve the Miramonte Vesting Tentative Subdivision Map are as follows:

1. The City Council finds that it is appropriate to request LAFCO amend the City’s SOI and Reorganize boundaries (including Annexation) for this 647 acre territory, including the San Vicente Road corridor, and that this action is consistent with the MOU by directing growth within the Urban Growth Boundary, directing development away from the best agricultural lands, meeting “City-Centered” growth principles, preparing a specific plan that includes residential densities that ensure a compact urban form and help to preserve and buffer agricultural uses from premature conversion, and provide a substantial public benefit in public parks, open space, and the preservation of hillside views and natural resources; and

2. The City Council finds and recognizes that a LAFCO amendment to the SOI and annexation of the subject properties and adjoining roadways to the City is a prerequisite to implementation of the Miramonte Specific Plan and the effective date of the Vesting Tentative Subdivision Map; and

3. The City Council finds that the amendment to the City's General Plan and adoption of the Miramonte Specific Plan is consistent with and facilitates the fulfillment of the goals, policies and objectives set forth in the City of Soledad General Plan, as the plan area and subject properties are proposed for future development in the 2005 Soledad General Plan; and

4. The City Council finds that the Specific Plan has been revised in accordance with the 2010 City Council direction and/or mitigation measures identified in the certified Miravale III Specific Plan FEIR or the Addendum to that FEIR; and

5. The City Council amended the City's General Plan Land Use Map to include a designation of the "Miramonte Specific Plan" area, noted as "MM-SP" on the map, over the subject properties and adopted the Miramonte Specific Plan through Resolution 5433; and

6. The City Council approved Ordinance 718 Pre-zoning the subject properties known as the Miramonte Specific Plan Area to "MM-SP"; and

7. The City, as a part of their consideration of the SOI Amendment and Reorganization request, General Plan Amendment, adoption of the Specific Plan, and Pre-zoning of the subject properties, reviewed and considered the CEQA and Project Findings, attached to the SOI Amendment Resolution and incorporated herein by reference; and

8. The City Council further finds that the approval of this Vesting Tentative Subdivision Map will promote the general health, safety and welfare of the community; and

WHEREAS, the City of Soledad Planning Commission and City Council members held a joint duly noticed public workshop on September 14, 2017 to review the previous plan area and project history, past actions, the current plan area and project description, available documentation on the project, currently proposed actions, and to hear public testimony; and

WHEREAS, notice of time and place of hearing for the City Council's deliberations regarding consideration of the Miramonte Vesting Tentative Subdivision Map was given in the manner prescribed by law and by the City; and

WHEREAS, the City Council, at special meeting held August 28, 2018, it considered the Miramonte Vesting Tentative Subdivision Map, the Staff Report and presentation, public testimony, documentary evidence introduced and received during the public hearing along with the entire public record, weighed the evidence before it and made CEQA and Project Findings, approved the Miramonte Vesting Tentative Subdivision Map, subject to conditions and to LAFCO approval of the SOI Amendment and Reorganization/Annexation.

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Soledad approves the Miramonte Vesting Tentative Map, subject to conditions and LAFCO action to amend the City SOI and Reorganize/Annex the subject properties into the City of Soledad as follows:

1. All of the recitals set forth above are true and correct to the best of the City Council's knowledge, and are incorporated herein by reference and made part of this resolution by this reference; and

2. That the City Council finds that it has been provided with and reviewed all evidence available in the administrative record to support the findings of project consideration, as well as the Staff Report, presentation by staff, written and oral testimony (collectively, the “Record of Proceedings”), and hereby provides notification that the Record of Proceedings is on file with the clerk of the City of Soledad; and

3. The City Council finds it has reviewed and considered the 2010 certified Miravale III FEIR, the Addendum to that document, the Mitigation Monitoring and Reporting Program, the CEQA Findings, including the Statement of Overriding Considerations, and the Project Findings, all of which is incorporated herein by reference; and

4. Based upon the City Council’s review of the evidence in the record, it finds that the statement of Overriding Considerations provides substantial evidence that the environmental risks of approving the Miramonte Vesting Tentative Subdivision Map have been balanced against the benefits to the community; and

5. Finds that, after reviewing the Record of Proceedings, findings supported by evidence in the record provide cause for recommending approval of the Miramonte Vesting Tentative Subdivision Map subject to conditions and LAFCO actions to amend the SOI and Reorganize/Annex the territory into the City of Soledad; and

6. The City Council finds by adoption of this Resolution that they have approved the Miramonte Vesting Tentative Subdivision Map for the subject properties (Miramonte Specific Plan Area), illustrated on the map in **Exhibit A**, incorporated herein by reference, subject to conditions of approval contained in **Exhibit B** attached hereto and incorporated herein by reference, and further subject to LAFCO actions to amend the SOI and Reorganize/Annex the territory to the City of Soledad, and adopt the CEQA and Project Findings, attached to the SOI Amendment Resolution and incorporated herein by reference.

PASSED AND ADOPTED this 23rd day of October, 2018, by the City Council of Soledad, by the following vote:

AYES, and in favor thereof, Councilmembers:

NOES, Councilmembers:

ABSTAIN, Councilmembers:

ABSENT, Councilmembers:

FRED J. LEDESMA, Mayor

ATTEST:

MICHAEL MCHATTEN, City Clerk

EXHIBIT A

MIRAMONTE VESTING TENTATIVE SUBDIVISION MAP
(SPECIFIC PLAN FIGURE 1-5)

**EXHIBIT A WILL BE PRESENTED ON THE DAIS AT
THE MEETING.**

EXHIBIT B

MIRAMONTE VESTING TENTATIVE SUBDIVISION MAP

CONDITIONS OF APPROVAL
