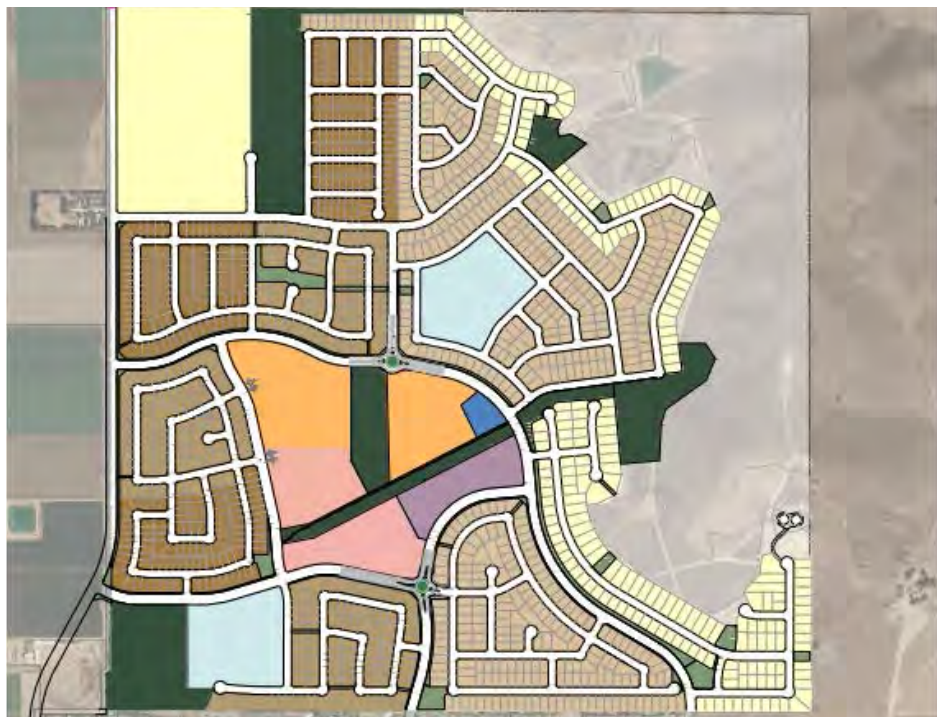
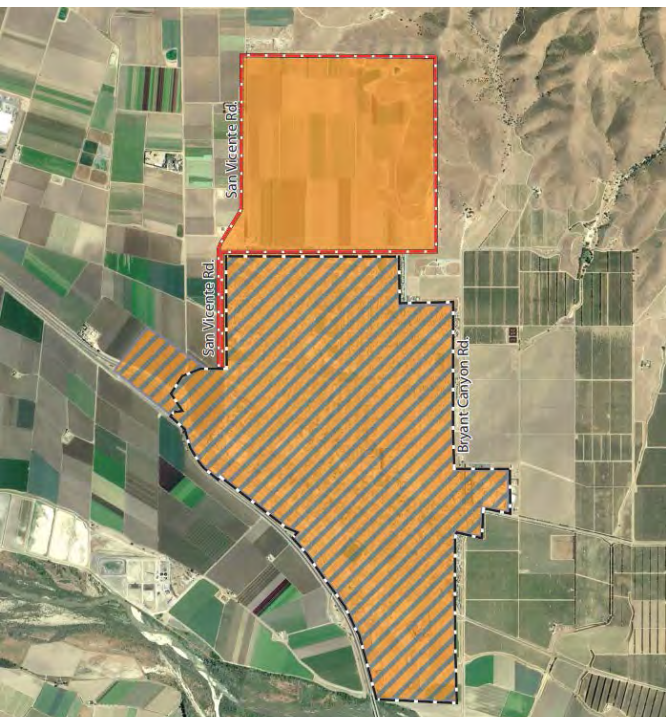


# LAFCO Sphere of Influence and Reorganization Application

## Miramonte

Third Submittal

July 14, 2022



Prepared by  
City of Soledad Community and  
Economic Development Department



LAFCO SPHERE OF INFLUENCE AND REORGANIZATION APPLICATION

MIRAMONTE

THIRD SUBMITTAL

PREPARED FOR

**Monterey County Local Agency Formation Commission**

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July 14, 2022

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# 1.0 Application Request

## 1.1 Request for LAFCO Action/Resolution of Application

The City of Soledad City Council has approved the Miramonte Specific Plan (Specific Plan) and Rezoning, and has approved all of the discretionary land use and planning actions needed to facilitate development of approximately 647.3 acres located outside the city limits and City of Soledad Sphere of Influence (SOI), but within the City of Soledad 2005 General Plan (General Plan) planning area, and within the Urban Growth Boundary identified in the 2016 Memorandum of Agreement between the City of Soledad (city) and the County of Monterey (county).

For the SOI/Reorganization area to be developed pursuant to the Specific Plan land use guidance that applies to it, the City of Soledad SOI must be amended to include the project site, and the annexation area must be annexed to the city and detached from the County of Monterey Resource Conservation District service boundary. Throughout this application text the term “SOI/Reorganization area” or “annexation area” refers interchangeably to any one of the reorganization actions, including the proposed SOI boundary adjustment, annexation, and detachment, the boundaries of which are coterminous with the Specific Plan boundary. Because the requested SOI/Reorganization area boundaries are coterminous with the Specific Plan territory they also are referred to interchangeably as “SOI/Reorganization area” or “project site”.

The City of Soledad is formally requesting Monterey County Local Agency Formation Commission (LAFCO) approval of a reorganization that includes a SOI boundary adjustment, annexation, and detachment from service area boundaries to accommodate development consistent with the city’s adopted Specific Plan.

The City Council’s request is formalized in the City Council’s Resolution of Application, which was adopted on November 7, 2018. The Resolution of Application is shown in [Appendix A](#). The reasons for and evidence in support of the SOI/Reorganization area request are enumerated throughout this application and its figures, appendices and attachments.

Unless otherwise noted figures are found at the end of each section. Appendices and attachments are included at the end of the application. The information in this SOI amendment and Reorganization application is consistent with the content requirements identified by LAFCO staff in the following communications (included in [Appendix B](#)):

- Application Checklist for the Miramonte Sphere of Influence Proposal;

- Two notifications of incomplete application materials dated March 30, 2020 and September 1, 2021; and
- Notes to City staff contained in the LAFCO Application Guidance Before You Apply: Recommended Pre-Application Steps.

A list of pre-application meetings and consultation conducted by City staff and their consultants is included as [Appendix C](#).

[Figure 1-1, Sphere of Influence/Reorganization Area and General Plan Expansion Areas](#), shows the location of the proposed SOI/Reorganization area in relation to the City's General Plan expansion areas and planning boundary.

In the adopted Memorandum of Agreement (2016 MOA) between the City and County the City agreed to concentrate its growth in areas east of U.S. Highway 101, within the City of Soledad 2005 General Plan planning area. One of the primary purposes of this agreement was to concentrate growth north and protect prime agricultural lands in the City's planning area south of U.S. highway 101 from development. The SOI/Reorganization request is consistent with this primary goal of the MOA. [Figure 1-2, Location Within the 2016 MOA Urban Growth Boundary](#), presents the location of the SOI/Reorganization area boundary within the Urban Growth Boundary identified in the MOA. [Figure 1-3, Aerial Photograph](#), presents existing conditions within and adjacent to the requested SOI/Reorganization area.

## 1.2 Resolution of Application

The City of Soledad City Council approved Resolution No. 5434 and Resolution No.5435 ([Appendix A](#)) directing staff to submit a formal request to LAFCO to 1) amend the City of Soledad Sphere of Influence (SOI) reorganize approximately 647 acres of the City's general plan expansion area comprised of the Miramonte Specific Plan. The proposed SOI/Reorganization area boundaries are coterminous, are unincorporated Monterey County lands located generally between San Vicente Road and Orchard Lane north and west of the current City of Soledad limits.

## 1.3 Base Map and Legal Description

The base map and legal description for the requested SOI/Reorganization are included in [Appendix D](#).

## 1.4 General Information

### a. Describe the proposed action (Annexation, Detachment, Sphere of Influence Amendment, formation, etc.) affecting a city or special district:

1. Amendment to the City of Soledad Sphere of Influence to include approximately 647 acres identified in the City of Soledad General Plan as the Miramonte Specific Plan expansion area;
2. Annexation of said approximate 647 acres to the City of Soledad; and
3. Detachment of the SOI/Reorganization area from the Resources Conservation District of Monterey County.

### b. Applicant (chief petitioner/contact person):

Name, Title:

Brent Slama, AICP, City Manager; and

Bryan Swanson, Community and Economic Development Director.

Agency:

City of Soledad Community and Economic Development Department

Address:

248 Main Street, Soledad, CA 93960

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(831) 223-5043 – Community and Economic Development Director

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### c. Describe the location of the subject territory, including Assessor Parcel Number(s):

The project site is located adjacent to the northern City of Soledad city limit and east of San Vicente Road within the unincorporated area of Monterey County. The Assessor Parcel Numbers 417-151-082, 417-151-084, 417-151-089, 417-151-090, 417-151-091, and 417-151-092; and portions of Assessor Parcel Numbers 257-081-005, 257-091-009, 257-091-011, and 257-091-012, for improvements to San Vicente Road, in addition to segments of San Vicente Road right-of-way north of Gabilan Drive, which together total approximately 647 Acres. The SOI and Reorganization boundaries are coterminous and encompass the Miramonte Specific Plan area. The SOI and Reorganization boundaries are hereinafter referred to collectively and interchangeably as “SOI and Reorganization boundary” or “annexation area”.

#### **d. Size (in acres) of the affected territory:**

The SOI and Reorganization area encompasses approximately 647 acres (refer to Appendix A). Approximately 8.5 acres are within Monterey County and City of Soledad existing roadway rights-of-way along San Vicente Road; approximately 1.5 acres are parcels occupied by City of Soledad domestic water supply water storage tanks. The balance of approximately 637 acres would be available for urban development and new roadway rights-of-way consistent with the Specific Plan land uses and zoning. The roadway rights-of-way are included in the project site pursuant to LAFCO policy.

#### **Population:**

##### **1) *Estimated population in the subject area:***

The project site is comprised of vacant land and is uninhabited.

##### **2) *Proximity to other populated areas:***

The annexation area is bordered by developed residential uses within the existing city limit to the south and to the east of San Vicente Road; a farmworker housing development is located west of San Vicente Road and a ranch is located north of the site adjacent to San Vicente Road.

#### **e. Why has the proposed action been requested?**

As discussed in Section 1, the proposed SOI amendment and reorganization are necessary to implement the City's General Plan housing element, address state mandates for the provision of affordable housing, comprehensively address a critical housing shortage within the City of Soledad and its existing sphere and fund the construction and maintenance of major improvements to serve existing and new residents of the city, preserve open space within the City's General Plan planning area and preserve Prime Farmland by directing growth within the Urban Growth Boundary per the 2016 MOA.

The City's SOI has remained constant, with one small exception, since 2004. Since 2004, one 92-acre sphere amendment and annexation has occurred. Residential development has occurred within the city as infill, but has not kept pace with its population growth. Very few opportunities to increase the city's affordable housing or market rate housing stock are currently available within the city's current SOI. This has created a situation where available housing units are occupied by extended and multiple families, creating a burden on city and regional transportation infrastructure and city services. At no time has this been more evident than during the COVID 19 pandemic, when families were forced to shelter in place under already crowded conditions. An amendment of the SOI is needed to accommodate development that will provide much needed housing, to meet existing and future growth needs outlined in the General Plan.



The portion of San Vicente Road that abuts the project site and city limit is included in the proposed action consistent with LAFCO policy that boundary lines of areas proposed to be annexed be located so that all streets are placed within the same jurisdiction as the properties which abut them.

The Sphere of Influence Amendment request is prerequisite to enabling the annexation of the subject APNs and abutting/adjacent roadway as proposed. Annexation is requested for the entire SOI and Reorganization area, rather than piecemealed in smaller annexations in order to enable the city to balance the provision of housing and necessary infrastructure in a timely manner. The city desires to balance the housing needs of seniors and families, including families with very low, low, and moderate income, with market rate housing and commercial development capable of funding major public infrastructure improvements such as alternative or updated access/egress between the city and U.S. Highway 101, other local transportation facility improvements, and to address water, wastewater, and storm drainage improvements within the site and downstream within the existing sphere, without compromising the city's ability to provide, maintain or improve public services currently provided to existing city residents.

The requested SOI amendment and reorganization logically directs the city's growth within its General Plan Expansion Areas consistent with the General Plan and squarely within the Urban Growth Boundary, consistent with the direction of the 2016 MOA.

### **e. Why has the proposed action been requested?**

The proposed SOI amendment and reorganization are necessary to implement the city's General Plan housing element, address a critical housing shortage within the City of Soledad and its existing sphere, address state mandates for the provision of affordable housing, fund the construction and maintenance of major improvements to serve existing and new residents of the city, preserve open space within the city's General Plan planning area and preserve Prime Farmland by directing growth within the Urban Growth Boundary per the 2016 MOA.

The city's SOI has remained constant, with only one 92-acre sphere amendment and annexation having occurred since 2004. Residential development has occurred within the city as infill, but has not kept pace with its population growth. Additionally, very few opportunities to increase the city's affordable housing or market rate housing stock are currently available within the city's existing SOI. This has created a situation where available housing units are occupied by extended and multiple families, creating a burden on city and regional transportation infrastructure and city services. At no time was this more evident than during the COVID 19 pandemic, when families were forced to shelter in place under already crowded conditions. An amendment of the SOI is needed to accommodate development that will provide much needed housing, to meet existing and future growth needs outlined in the General Plan.

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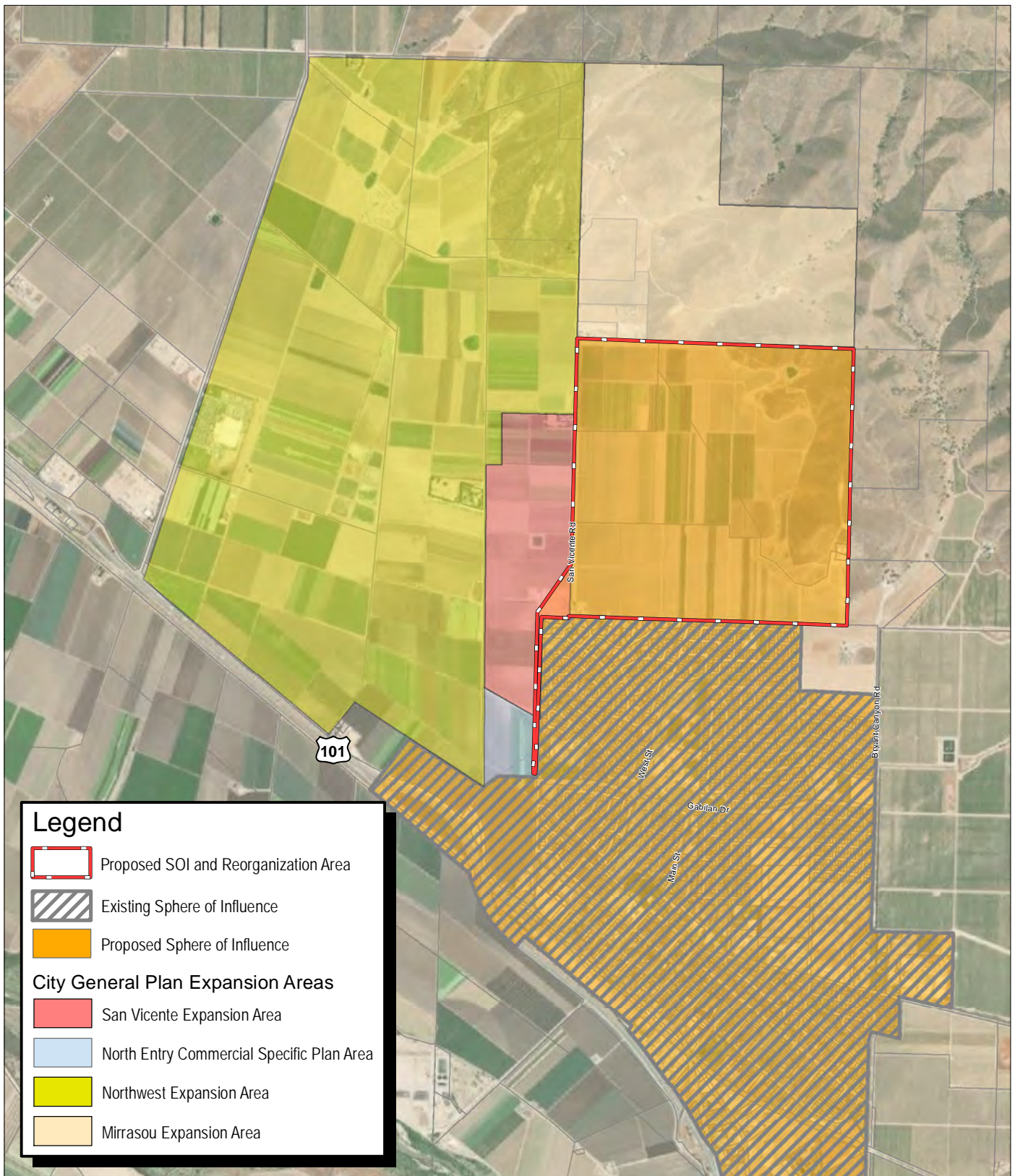
The requested SOI amendment and reorganization logically directs the city's growth within its General Plan Expansion Areas consistent with the General Plan and squarely within the Urban Growth Boundary, consistent with the direction of the 2016 MOA.

**f. List any conditions proposed as a part of the proposal.**

All conditions of approval and required mitigation measures are listed in the exhibits to City Council Resolutions adopting the Mitigation Monitoring and Reporting Program for the Specific Plan and Vesting Tentative Map (Resolution #5432), and conditionally approving a Vesting Tentative Map for development of the Specific Plan area (Resolution #5436). The city's conditions of approval and adopted mitigation monitoring program are included in [Exhibit C](#).

**g. Do you request that the proposed area be taxed for existing bonded indebtedness or contractual obligations?**

Yes \_\_\_\_\_ No ☒



Source: ESRI 2019

Figure 1-1  
Sphere of Influence and Annexation Area and  
General Plan Expansion Area Locations

City of Soledad LAFCO Application - Miramonte

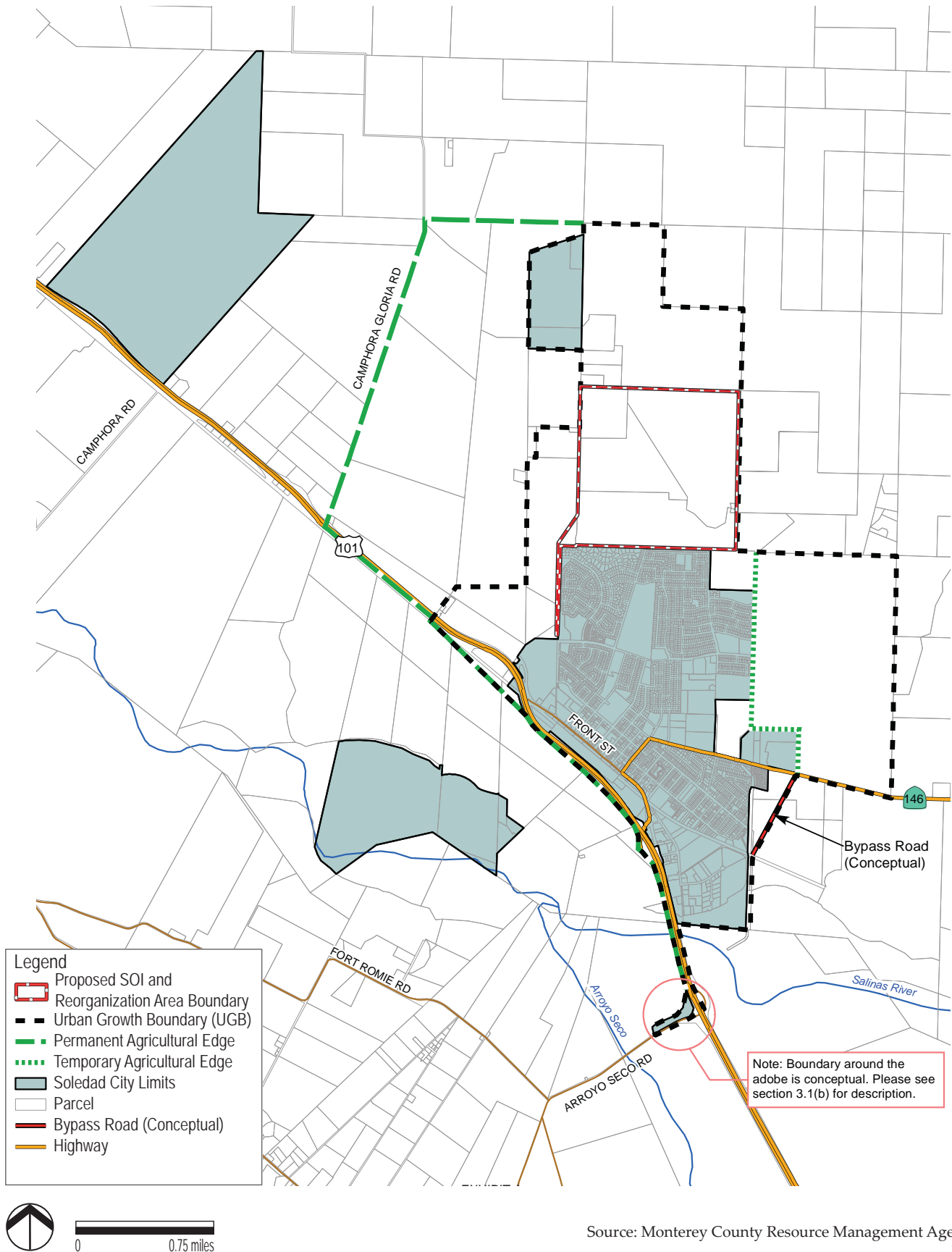


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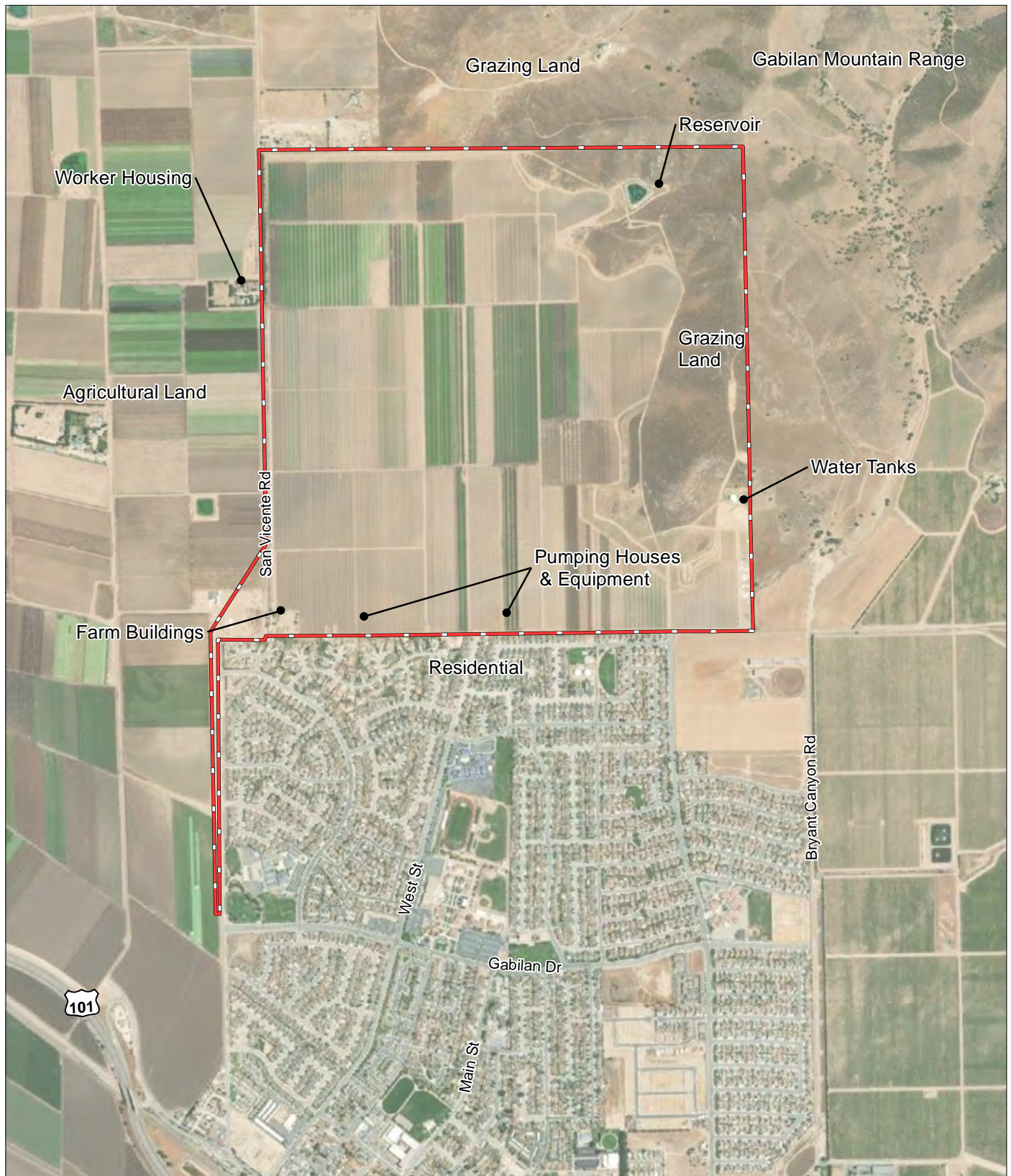


Source: Monterey County Resource Management Agency 2015

## Figure 1-2 Location Within the 2016 MOA Urban Growth Boundary

City of Soledad LAFCO Application - Miramonte

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0 1500 feet



Proposed SOI and Reorganization Area

Source: Esri 2017



Figure 1-3  
Aerial Photograph

City of Soledad LAFCO Application - Miramonte

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## 2.0 Determination of Boundaries and Duplication of Authority

### 2.1 Determination of Boundaries

**a. Do the proposal's boundaries follow existing political boundaries (such as property lines or jurisdictional lines) and/or physical features such as river, lakes, railroad tracks, and freeways? If not, please explain the reasons for nonconformance.**

The proposed SOI and Reorganization boundary follows existing and proposed parcel lines as well as man-made physical features (i.e., city and county roads) with the exception of portions of Assessor Parcel Numbers 257-081-005, 257-091-009, 257-091-011, and 257-091-012, which are needed for right-of-way acquisition and construction of improvements to San Vicente Road.

[Figure 2-1, Proposed Sphere of Influence and Affected Parcels](#), shows all parcels that will be affected by the proposed SOI amendment and reorganization if approved.

The proposed boundary follows the future west edge of the improved San Vicente Road right-of-way. The right-of-way acquisition on the four parcels consists of land necessary for replacement of a segment of San Vicente Road that consists of two right-angle turns as it transitions from unincorporated Monterey County to the city limit line. The proposed realignment of right-of-way improvements on San Vicente Road is constrained by existing development within the city limit and the presence of high-voltage overhead utility transmission lines near the two right-angle turns. The area south of the realigned roadway could be used for parkland and/or drainage facility uses, consistent with the Specific Plan land uses and zoning.

The SOI/Reorganization area includes approximately 190 acres of hillside open space above the 400-foot elevation contour that follows the existing parcel lines. The area is to be placed under a conservation easement with land uses limited to those specified by the Specific Plan or in a development agreement with the city. Consistent with the guidance provided in the Specific Plan, the city or an assigned entity will maintain a designated trail system, alternative energy systems, other recreational opportunities, infrastructure to serve the plan area (e.g., water tank), conduct fire fuel reduction activities as needed, and provide efficient emergency response services within the area.

**b. If the proposal's boundaries create an island, corridor, or strip either within the proposed territory or immediately adjacent to it, please explain why this is the case.**

The proposed SOI and Reorganization request applies to lands contiguous with the existing city limit and does not create an island, corridor or strip within the proposed territory.

**c. For annexations to a city or district, does the annexation include the adjacent streets and rights-of-way? Please describe how the proposal will conform to road right-of-way guidelines for proposals submitted to LAFCO. (LAFCO Policies and Procedures, Part D.II.7)**

The proposed SOI and Reorganization area includes annexation of the Gavilan San Vicente Road right-of-way between Gabilan Drive (city limit) and the southwest corner of the proposed SOI/Reorganization area, necessary for improvement of San Vicente Road, and includes all of the local roads and utility easements necessary to serve future development within the plan area.

**d. Would the proposal divide any existing tax assessment parcels? If so, please explain why this is proposed.**

No. In instances where less than an entire tax assessment parcel is proposed for inclusion, those portions of existing parcels would be annexed as part of the SOI/Reorganization area because they are necessary only for right-of-way acquisition and construction of safety improvements to San Vicente Road.

**e. Would the proposal divide any existing identifiable community, commercial district, or any other area having social or economic homogeneity? If so, please explain why this is proposed.**

No. The SOI and Reorganization area does not include an existing community, commercial district or other area. It is planned for uses that are consistent with adjacent uses within the city. The SOI and Reorganization would not divide a community, commercial district, or other area having social or economic homogeneity.

**f. Does the proposal include all territory that would reasonably benefit from agency services? If not, please explain why not.**

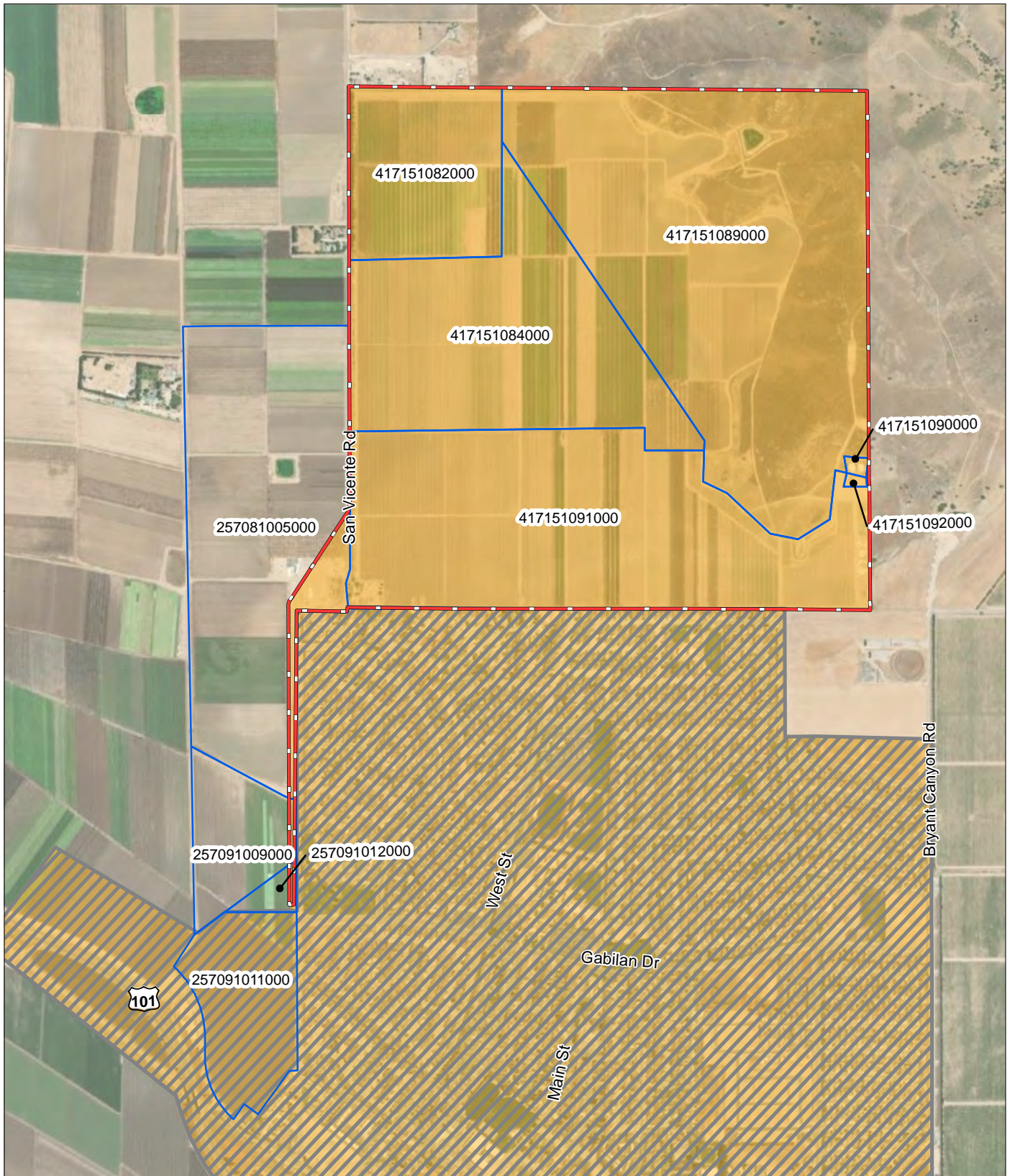
The proposal includes all territory that would reasonably benefit from city services.

## 2.2 Duplication of Authority to Perform Similar Functions

**a. Would the proposal result in any duplication of authority? (i.e., two or more governmental agencies providing the same or similar types of services) If so, please justify the need for the duplication.**

The proposal will not result in two or more districts or service agencies with overlapping jurisdiction or authority to perform the same or similar functions. The Mission Soledad Rural Fire Protection District will continue to provide services through its cooperative agreement with the city. All other services will be provided by the City of Soledad or by current service providers (e.g., solid waste collection) within which the proposed SOI and Reorganization area is located.

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0 1400 feet



Proposed SOI and Reorganization Area



Affected Parcels

Source: ESRI 2019, Monterey County GIS 2018



Proposed Sphere of Influence



Existing Sphere of Influence

Figure 2-1

## Proposed Sphere of Influence and Affected Parcels

City of Soledad LAFCO Application - Miramonte



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## 3.0

# Conformance with City/County General/Specific Plans and 2016 MOA

### 3.1 Conformance with Soledad General Plan

#### a. Indicate the existing land use (including residential density):

The SOI and Reorganization area is currently and has historically been used for agriculture. The site is uninhabited.

#### b. What is the City's general plan designation and zoning for the subject territory, if applicable?

[Figure 3-1 Soledad General Plan Land Use Designations](#), presents the existing General Plan land use designation of the site and surroundings. The General Plan land use designation for the site is Miramonte Specific Plan Area (MM-SP). The project site lies outside the city's SOI and; therefore, is not located within a city zone district. However, the city adopted a pre-zoning Ordinance for the annexation area, which applies zoning districts that are consistent with the approved Miramonte Specific Plan zoning designations. See the discussion in item g, below.

#### c. What is Monterey County's general plan designation and zoning, if applicable?

The existing Monterey County General Plan land use designation is Farmlands (40-160 Ac Min) and Permanent Grazing (10-160 Ac Min). The site is zoned as Farmland (F/40) and Permanent Grazing (PG/40).

#### d. What is the proposed future land use?

Future land uses consistent with the approved Specific Plan include low-, medium-, and high-density residential uses, including affordable housing, mixed uses, commercial, public facility (i.e., police, fire, schools), and parks and open space uses (refer to the Specific Plan, [Exhibit A](#)) [Figure 3-2, Comprehensive Land Use Plan](#), presents the land uses allowed by the Specific Plan within the SOI/Reorganization area.

**e. Is the proposal consistent with the applicable City or County General Plan designation? (and any Specific Plan)**

The proposal is consistent with the land uses identified in the approved Specific Plan ([Exhibit A](#) on CD). The approved Miramonte Specific Plan is consistent with the General Plan land use designations, land use intensity and residential densities. The proposal is consistent with the city's intent that the subject portion of the General Plan planning area be developed with urban uses consistent with the 2016 MOA. A General Plan Consistency Analysis was prepared as part of the city's CEQA documentation. The General Plan Consistency Analysis is included in [Exhibit D](#).

**f. Please describe the City or County's long-term planned direction of growth and comment on whether the proposed action is consistent with that plan.**

The proposal is consistent with the City of Soledad long-term planned direction of growth, as the SOI/Reorganization area is located within the General Plan future growth expansion areas and within the Urban Growth Boundary identified in the 2016 MOA. Refer also to Figure 1-2 and Exhibit D.

**g. For annexation and other changes of organization: If the change of organization involves a city, has the city prezoned the area?**

Yes.

**What is the prezoning classification and when was the ordinance adopted?**

The City Council adopted Prezoning Ordinance 718 ([Appendix E](#)) for the SOI/Reorganization area that applies the Specific Plan zoning districts. [Figure 3-3, Prezone](#), shows the zone districts identified in the Specific Plan. The prezoning designations for the Specific Plan area, which is coterminous with the proposed SOI /Reorganization area, are LDR Low Density Residential (M3-R-1); VR Village Residential (M3-R-V), C Village Commercial (M3-C-V), MU Mixed Use Opportunity (M3-MU), PF Public Facility (P-F), and OSP Open Space & Parks (O S). Since the project was approved by the city council, there have been a few site modifications for the siting of school sites, roadways and parklands, that will be captured in the final zoning ordinance if the annexation request is approved.

**Amount and description of publicly owned land in the area:**

The SOI/Reorganization area includes approximately 8.5 acres comprised of existing city and county public roadway rights-of-way (San Vicente Road) and approximately 1.52 acres (Assessor parcel numbers 417-151-090 and 417-151-092) owned by the City of Soledad, which is occupied by two municipal water supply storage tanks.



#### **h. Could the proposal serve to encourage development of currently undeveloped areas or increase the intensity of development of already developed areas?**

Development within the Specific Plan area would be adjacent to active farmland located on unincorporated lands west of San Vicente Road. Buildout of the SOI boundary and annexation area is expected to occur over a period of 10-20 years and during that time adjacent property owners to the west may feel increased pressure to develop. The city has required the provision of buffers between future development and agricultural uses west of San Vicente Road. However, the city considers the required buffers to be temporary as the areas west of San Vicente Road also are within the city's General Plan designated expansion areas and 2016 MOA Urban Growth Boundary within which; development is anticipated.

Within the SOI/Reorganization area permitted development will not increase the intensity of use of existing, adjacent developed parcels to the south, as these parcels are within the city limits and have already been built out consistent with densities allowed by the city's applicable zoning standards.

#### **i. Describe any special land use concerns (airports, schools, industrial areas, etc.):**

There are no airports or industrial areas in the vicinity of the project site. The nearest school is located about one-quarter mile south of the project site. Land use compatibility issues between urban and agricultural uses were analyzed and mitigated in the EIR Addendum by requiring right-to-farm deed notifications and the use of buffers to reduce conflicts between future development within the SOI/reorganization area and agricultural uses. The city has prepared an Agricultural Mitigation Plan consistent with the 2016 MOA that includes performance thresholds and criteria for compliance with these measures and others. The Agricultural Mitigation Plan is discussed in greater detail in Section 6.

Two 11-acre elementary school sites, a two-acre site for the Soledad Highschool Future Farmers of America program, and a police/fire substation site are approved within the requested SOI/Reorganization area.

No other significant land use concerns have been identified.

## 3.2 Conformance with Spheres of Influence

### a. Is the proposal consistent with the adopted Spheres of Influence of affected local agencies? If not, describe the inconsistency and any overriding considerations.

Figure 3-4, [City of Soledad Existing and Proposed Sphere of Influence](#), shows the requested change to the city's SOI. The geographic limits for the city's ultimate SOI are established in the 2016 MOA. The proposal is located outside the city's existing SOI, which must be amended. However, the proposed SOI/Reorganization area boundary is consistent with the Urban Growth Boundary established by the 2016 MOA (refer to Figure 1-2). No inconsistencies with the boundary have been identified. Consistency with the goals and policies of the 2016 MOA is addressed in greater detail in [Exhibit D](#).

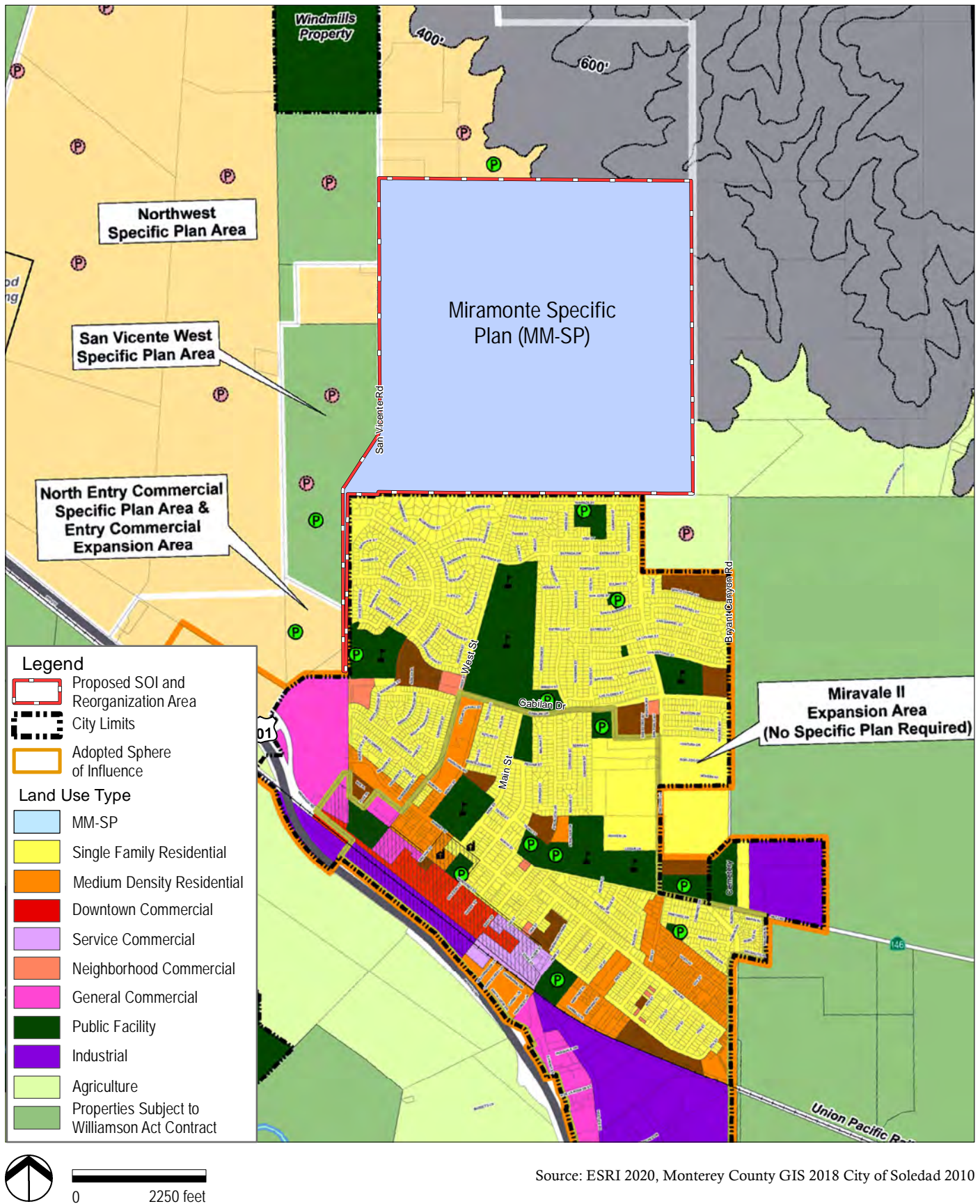


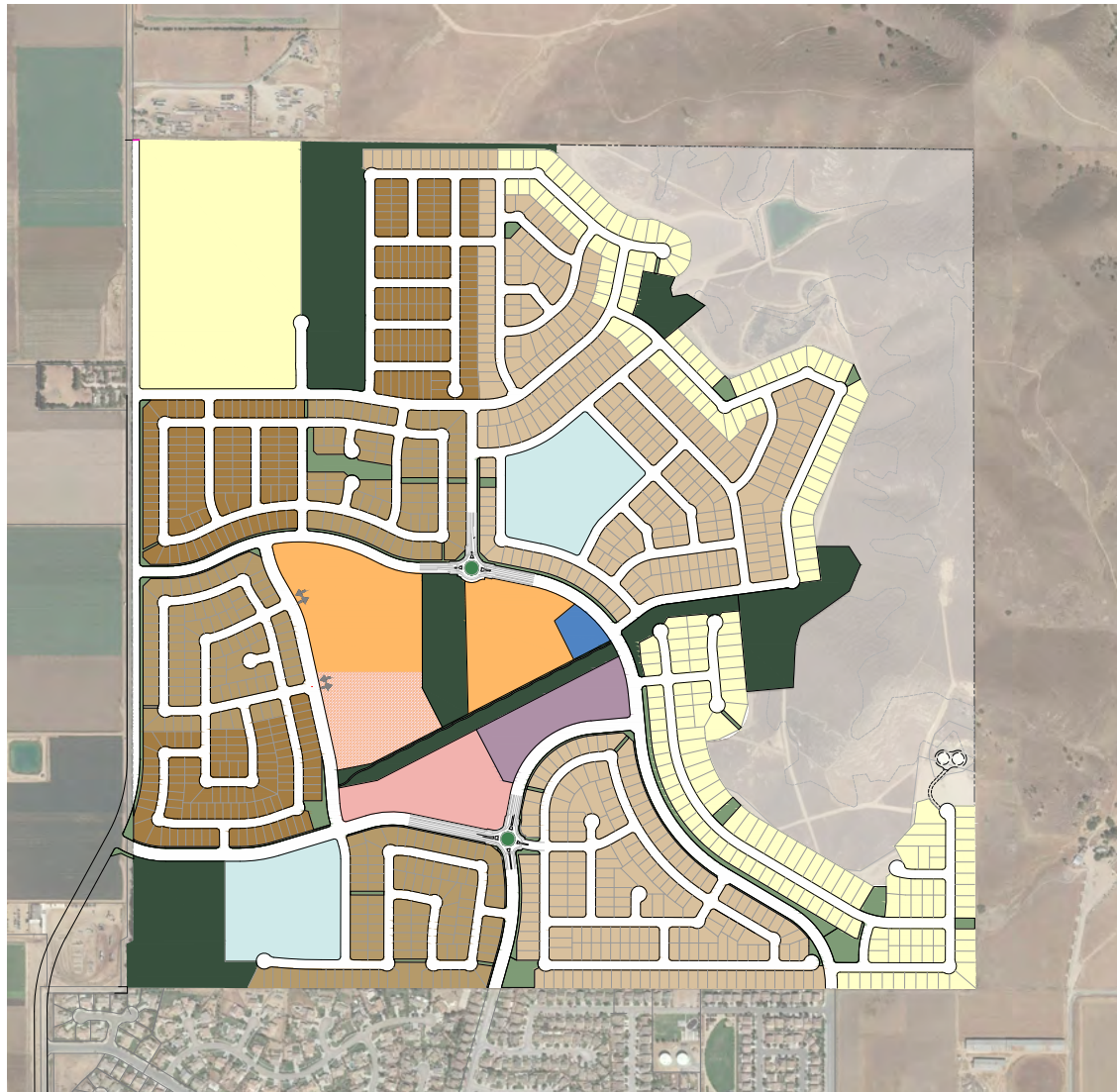
Figure 3-1

## Soledad General Plan Land Use Designations

City of Soledad LAFCO Application - Miramonte

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*Miramonte Specific Plan*

Lot Configuration		
Lot Area	4,000 square feet minimum	75 percent of lots within the plan shall meet the 4,000 square foot or larger.
Corner Lot	6,000 square feet minimum	
Width		
Front Yard	50 feet minimum	
Corner Lot	60 feet minimum	
Capped Lot (at rear)	40 feet minimum	
Front Facing Garage Doors	60 feet minimum	
Depth		
Local Street Frontage	70 feet minimum	
Collector Street Frontage	100 feet minimum	
Building Massing		
Lot Coverage	40 percent maximum	Roof overhangs, gutters, porches, screened or solid structures and the like are exempt from building coverage calculations.
Building Height	2 stories and 30 feet maximum	
Accessory Building*	14 feet maximum	*Accessory structures conform to appropriate design as defined in the CDP.
Setbacks		
Front Yard	15 feet minimum	Architectural elements may extend up to 3 feet in the alignment with the front setback line, including screened or solid structures.
Living Space	10 feet minimum	
Pool	10 feet minimum	
Garage	20 feet minimum	
Front Yard Back Access		
Living Space	10 feet minimum in local street	
Pool	20 feet minimum in collector street	
Garage	4 feet minimum in local street	
	14 feet minimum in collector street	
	20 feet minimum in local street	
	30 feet minimum in collector street	
Side Yard		
Screen	5 feet minimum	
Screen	10 feet minimum	
Side Landscaping	25 feet minimum	
Pool	3 feet minimum	
Rear Yard		
Primary Building	10 feet minimum	
Pool	4 feet minimum	
Accessory Building	5 feet minimum	
Open Space (as required and undeveloped)	100 feet low fire risk area to be provided behind rear fence within the open space area	
Fencing Refer to Sections 17.34.010 of the Municipal Code		
Fencing adjacent to park or undeveloped open space shall be kept to four feet (4') the lowest screen possible. Fencing adjacent to residential lots shall be no greater than three feet tall within six feet of other street frontage.		
Off-Street Parking		
Parking Requirements	2 covered garage spaces per unit minimum	
	Units with more than 4 bedrooms that provide a third garage space	

Source: Miramonte Specific Plan.

#### Yield Summary

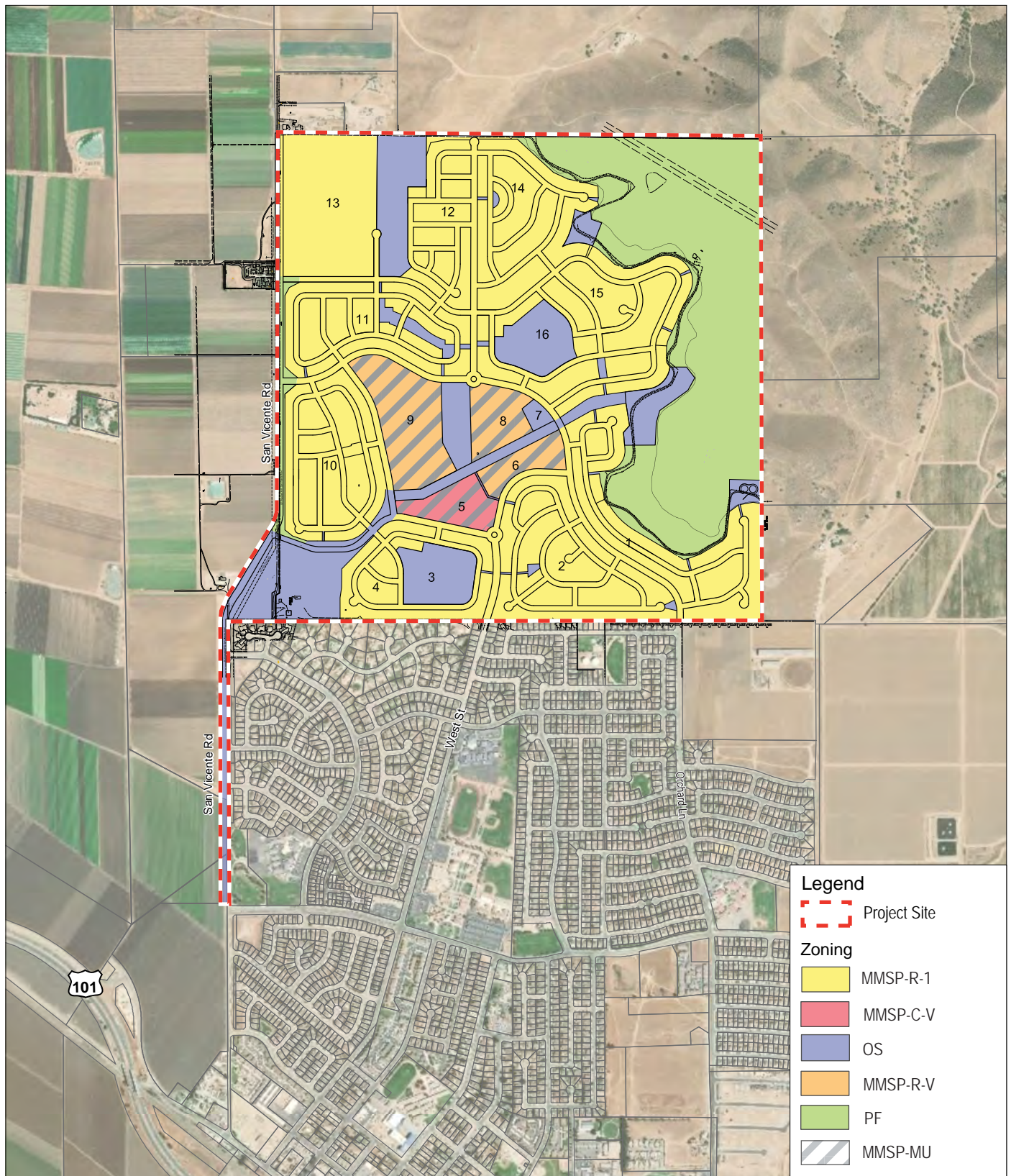
Neighborhood	50'	55'	60'	70'	Total	
1	0	0	0	136	136	
2	0	0	182	0	182	
3					0	
4	0	113	0	0	113	
5					0	
6					134	senior living
7					0	public safety
8					190	multi-family
9					436	multi-family
10	106	99	0	0	205	
11	111	82	0	0	193	
12	117	0	34	3	154	
17 (13)					314	
14	0	0	54	37	91	
15	0	0	173	71	244	
16					0	school site
	334	294	443	247	2,392	
	14%	12%	19%	10%		

Source: RJ 2021

Figure 3-2  
Comprehensive Land Use Plan  
City of Soledad LAFCO Application - Miramonte



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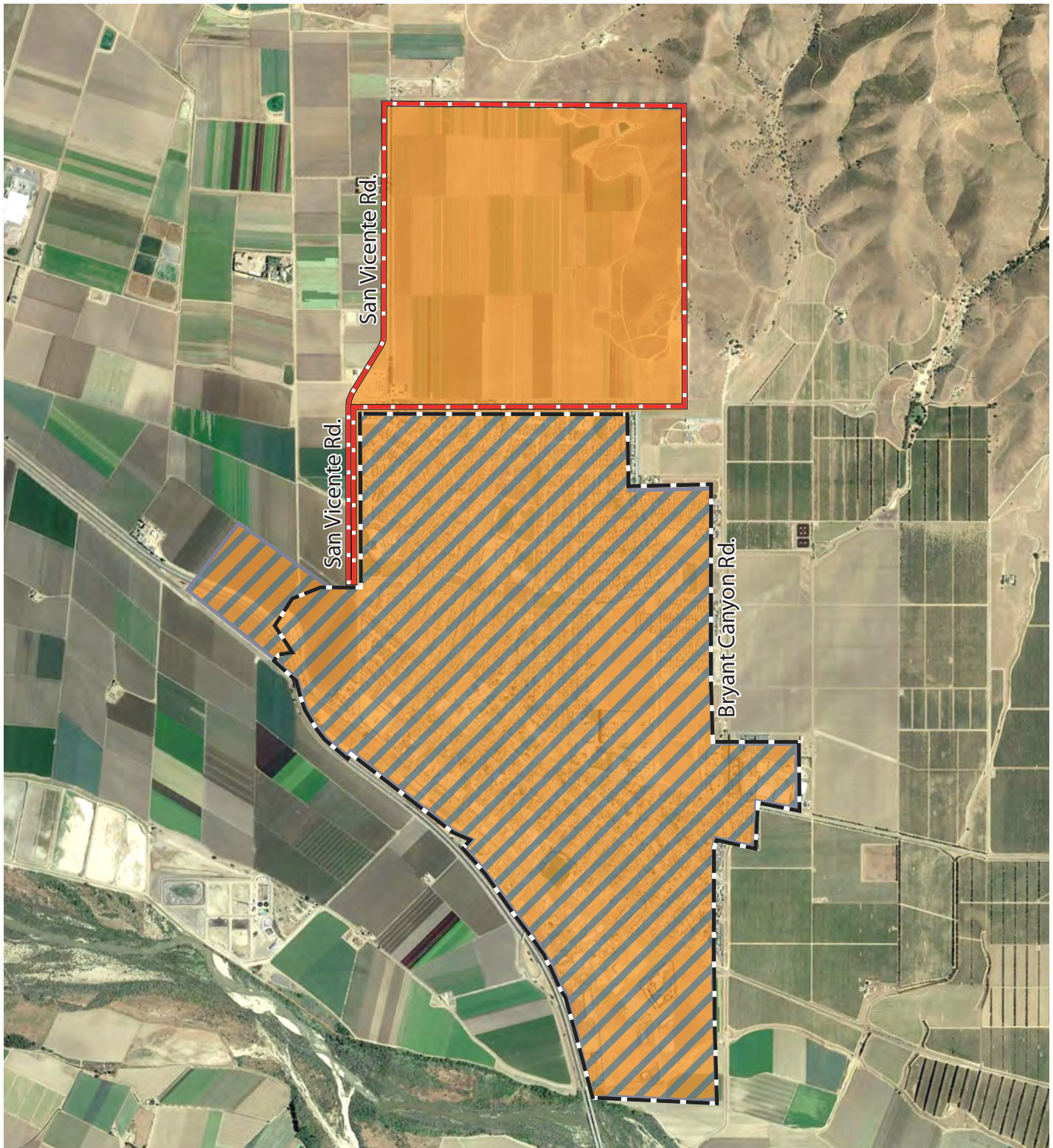


Source: ESRI 2020, Monterey County GIS 2018

Figure 3-3  
Prezone

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 Existing Sphere of Influence
  Proposed Sphere of Influence
  Proposed SOI and Reorganization Area
  Existing City Limits


 0.5 Miles

Source: Google Earth 2019

Figure 3-4

# City of Soledad Existing and Proposed Sphere of Influence

City of Soledad LAFCO Application - Miramonte

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# 4.0 Environmental Impact Assessment

## 4.1 CEQA Documentation

In early 2000, the City of Soledad prepared an EIR for an application initiated by Nader Agha (applicant) for the then-proposed Miravale III Specific Plan and related preliminary vesting tentative map. The application proposed a phased development for a 920-acre area north and west of the current boundaries of the City of Soledad, including residential, commercial, recreational, and public facility uses and supporting infrastructure, hereinafter referred to as Miravale III Specific Plan project. The Draft EIR was prepared and circulated for public comment and a Final Environmental Impact Report for the Miravale III Specific Plan was certified by the City of Soledad City Council in September 2010. The City Council did not consider the merits of the project at that time and directed the applicant to consider revising the development project to be consistent with the General Plan using one of the EIR alternatives.

In 2016 the applicant submitted a new application for a revised and smaller project in response to the City Council direction. The smaller project, Miramonte, reduced the land area and intensity of land uses, limiting the proposed development to areas north of the city limit and east of San Vicente Road. The Addendum to the Miravale III Specific Plan EIR (EIR Addendum) was prepared by the City of Soledad to evaluate the environmental effects of the new Miramonte project, including a new proposed vesting tentative map. On November 7, 2018, the City of Soledad City Council adopted CEQA findings, a statement of overriding considerations and certified the EIR Addendum, adopted the Specific Plan. Prezone Ordinance, and conditionally approved the vesting tentative map.

The certified Miravale III Specific Plan EIR and its appendices are included as appendices to the EIR Addendum, which is included as [Exhibit B](#) on the CD inside the back cover of this application. The City Council Resolution #5431 certifying the Addendum to the certified Miravale III Specific Plan EIR, including CEQA Findings and Statement of Overriding Considerations are also included in [Exhibit B](#).

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## Economics, Service Delivery, Development Patterns, Plan for Services

### 5.1 Economics, Service Delivery, and Development Patterns

**a. Please describe how the proposal will impact the ability of affected local agencies (cities, special districts and the County) to continue to provide their services. Include any potential fiscal impacts from the proposal on the affected agencies' revenues or expenditures.**

Detachment from the Resources Conservation District of Monterey County is not anticipated to result in a substantial change in district revenues and expenditures because the undeveloped site is not currently a major revenue source. No impacts to the county or other agency's ability to provide services would occur. Refer also to the responses provided in Section 5.2, Plan for Services.

**b. Please describe any efforts to mitigate adverse effects of the proposal on any local agency's ability to continue to provide services to its residents.**

#### Tax Sharing

A tax sharing agreement between the City of Soledad and the County of Monterey addresses potential fiscal impacts on Monterey County regarding the change in tax revenues associated with existing and proposed uses of the project site. City staff and the County's Administrator worked cooperatively with the Monterey County Board of Supervisors and City of Soledad City Council, each of which adopted the respective tax share agreement resolutions. The resolutions of each approving body are included in [Appendix F](#).

#### Soledad Unified School District

In consultation with the Soledad Unified School District (SUSD), development of the annexation area includes dedication of two 11-acre elementary school sites and an additional two-acre site for the Soledad High School Future Farmers of America facility. The developer is subject to the payment of school mitigation fees in addition to dedication of these three sites to SUSD, as noted in the communications from the SUSD Superintendent ([Appendix G](#)). SUSD and the developer have agreed upon a school impact fee strategy based on previously recorded agreements between SUSD and the developer. The SUSD requested that the city add conditions of approval stating such.



Although the city has no authority to set or collect school impact fees, proof of fee payment is required prior to issuance of building permits. The results of the consultation are summarized in email correspondence from the SUSD Superintendent (June 8, 2022). The email correspondence is attached to the city's record of conditions of approval.

## City of Soledad

The city will provide services to the SOI/Annexation area in a timely manner without lowering the level of services provided within the current sphere. Adopted programs and policies include cooperative agreements with other agencies, such as the Soledad Mission Recreation District and Mission Soledad Rural Fire Protection District to provide services, including crime prevention and fire protection, recreation programs, library services, and wastewater treatment. The city assesses development impact fees for water, sewer, traffic, and storm drainage, as well as for public services such as police, fire, general government, and parks and recreation. All fees collected pursuant to this provision are placed in separate impact fee funds to avoid any commingling of the fees with other revenues and funds, or between services. Fees specific to the development within the SOI/Reorganization area will be managed in this same manner.

Infrastructure costs within the SOI/Reorganization area would be borne by the developers. Costs of services within the SOI/Reorganization area would be covered by the creation of routine assessments conducted within a Community Facilities District (CFD). Routine assessments would be implemented to provide ongoing maintenance and operations of all community facilities. Costs of services and infrastructure outside of the SOI/Reorganization area would be provided primarily via the city's development impact fee program with site-specific development and traffic impact fees paid by development of the SOI/Reorganization area. Several infrastructure improvements are required to be constructed by the developer.

In addition to the fiscal analysis prepared for the project, estimated costs of infrastructure and public facilities necessary to implement the Specific Plan are provided in Section 5.2, Plan for Services. The city is currently preparing a development impact fee study for off-site improvements specifically resulting from development within the proposed SOI/Reorganization area. The impact fee study will determine the fees based on costs of circulation and utility infrastructure improvements needed outside of the SOI/Reorganization area for which future development would pay its fair share of costs.

The project developer, as a condition of project approval, is preparing the required comprehensive financing plan that will include a determination of potential bond capacity combined with development impact fees. The bond-funding capacity of a CFD may increase the opportunities available for the city and Caltrans to cooperatively work together to construct major infrastructure improvements such as updating the northern U.S. Highway 101/Front Street/Moranda Road interchange. City Council approval of the comprehensive financing plan is required prior to acceptance of the first final map.

The comprehensive financing plan will incorporate the anticipated phasing of the project, the conclusions of the fiscal analysis and infrastructure costs to provide the basis for the project-specific CFD or other special charges as determined by the city. The comprehensive plan is required prior to city acceptance of the first final map and is part of the development agreement between the developer and city, including, but not limited to, cost estimates of all public infrastructure improvements on and off the site that are needed to serve the development without impacting existing city services, estimated long term costs of public service provision (police, fire, library, parks and open space, streets and other infrastructure maintenance, etc.), the phasing of infrastructure improvements and services, and quantification of project-specific development impact fees and site-specific traffic impact fees to fund infrastructure and facility improvements. A preliminary development phasing plan is presented in [Figure 5-1, Master Phasing Plan](#). The development phasing plan will be refined based on the results of city staff and city consultant review of infrastructure master plans. The pace and order of development may change dependent on market conditions and may be adjusted dependent upon the conclusions of the city master plan updates and comprehensive financing plan.

### **c. What is the demonstrated need for the proposed additional municipal services? (either now or in the near future)**

The city is requesting the SOI and Reorganization as a tool to implement its General Plan housing and economic development goals to increase the housing opportunities available to its residents and others, increase jobs, schools, and access to the city, without compromising existing city services. The project site is located within the General Plan Expansion Area and within the Urban Growth Boundary identified in the 2016 MOA, and City Council has adopted the Specific Plan, which are clear indicators that the area has been contemplated for urban development. The city has anticipated providing urban services to the project site since the General Plan was adopted in 2005 and the Urban Growth Boundary was established the execution of the 2016 MOA with Monterey County. The city has indicated its intent to eventually provide services to the SOI/Reorganization area in a timely manner without lowering the level of services provided within the existing sphere.

Development opportunities within the existing sphere are limited to a small number of parcels. city staff estimate that all vacant land within the city limit will be exhausted in about one to three years (2024-2026) as already approved but not yet implemented projects come on line. As a result, available opportunities are limited to meet the city's share of regional housing needs, which currently outpace the availability of existing development opportunities within the current sphere. Development of the remaining parcels within the existing sphere would not be a viable source for providing the large-scale funding effort needed to accommodate infrastructure improvements necessary to support the city's current housing needs. Development of the Specific Plan area is anticipated to occur within a 10-20-year timeline, after the area is annexed to the city. The city

crafted conditions of approval based on the intention to utilize a phased development approach to ensure that major infrastructure improvements keep pace with the city's housing development, and are designed, funded and constructed in a timely manner within the requested SOI/Reorganization area.

**d. Please describe the capacity of the proposal's subject agency to provide such services.**

Refer to the previous discussion in Section 5b regarding development impact fees, the requirement for a comprehensive financing plan and the results of the fiscal analysis as well as the discussions in Section 5.2, Plan for Services. An updated fiscal analysis (2022) has been prepared and peer reviewed by the city's consultant, Economic & Planning Systems (EPS), to validate its content and conclusions. The peer review found the Analysis to be a reasonable estimation of potential fiscal impacts of the SOI/Reorganization. The fiscal analysis and peer reviews are included in [Appendix H](#).

**e. Are there any factors (such as topography, isolation from existing developments, premature intrusion of urban-type developments into a predominantly agricultural area, or other pertinent economic or social reason) that may reduce the proposal's ability to serve the public interest?**

The proposed project will serve the public interest by providing housing and generating funding for the city that can be used to benefit local residents and by providing a variety of housing types, increasing the city's available supply of affordable housing, generating jobs and constructing, operating and maintaining roadway, storm drainage, water, and wastewater infrastructure improvements, and other public services that would benefit existing development as well as future development within the project site.

However, failure to annex the entire site is a factor that will jeopardize the city's ability to fund public infrastructure improvements, increase the city's available housing stock to meet its regional housing needs, and provide new open space and park opportunities for the entire city. Annexation of the entire site is necessary to enable phased development that will fund the design, construction, and long-term maintenance of city services to the project site without negatively affecting the economic conditions in the city in general. In light of the limited development opportunities within the existing sphere, granting the request is necessary. No other characteristics or circumstances have been identified by the city that will reduce its ability to serve the public interest.

The project site is not isolated from existing development nor are there topographical features that would hinder the city's ability to provide services. The project site is located squarely within the Urban Growth Boundary identified in the 2016 MOA and adjoins existing residential development at the northern City of Soledad city limit and sphere, and therefore, is not isolated from existing



development. Much of the project site is gently sloping, and areas of the project site that are located above the city's 400-foot elevation contour are designated as open space, which is consistent with the General Plan policies for protection of scenic resources. Development of the SOI/Reorganization area consistent with the land use designations of the Miramonte Specific Plan will not conflict with the city's ability to implement its General Plan policies or meet housing goals.

The proposal will not result in the premature conversion of agriculture to urban uses. Development of the area has been contemplated since the General Plan was adopted in 2005, as evidenced by the project site's location within the General Plan Expansion Areas and development of this area is further supported by the Urban Growth Boundary identified in the 2016 MOA. An Agricultural Mitigation Plan has been prepared that sets forth compensation options and performance standards consistent with the 2016 MOA for preserving ongoing agricultural uses within the SOI/Reorganization area while development proceeds, and by conserving or funding conservation of agricultural uses in perpetuity elsewhere in Monterey County.

#### **f. List any related public approvals required for the proposal, including those of local, State, and Federal agencies.**

City of Soledad approvals already made include: General Plan Amendment, Specific Plan, Rezoning, Sphere of Influence Amendment and Reorganization Resolution, Tax Share Agreement, and City of Soledad Miramonte Agricultural Mitigation Plan. Future city actions are expected to include, but may not be limited to, the following:

- Updated city master plans for Water, Wastewater, and Storm Drainage systems, to include the project site;
- Approve and execute a Development Agreement governing development of the project, including financing and installation of infrastructure;
- Approval of Subdivision Improvement Agreements and Final Maps;
- Approval of inclusionary housing agreement;
- Updates (in process) of development impact and traffic impact fee programs for the proposed SOI/Reorganization area. Project-specific fees for development would be based on the overall project's infrastructure cost responsibilities would be incorporated into the city's approved fee programs;
- Update and approval of site-specific infrastructure projects in the city's Capital Improvement Program;
- City zoning of the project site, implementation of subdivision map conditions and EIR mitigation measures, final subdivision map(s) and improvement plan(s) approval, and architectural and site review approval. CFD initiation, right-of-way abandonments and

dedication acceptances, encroachment permits for work within city rights-of-way, and easements/maintenance agreements with the City of Soledad are some of the follow-on implementation items to be accomplished at or post final map adoption and recordation;

- Approval of Conditional Use Permits for all planned developments and commercial projects; and
- Review and approve all required permits, including, but not limited to, building, grading, encroachment, and occupancy permits.

### Other Agency Approvals:

- Monterey Bay Air Resources District – Demolition Permit;
- Caltrans – Encroachment Permits (to implement traffic improvement mitigations); and
- U.S. Department of Fish and Wildlife and/or California Fish and Wildlife – Incidental Take Permits/ habit conservation permits.

### Regulatory and Responsible Agencies

Other regulatory and responsible agencies were notified during the city's CEQA processes for the EIR and EIR Addendum (see also Section 3.6), by LAFCO as part of this application process, and through direct communication. A summary of pre-application consultation, presented previously, is included in Attachment 1c. Comments were received in response to the Notice of Preparation, during a scoping meeting and on the Draft EIR and during the public hearings conducted for the project in 2010 and 2018. Public Agency comments were received from California Regional Water Quality Control Board, Caltrans, California Department of Fish and Game (now California Department of Fish and Wildlife), California Native American Heritage Commission, Monterey Bay Air Resources District (then Monterey Bay Unified Air Pollution Control District), Transportation Agency for Monterey County, Monterey County Resource Management Agency, Soledad Unified School District, and LAFCO. Please see the EIR Addendum and Final EIR for the Miravale III Specific Plan included as an appendix to the EIR Addendum, which is included in Exhibit B to this application). Refer also to the related discussion in Section 11.0, Environmental Justice, of this application.

### Have affected local agencies been notified? If so, what was the response?

Refer also to the Pre-application information in [Appendix C](#). This SOI/Reorganization request was first submitted in 2020. During its initial review LAFCO requested comment from the following agencies: Soledad Unified School District (SUSD), Monterey County Water Resources Agency, County of Monterey Resource Management Agency, Agricultural Commissioner, Mission Soledad Rural Fire Protection District, Cal Fire; Soledad-Mission Recreation District, Salinas Valley Basin Groundwater Sustainability Agency, and Soledad Cemetery District.

LAFCO received a comment letter from the Soledad Unified School District requesting provision of school sites and fee payments that differed from their original request in 2018. The Monterey County Water Resources Agency staff indicated they had no comments. No other agency comments have been received by LAFCO (McBain, Darren. Email Message to Sally Rideout, June 10, 2022).

### ***Soledad Unified School District***

In 2018, SUSD was notified of the project and discussions with SUSD were undertaken during the city's consideration of the EIR Addendum and revised development project. These discussions initially occurred over a period of eight months and encompassed district participation at public hearings on the project held by the City of Soledad Planning Commission and City Council. The SUSD requested the provision of two 11-acre elementary school sites and a two-acre site within the SOI/Reorganization area for the Soledad Highschool Future Farmers of America program. The city revised the Miramonte Specific Plan to include these sites and has required dedication of them by the developer to the SUSD in addition to the payment of school fees that fully mitigated future development to schools. The developer has provided these sites on the VTM and master plans in conformance with the Miramonte Specific Plan and per the SUSD request. Dedication of these sites to SUSD, in addition to the payment of school impact fees are required conditions of approval.

In response to the comment letter sent to LAFCO, city staff and EMC Planning Group met with the SUSD Superintendent, SUSD counsel and one SUSD school board member. As a result, and in addition to meeting the site requirements requested previously, the SUSD and developer have agreed upon a school impact fee strategy based on previously recorded agreements between SUSD and the developer. Although the city has no authority to set or collect school impact fees, proof of fee payment is required prior to issuance of building permits. The results of the consultation are summarized in email correspondence from the SUSD Superintendent (June 8, 2022). The email correspondence has been forwarded to city staff with a recommendation to include in the project conditions of approval.

### ***County of Monterey Agricultural Commissioner***

The subject SOI/Reorganization proposal was referenced during a general conversation between the Deputy Commissioner and agency staff members and EMC Planning Group staff for a different project in the city. During the discussion the Agricultural Commissioner's staff identified and reiterated the County's policy approach for buffers and mitigation strategies identified in the 2016 MOU. Although the conversations primarily involved a different proposed project in the city of Soledad agency staff commented that agency concerns would be the same, and recommended that the 2016 MOA policies be followed.

### *County of Monterey Administrator*

City staff worked with the County Administrator to develop and coordinate approval of an agreement for tax sharing. The Monterey County Board of Supervisors and City of Soledad City Council adopted the respective tax share agreement resolutions, included [Appendix F](#).

#### **g. Have the property owners and registered voters within the subject area been contacted?**

There are no residents within the SOI/Reorganization area.

#### **h. Do residents within the proposal area use facilities or programs provided by the local agency?**

There are no residents within the project site.

#### **i. Do residents within the proposal area travel to the city or boundaries of the special district for shopping, recreation, work, or other purposes?**

There are no residents within the SOI/Reorganization area.

#### **j. Do the city, or area served by the district, and proposal areas share the same mailing address and zip code?**

Yes.

#### **k. Briefly describe any other factors demonstrating interdependence of the city/district and proposal area.**

Existing service conditions and the effects of development of the SOI/Reorganization area to them are discussed in greater detail in Section 5.2, Plan for Services. The project will create substantial economic and social value for the city. The proposal will generate housing, infrastructure and employment opportunities that are critically needed in the city and generate substantial positive net revenue (refer to the updated fiscal analysis and related peer review [Appendix H](#)) to support necessary roadway, storm drainage, water, and wastewater infrastructure improvements that will serve all of the city's residents. The SOI/Reorganization also increases opportunities to expand police and fires services if needed through the provision of a substation site near the center of the area. Additional personnel and maintenance, if needed, would be funded through the creation and administration of a CFD.

Development within the SOI/Reorganization area will connect to the city's existing circulatory, water distribution, wastewater conveyance and storm drain system. The proposed project will construct improvements for which it is responsible and will pay its proportionate share of costs to upgrade existing infrastructure with capacity currently insufficient to handle demand within the current sphere. Annexation of the entire site enables phased development that will fund the design,

construction, and long-term maintenance of city services to the project site without negatively affecting the economic conditions in the city in general. In light of the limited development opportunities within the existing sphere, granting the request is necessary.

Development within the project site will best be served by services provided to urban development in Soledad by the city and other existing service providers. Implementation of comprehensive infrastructure master plans and a comprehensive financing plan for the entire annexation area will ensure that no new service agencies are required. The city's utilities master plans are being updated to include costs and performance details of the infrastructure needed to accommodate phased development within the SOI/Reorganization area, consistent with the Specific Plan.

The proposed reorganization would result in a consolidation of services to be provided primarily by a single agency (the city). The fact that the project site is located within the General Plan Expansion Area and squarely within the Urban Growth Boundary identified in the 2016 MOA is a clear indicator that the city has consistently acted in anticipation of providing urban services since the current General Plan was adopted in 2005 and the MOA with Monterey County was executed in 2016. Further, the proposed project will increase housing and job opportunities for all income levels and increase the economic opportunities available to the existing community and new residents, thereby increasing the opportunities for residents to find employment without having to commute outside the city to find employment.

## 5.2 Plan for Services (City-Specific Application Attachment 1- LAFCO Policies and Procedures, Part D.VII.4)

This section discusses the Plan for Services for the SOI/Reorganization area, and responds to the LAFCO questionnaire *“Plan for Providing Services Within the Affected Territory (LAFCO Policies and Procedures, Part D.VII.4)”*. Items (a)-(d) of Application Attachment A, are addressed in the discussion of each utility/service described in this section. Items (e) and (f) regarding services-related conditions of approval and services financing, respectively are addressed in the following paragraphs.

Extensions of public infrastructure and expansion of services capacities will be required to accommodate future development projects within the SOI/Reorganization area. New utility infrastructure will be sized to accommodate future development projects consistent with the Miramonte Specific Plan ([Exhibit A](#)). Please refer to the Specific Plan Section 3, Circulation, and the discussions of water, wastewater and stormwater in Section 5, Public Services and Facilities for descriptions of existing conditions. EMC Planning Group prepared the *City of Soledad Plan for Providing Services Miramonte Specific Plan* (2018) (Plan for Services) under contract to the city. The Plan for Services outlines how the city and other agencies would provide services including water,

wastewater, storm drainage, solid waste, fire, police, library services, and schools to the project site upon annexation and as development of the area proceeds. Development of the Specific Plan area would occur in multiple phases over a 10 to 20-year timeframe. The Plan for Services is included in [Exhibit C](#).

Extension of specific infrastructure systems for domestic water, sanitary sewer, industrial wastewater, storm drainage, and roadways is discussed in greater detail below. Development phasing is proposed as a mechanism to ensure that public services and infrastructure needs keep pace with development, consistent with Specific Plan goals, policies, and programs as well as ensuring compliance with conditions of approval. Utilities will be extended throughout the project site as applications for development of individual parcels are submitted and approved. Utilities will be stubbed to undeveloped parcels as development proceeds to accommodate subsequent development projects. A matrix showing the anticipated on- and off-site infrastructure phasing, including circulation, parks and open space, and public safety, is presented in [Appendix I](#).

The City of Soledad's adopted mitigation measures, conditions of approval and Plan for Services require the preparation of Utility Infrastructure Master Plans for the SOI/Reorganization area, which have been prepared by the developer and submitted for city staff review. Review of the required master plans has been initiated by city staff and their consultants (Akel Engineering and Schaaf and Wheeler). These city consultants have peer reviewed the proposed infrastructure plans and are in the process of updating the city's most recent master plans (*City of Soledad Water System Master Plan* Harris and Associates 2019), the *City of Soledad Sanitary Sewer System Master Plan* (Akel Engineers 2019), and the *City of Soledad Storm Drain Master Plan* (Schaaf and Wheeler 2015)) for water, wastewater and storm drainage to include the project site and confirm and identify costs for off-site improvements that will be added to the city's capital improvement programs. The City of Soledad has water and wastewater treatment capacity to serve the project site without affecting existing development within the city limit. All infrastructure improvements will be constructed to meet city standards and design-level detail is subject to review and approval by the City Engineer/Public Works Director prior to acceptance of final map(s).

No substantial changes from the improvements identified in the Plan for Services have been identified based on the consultants' peer reviews and comparison with the most recent master plans identified above. Cost estimates, financing methods and responsibilities for construction are provided in matrix form in [Appendix I](#).

The fiscal analysis and peer review ([Appendix H](#)) indicate that future development within the SOI/Reorganization area consistent with the Specific Plan would not have an adverse fiscal impact on the Soledad General Fund. Public costs associated with services and infrastructure and/or facility maintenance on the site would be supplemented by ongoing assessments collected through the



formation of a Community Facilities District (CFD). The fiscal analysis shows that development of the SOI/Reorganization area is forecast to generate a net \$1.527,000 revenue surplus to the city's General Fund after costs to the city, including the costs of providing services, are considered. city revenues outweigh the city's cost of providing services. The EPS peer review confirmed that the underlying assumptions in the fiscal analysis are reasonable and that the analysis overestimates city expenditures police and fire services, and therefore, are conservative (EPS 2022, page 2). The updated fiscal analysis and EPS peer review demonstrate that the impact fees and other revenues from the proposed project will substantially exceed the cost of providing services.

## Utilities

The most recent maps of the city's existing water, wastewater, and storm drain systems are included in [Exhibit F](#).

### Water Supply

Water supply is provided by the City of Soledad. An SB 610 Water Supply Assessment and Verification letter was issued by the City of Soledad City Council in 2007 for the much larger Miravale III development project (revised to the Miramonte project) that included the proposed SOI/Reorganization area. A supplemental water supply assessment was prepared for the Miramonte project that confirmed the supply verification.

#### *On-Site Infrastructure*

On-site domestic water distribution infrastructure and pipe sizing is shown on [Figure 5-2, Domestic Water Master Plan](#). Distribution infrastructure will be extended through the SOI/Reorganization area from four connection points in the existing water distribution system. The early phases of development will connect to the existing 12-inch water mains on Orchard Lane, West Street and San Vicente Road. The existing water main on San Vicente Road will be extended with a 10-inch pipe as later phases come on line and San Vicente Road is realigned and improved north of the current city limit. The on-site water master plan has been reviewed by city staff and consultants who confirm that the plan is feasible with the following additional improvements. A pump station and two water tanks (one 0.75 mgd tank for supply and a second tank for redundancy purposes) will be constructed to provide gravity fed supply to areas of the site in a newly created Pressure Zone D.

Infrastructure master plans include a plan for potential use of agricultural wells for non-potable irrigation of developed public spaces within the SOI/Reorganization area. The existing agricultural wells would not be used for domestic water and their use for non-potable irrigation purposes is subject to approval by the Public Works Director and Monterey County Health Department, and must meet California Regional Water Quality Control Board (RWQCB) wastewater discharge requirements. Non-potable water lines would be designed and constructed in compliance with the City Municipal Code Section 13.11.110, and phased installation would follow the anticipated phasing for domestic water infrastructure.

### *Off-site Infrastructure*

Consistent with the analysis in the Plan for Services, city staff and Akel Engineers review confirm that one additional well with a minimum 1,000 gpm delivery rate is required to serve the project site demand. The future well capacity recommendation is based on the city's existing well capacities documented on Table 2.1 of the City of Soledad 2019 Water Master Plan, and will likely be placed off-site. No other off-site improvements would be required; the city's existing distribution system is adequately sized to serve the project site. According to Akel Engineers the update to the 2019 Water Master Plan is substantially complete and will be presented to the City Council for approval in the current year.

## **Sanitary Sewer**

### *On-Site Infrastructure*

On-site domestic water distribution infrastructure and pipe sizing is shown on [Figure 5-3, Sanitary Sewer Master Plan](#). According to the Sanitary Sewer Master Plan (RJA 2022) backbone conveyance infrastructure will be extended throughout the SOI/Reorganization area and will join three connection points in the existing sanitary sewer system. The early phases of development will connect to the existing eight-inch sanitary sewer mains on West Street and an existing 12-inch stub north of Sierra Madre Court. The existing 12-inch sanitary sewer main on San Vicente Road will be extended north from an existing stub at Gabilan Drive with a 10-inch pipe as later phases come on line and San Vicente Road is realigned and improved north of the current city limit. The on-site sanitary sewer master plan has been reviewed by city staff and city engineering consultants who confirm that the plan is feasible with several recommendations for off-site improvements.

### *Off-site Improvements*

City staff and engineering consultants recommend that the proposed project replace a 650-foot-long segment of the existing sanitary sewer main on West street between Skinner Street and Vista Del Soledad, which has been determined to be insufficient to accommodate the increased demand. This pipe segment would be replaced with an eight-inch main per city standards. Segments of the existing mains on San Vicente Road between Ledesma and Gabilan Drive would need to be upgraded to address existing service deficiencies. In addition to these improvements, the city's engineering consultants are in the process of verifying the trunk line sizing between the city to the wastewater treatment plant. The development project would be responsible for its fair share contribution of the cost to upgrade the trunk line if city engineering staff determine it is necessary. The project developer may also choose to construct necessary improvements in advance and enter into a reimbursement agreement with the city.

No other off-site improvements would be required; the remainder of the city's existing sanitary sewer system in the vicinity of the SOI/Reorganization area is adequately sized to serve the project site. According to the city engineering consultant, Akel Engineers, the update to the *City of Soledad Sanitary Sewer System Master Plan* (Akel Engineers 2019) is substantially complete and will be presented to the City Council for approval in the current year.

## Storm Drainage

### *On-site Improvements*

On-site backbone storm drainage infrastructure is shown on [Figure 5-4, Storm Drain Master Plan](#). Stormwater flows across the site include flows upstream from the foothills. The site drains generally from northeast to southwest. According to the proposed Miramonte Storm Drain Master Plan (RJA 2022), storm water would be collected and directed through a series of storm drains, underground pipes, and drainage swales including the linear park, into a series of four basins designed to accommodate flows from a 10-year storm event. Each basin has an associated outlet structure which restricts the flow out of the basin. Storm water discharges from the site would be equal to or less than existing flows. Storm drains on the site vary in size from 18 inches within the north and east areas to 48 inches near the southern border. Stormwater would be conveyed ultimately to a dual use storm basin in the southwest corner of the site. The on-site storm drainage master plan has been reviewed by city staff and city engineering consultants who worked with city staff and the developer engineer to modify Basin 1 so that any discharged stormwater would not exceed the city's levels of service for flood depths. confirm that the plan is feasible and would not require the construction of any downstream storm drainage improvements off the site.

Peer review of the project master plan by the city's engineering consultant, Schaaf and Wheeler have determined that no additional off-site improvements would be required; the remainder of the city's existing storm drain system in the vicinity of the SOI/Reorganization area is adequately sized to serve the project site. According to Schaaf and Wheeler, the update to the City of Soledad Storm Drain Master Plan (Schaaf and Wheeler 2015) is substantially complete and will be presented to the City Council for approval in the current year.

## Circulation

Traffic generated by the proposed project will contribute to cumulative traffic volumes within the city and on U.S. Highway 101. There are two access routes to the city from U.S. Highway 101. The Specific Plan intends to route most traffic from the Specific Plan area to U.S. Highway 101 by way of San Vicente Road, which is a city road south of Gabilan Drive and currently a County road north of Gabilan Drive.

All traffic impact fees applicable at the time of issuance of a building permit are required, but may be offset by the value of capital improvements designed, funded, and constructed by the developer(s). The project developer(s) will design, finance, and construct required traffic facility infrastructure. All

facility improvements will be dedicated to the city. Ongoing facility maintenance costs will be financed by the formation of the CFD or some other form of maintenance district identified in the approved Comprehensive Financing Plan.

Additional information is included in the Specific Plan Section 3, Circulation.

### *On-site Improvements*

On-site circulation by phase is shown in [Figure 5-5, Circulation Master Plan](#). Access to the site is provided by Orchard Lane, West Street and San Vicente Road. San Vicente Road will be widened and re-aligned to provide safe access to the project site and streets within the existing city limit east of the roadway between the project site and Gabilan Drive. Alterations to San Vicente Road include the addition of turn lanes to access existing streets. Right-of way needed for construction of improvements to San Vicente Road is included in the requested SOI/Reorganization area, and the timing for San Vicente Road improvements are included in [Appendix I](#). Review of the project master plan by the city's engineering consultant, Keith Higgins, and the Public Works Director has determined that the internal circulation system is adequate to serve the project site. All street improvements will be constructed to city standards.

### *Off-site Improvements*

Review of off-site improvements is underway for the purposes of determining costs for incorporation into a project-specific development impact fee program that will be administered through the city. No additional off site infrastructure improvements that have not already been identified and analyzed in the EIR Addendum are identified. No substantial changes from the improvements identified in the Plan for Services Exhibit E) and Mitigation Monitoring Program (Exhibit C) have been identified by City staff and consultant review. Construction phasing and responsibility for financing and construction of off-site improvements are identified in Appendix I. Improvements to the intersection of San Vicente Road and Front Street may not be feasible and the construction of an extension of Market Street or Gabilan Drive to Moranda Road near the northern U.S. Highway 101 interchange may be required instead of improving the San Vicente Road/ Front Street intersection. Development of the SOI/Reorganization area is responsible for the payment of fair share traffic impact fees toward city construction of this improvement. In the alternative, the developer may choose to construct the improvements and enter into a reimbursement agreement with the city.

### **Solid Waste**

Waste collection within the project site will be handled by Tri Cities Disposal and Recycling, or current service provider at the time of development. Disposed solid waste would be collected and transported to the Salinas Valley Solid Waste Authority Johnson Canyon Landfill. The Johnson Canyon Landfill has sufficient capacity to serve the solid waste disposal needs for buildout development of the project site. Additional detail is provided in the Plan for Services Chapter 6 (Exhibit E).

## Additional Services

### Fire Protection

The SOI/Reorganization request includes detachment from the Mission Soledad Rural Fire Protection District and annexation to the City of Soledad Fire Department service area. A 1.5-acre police/fire substation site located in the approximate center of the project site will be dedicated to the city. The developer(s) of the project site will also be required to participate in a financing district to provide funds to build, operate, and maintain a fire sub-station on the dedicated site within the plan area. Construction and operations of the substation will be funded through CFD revenues, or benefit assessment district. The developer(s) will be required to notify new homeowners of Section 4291 of the California Public Resources Code requiring that property owners and/or occupants maintain a defensible space of 100 feet from each side of a structure to protect against a fire (California Legislative Information 2010). Future development of the SOI/Reorganization are consistent with the Specific Plan is subject to maintaining a defensible fire buffer at the interface between the open space area and developed area.

As noted previously, city consultants' peer review of the updated fiscal analysis (Appendix H) found that the costs for police and fire services provision are overestimated in the fiscal analysis, and would not negatively affect current levels of service provision. The city is currently conducting the studies to determine costs of capital improvements for police and fire facilities improvements and assessments for operations and maintenance costs that will in turn assist the developer in preparing the required Comprehensive Financing Plan. City Council approval of the Comprehensive Financing Plan is required prior to city acceptance of any final map within the SOI/Reorganization area. All development impact fees applicable at the time of issuance of a building permit are required, but may be offset by the value of capital improvements designed, funded, and constructed by the developer(s), as well as the value of land dedications. Additional detail is provided in the Plan for Services Chapter 7 ([Exhibit E](#)) and in Appendix I.

### Law Enforcement

Law enforcement is currently provided by the Monterey County Sheriff and, through response agreements, by the City of Soledad. The SOI/Reorganization request would include annexation which would relinquish the Monterey County Sheriff from primary responsibility and the City of Soledad Police Department would assume that responsibility within the project site and adjacent streets brought into the city limits. Upon annexation, the city would assume the primary responsibility of police protection services for the project site, while the current mutual aid agreements remain in place. See related discussion of the 1.5-acre police/fire substation in the previous paragraph. Additional detail is provided in the Plan for Services Chapter 8 ([Exhibit E](#)), and Appendix I.

## Libraries

Development within the project site will be required to pay development impact fees to support the County libraries. In addition, it may be appropriate to provide County library services at or near the two designated school sites and/or the commercial site within the project site. As part of the required Comprehensive Financing Plan, costs for facilities and/or staff will be identified and incorporated into the development agreement, improvement plans, and prior to approving final map(s), along with funding mechanisms to provide additional capital facilities, on-going operations, and maintenance. All development impact fees applicable at the time of issuance of a building permit are required, but may be offset by the value of capital improvements designed, funded, and constructed by the developer(s). Additional detail is provided in the Plan for Services Chapter 9 (Exhibit E).

## Schools

The project site is located within the Soledad Unified School District (SUSD). There are currently five elementary schools, one middle school, and one high school in the city along with a continuing education facility adjacent to the high school.

Development within the SOI/Reorganization area consistent with the Specific Plan land uses includes two elementary school sites and a site for the Future Farmers of America (FFA) program located near the northern boundary of the SOI. The FFA site will be located in Sub-area 17 between residential neighborhoods and grazing land uses north and agricultural lands west of the project site. As shown in Figure 5-1, the locations of the elementary school sites have changes slightly from the locations shown in the specific plan. This slight modification is to locate the elementary school sites close to collector streets with school traffic passing as few houses as possible, while still convenient to local residences. Communications with SUSD regarding the school sites and FFA dedication are included in Appendix G. The applicant and/or developer(s) will provide an offer to dedicate the designated school sites prior to the City Council acceptance of the first final map. In addition to the dedication of land, the developer(s) will pay school impact fees as indicated in Appendix G. Additional detail is provided in the Plan for Services Chapter 10 (Exhibit E).

## Parks and Recreational Facilities

The Specific Plan includes approximately 150 acres of open space above the 400-foot elevation contour to the north and east of residential land uses. Designated areas for public parking and emergency vehicle access are included within or adjacent to the open space. Parking areas will be designed, financed, and constructed by developers within the project site. Below the 400-foot elevation contour the Specific Plan includes approximately 41 acres of parks including a linear park and community park, pocket parks, a joint-use retention basin that will be available for play fields when not in use as a retention basin, and numerous pedestrian and bicyclist connections between neighborhoods. Open space and parkland phasing is included in Appendix I. The locations of parks and open space are included in the master phasing plan exhibit (Figure 5-1), and additional detail is



provided in the discussions of open space preservation in Section 6. The developer(s) of the project site are responsible for dedication of the parkland and open space as shown on the master plans, as well as design, finance, and construction of the park areas and public parking for each park location prior to the completion of the phase the park is located within.

The open space designations will remain in ownership with the project developer(s) or some other entity; however, there will be an open space conservation easement over these designated lands specifying the types of uses for these areas, which will primarily be limited to passive recreation. All development impact fees applicable at the time of issuance of a building permit are required, but may be offset by the value of capital improvements designed, funded, and constructed by the developer(s). Operations and maintenance of these parks shall be discussed between the city and the developer(s), so as to comply with the desires and/or needs of the city. The use of a CFD or other assessment mechanism, identified in the approved Comprehensive Financing Plan, will assist with financing the parks' design, construction, operations, and maintenance. Additional discussion is provided in the Plan for Services Chapter 11 (Exhibit E); the provision of parks and open space is discussed in greater detail in Section 6 of this application request.

### **Cemetery District.**

Future development of the SOI/Reorganization area consistent with the Specific Plan will increase the demand for use and operation of the city's cemetery. Future developer(s) of the project site will be responsible for any fees required to support the Cemetery District to offset the additional demand from the buildout of the Specific Plan area. Additionally, the Cemetery District operations and maintenance costs, to support the buildout of the Specific Plan, could be included in a CFD to support the long-term operations and maintenance of the District. Additional detail is provided in the Plan for Services Chapter 12 (Exhibit E).

## **5.3 Phasing**

### **a. Does this proposal include any multi-step, incremental phasing of annexation or other LAFCO approvals? If so, please describe the phasing component in relation to LAFCO of Monterey County's adopted policies for phasing (LAFCO Policies and Procedures, Part D.VIII).**

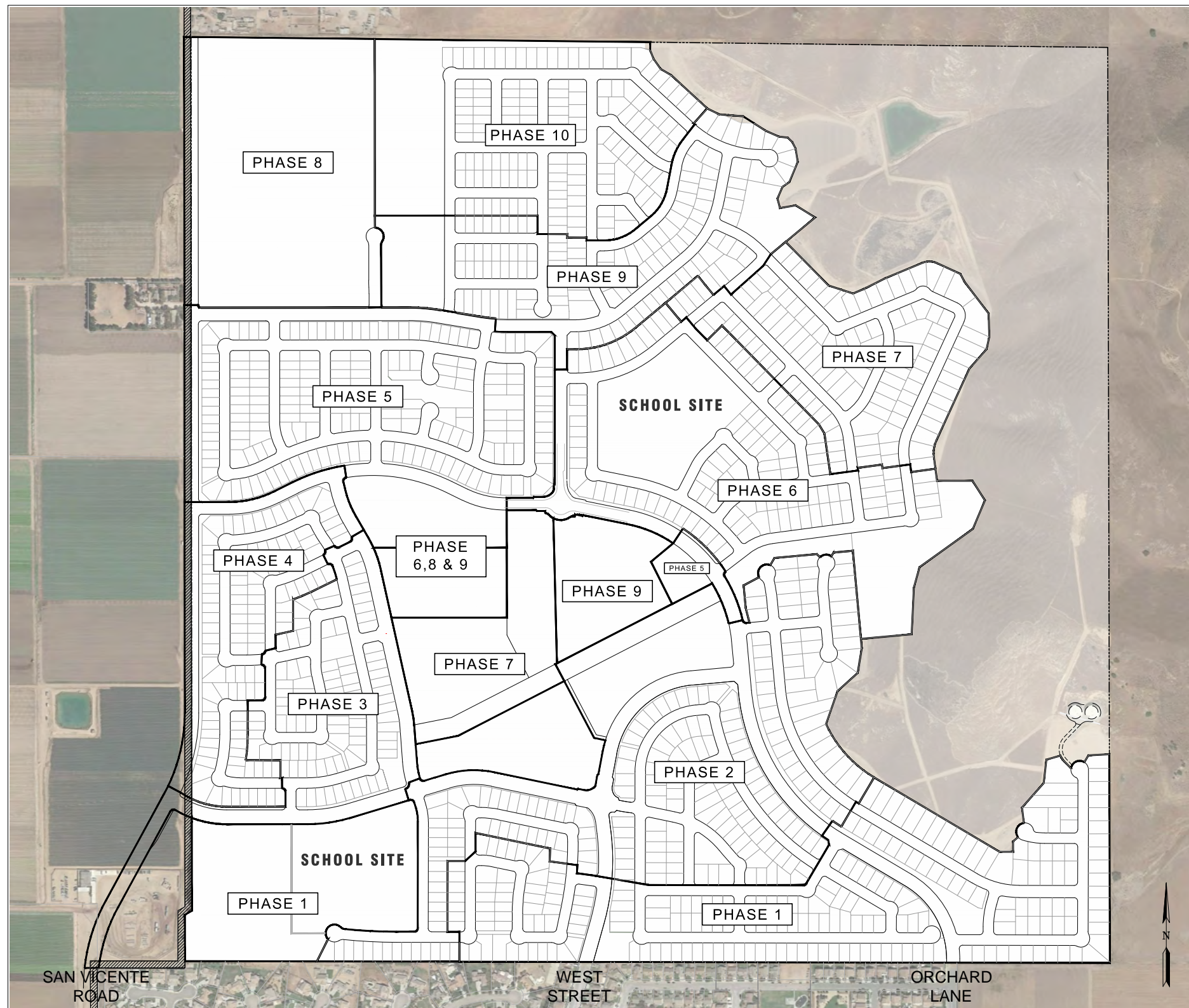
Although the Specific Plan discusses phased annexation, phased annexation of the SOI and Reorganization area is not requested. City staff estimate that vacant land within the city limit will be exhausted in about one to three years (2023-2025) as already approved but not yet implemented projects come on line. Development of the Specific Plan area is anticipated to occur within a 10-20-year timeline after the SOI/Reorganization area is annexed to the city. As noted throughout the application request, the city intends to utilize a phased development approach enforced through

compliance with the city's conditions of project approval and mitigation measures to ensure that major on- and off-site infrastructure improvements keep pace with the city's housing development and are designed, funded and constructed in a timely manner.

Figure 5-1 presents the overall order of anticipated phasing within the SOI/Reorganization area. Consistent with the parameters provided in the Specific Plan Section 6.4, the Plan for Services, and additional information provided in this section, development will begin with the southern areas of the SOI/Reorganization area boundary that border the northern end of the city limits. Each phase will develop north toward the northwest edge of the SOI/Reorganization area. The city's use of development phasing instead of annexation phasing enables the city to implement its general plan and increase available opportunities to expand the housing stock while ensuring timely financing and provision of infrastructure and services on and off the site as development proceeds.

On and off-site improvements, anticipated costs, and responsibilities for financing and construction are included in Appendix I. All phasing programs are prepared consistent with the Specific Plan Section 6.4 (Exhibit A) phasing parameters to ensure that backbone and required off-site infrastructure improvements are made and financed concurrently with future development. The phasing plans may be subject to change if market conditions change and may also be revised as site-specific final maps and improvement plans are refined. City planning and public works department staff have reviewed the phasing plans and have confirmed that the provision of final map(s) for development phase(s) best facilitates and enforces the efficient and uninterrupted provision of services, provides for adequate circulation, and prevents premature conversion of agricultural land.

Development phases follow the linear park and collector streets within the Specific Plan. These features will provide an interim buffer between urban development and the remaining agricultural lands within the SOI/Reorganization area. Compliance with Specific Plan policies ensures orderly development within the project site. Development will be undertaken through a series of final maps to enable the provision of public services within the SOI and Reorganization area and other areas of the city) without jeopardizing the city's ability to meet existing services provision needs. Additional discussion of consistency with LAFCO policies for annexation phasing is found in the Specific Plan Section 2.2 (Exhibit A).



#### Notes

1. Phase lines should be considered preliminary and subject to change.
2. Phases may be combined to provide product mix, etc.
3. Each school parcel offer of dedication will be made with the phase in which the respective parcel is created on the final map, or unless otherwise set forth in the project development agreement.



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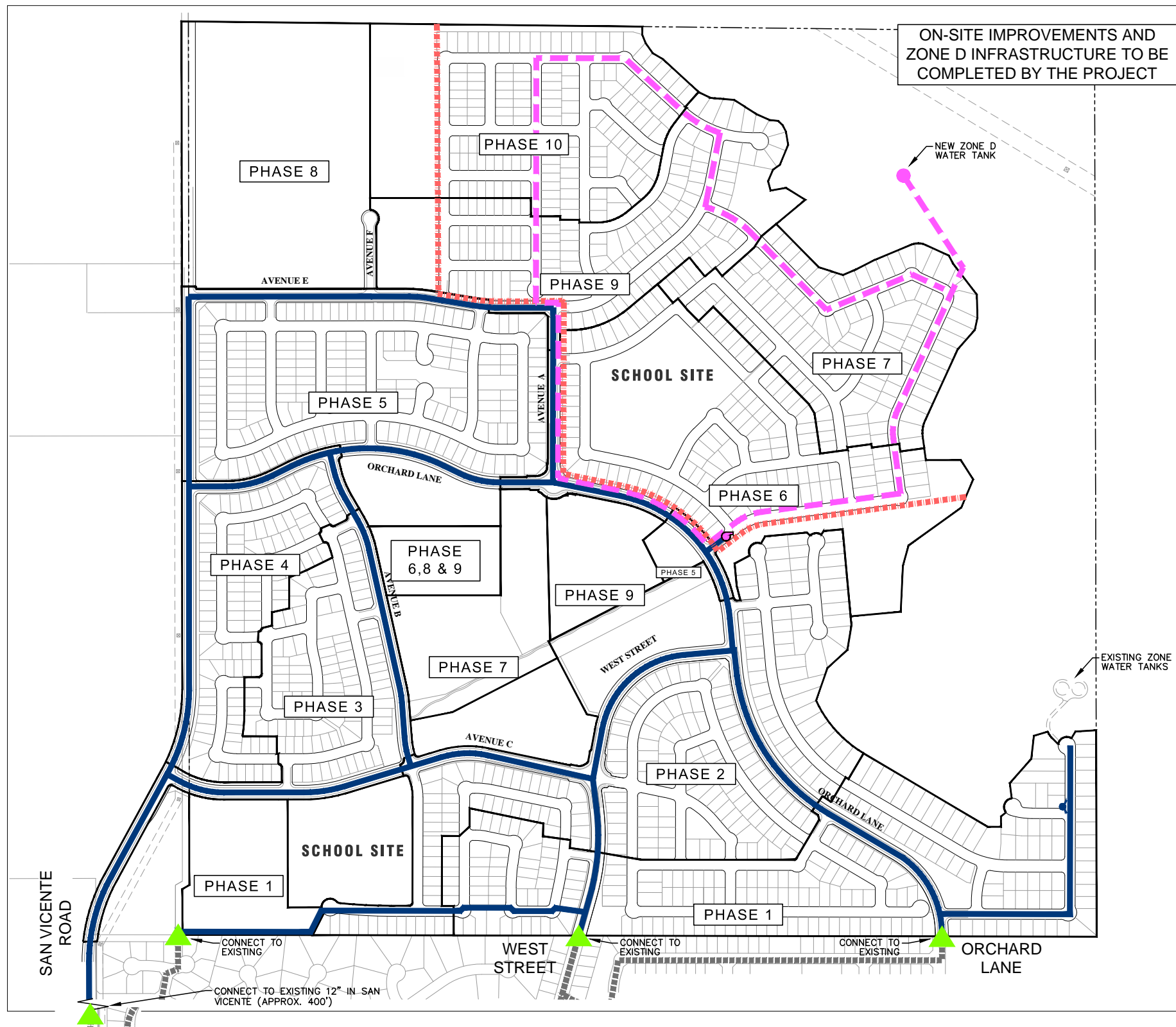
Source: RJA 2022

Figure 5-1  
Master Phasing Plan

City of Soledad LAFCO Application - Miramonte

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LEGEND		
PROPOSED	DESCRIPTION	EXISTING
12" W	PIPE SIZE	EX 8" W
	BACKBONE ZONE B WATER MAIN	
	BACKBONE ZONE D WATER MAIN	
	PRESSURE ZONE LIMITS	
	POINT OF CONNECTION TO EXISTING CITY MAIN	

#### CAPITAL IMPROVEMENTS:

1. CAPITAL WATER SYSTEM UPGRADES AND PROJECT FAIR SHARE IMPROVEMENTS ARE STUDIED IN THE AMENDMENT TO THE SOLEDAD WATER MASTER PLAN
2. THE PROJECT WILL PAY ITS FAIR SHARE OF CAPITAL WATER SYSTEM UPGRADES THROUGH THE PAYMENT OF WATER IMPACT FEES.
3. CAPITAL WATER SYSTEM UPGRADES WILL BE CONSTRUCTED IN PHASES BASED ON THE PROJECT BUILDOUT.
4. THE VALUE OF ANY SUCH CAPITAL WATER SYSTEM UPGRADES CONSTRUCTED BY THE PROJECT WILL BE CREDITED TOWARDS THE PROJECT IMPACT FEES OR REIMBURSED TO THE OWNER.

Source: RJA 2022

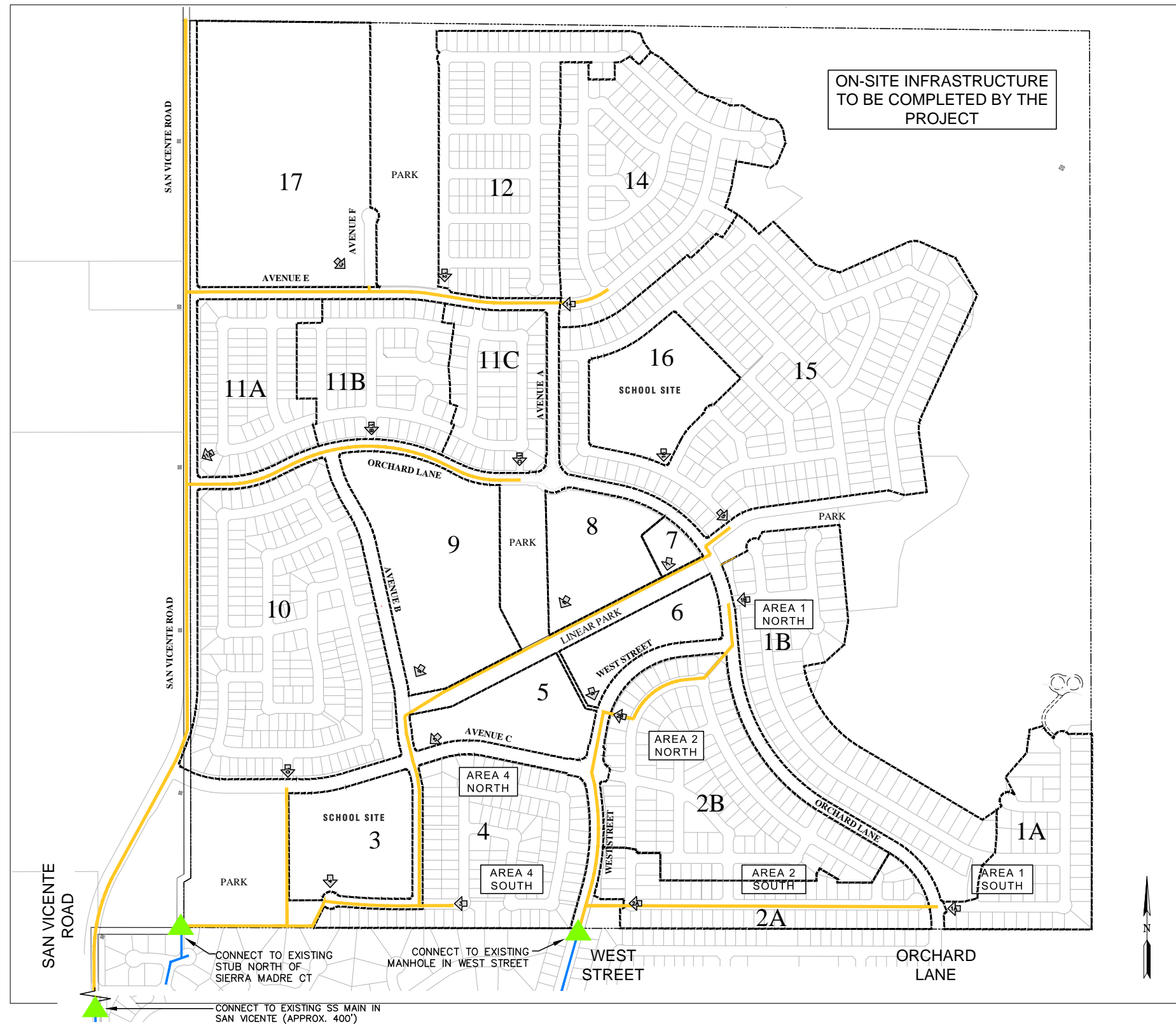
Figure 5-2  
Domestic Water Master Plan

City of Soledad LAFCO Application - Miramonte



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## NOTES AND LEGEND

- BACKBONE SANITARY SEWER PIPE
- TRIBUTARY AREA
- EXISTING SEWER PIPE
- 1 POINT OF SEWER LINE CONNECTION FROM NEIGHBORHOODS/AREAS
- DIRECTION OF NEIGHBORHOOD/AREA SEWER LINE
- ▲ POINT OF CONNECTION TO EXISTING CITY MAIN

### DOWNSTREAM IMPROVEMENTS:

1. DOWNSTREAM SS SYSTEM UPGRADES AND PROJECT FAIR SHARE HAVE BEEN IDENTIFIED IN THE CITY OF SOLEDAD SANITARY SEWER MASTER PLAN AMENDMENT No. 1.
2. THE PROJECT WILL PAY ITS FAIR SHARE OF DOWNSTREAM SS SYSTEM UPGRADES THROUGH THE PAYMENT OF SANITARY SEWER IMPACT FEES.
3. DOWNSTREAM SS SYSTEM UPGRADES WILL BE CONSTRUCTED IN PHASES BASED ON THE PROJECT BUILDOUT.
4. THE VALUE OF ANY SUCH SS UPGRADES CONSTRUCTED BY THE PROJECT WILL BE CREDITED TOWARDS THE PROJECT IMPACT FEES OR REIMBURSED TO THE OWNER.

Source: RJA 2022

Figure 5-3  
Sanitary Sewer System Master Plan

City of Soledad LAFCO Application - Miramonte



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## NOTES AND LEGEND

- DRAINAGE AREA BOUNDARY
- (15 87 AC) DRAINAGE AREA I.D.
- BACKBONE STORM DRAIN PIPE (TREATED STORMWATER AND OFFSITE STORMWATER BYPASS)
- BACKBONE STORM DRAIN PIPE (NON-TREATED STORMWATER)
- BACKBONE STORMWATER DETENTION BASIN
- \* POTENTIAL LOCATION OF STORMWATER BIORETENTION BASINS
- STORM DRAIN CULVERT
- ← OFFSITE FLOW DIRECTION

**NOTE:**  
ASSUMED BIORETENTION BASIN LOCATIONS ARE CONCEPTUAL AND DO NOT REPRESENT A FINAL DESIGN. THEY ARE INTENDED TO REPRESENT A MINIMUM DISTRIBUTION OF LID STORMWATER MANAGEMENT FACILITIES THROUGHOUT THE MIRAMONTE DEVELOPMENT. ADDITIONAL BMP/LID FACILITIES MAY BE INCORPORATED INTO THE SITE PLAN, WHERE FEASIBLE, UPON FUTURE APPLICATIONS OF INDIVIDUAL NEIGHBORHOODS.

### DOWNSTREAM IMPROVEMENTS:

1. ANY DOWNSTREAM SD SYSTEM UPGRADES AND PROJECT FAIR SHARE IMPROVEMENTS ARE STUDIED IN THE AMENDMENT TO THE SOLEDAD STORM DRAIN MASTER PLAN
2. THE PROJECT WILL PAY ITS FAIR SHARE OF ANY DOWNSTREAM SD SYSTEM UPGRADES THROUGH THE PAYMENT OF SANITARY SEWER IMPACT FEES.
3. DOWNSTREAM SD SYSTEM UPGRADES WILL BE CONSTRUCTED IN PHASES BASED ON THE PROJECT BUILDOUT.
4. THE VALUE OF ANY SUCH SD UPGRADES CONSTRUCTED BY THE PROJECT WILL BE CREDITED TOWARDS THE PROJECT IMPACT FEES OR REIMBURSED TO THE OWNER

Source: RJA 2022

Figure 5-4

## Storm Drainage Master Plan

City of Soledad LAFCO Application - Miramonte

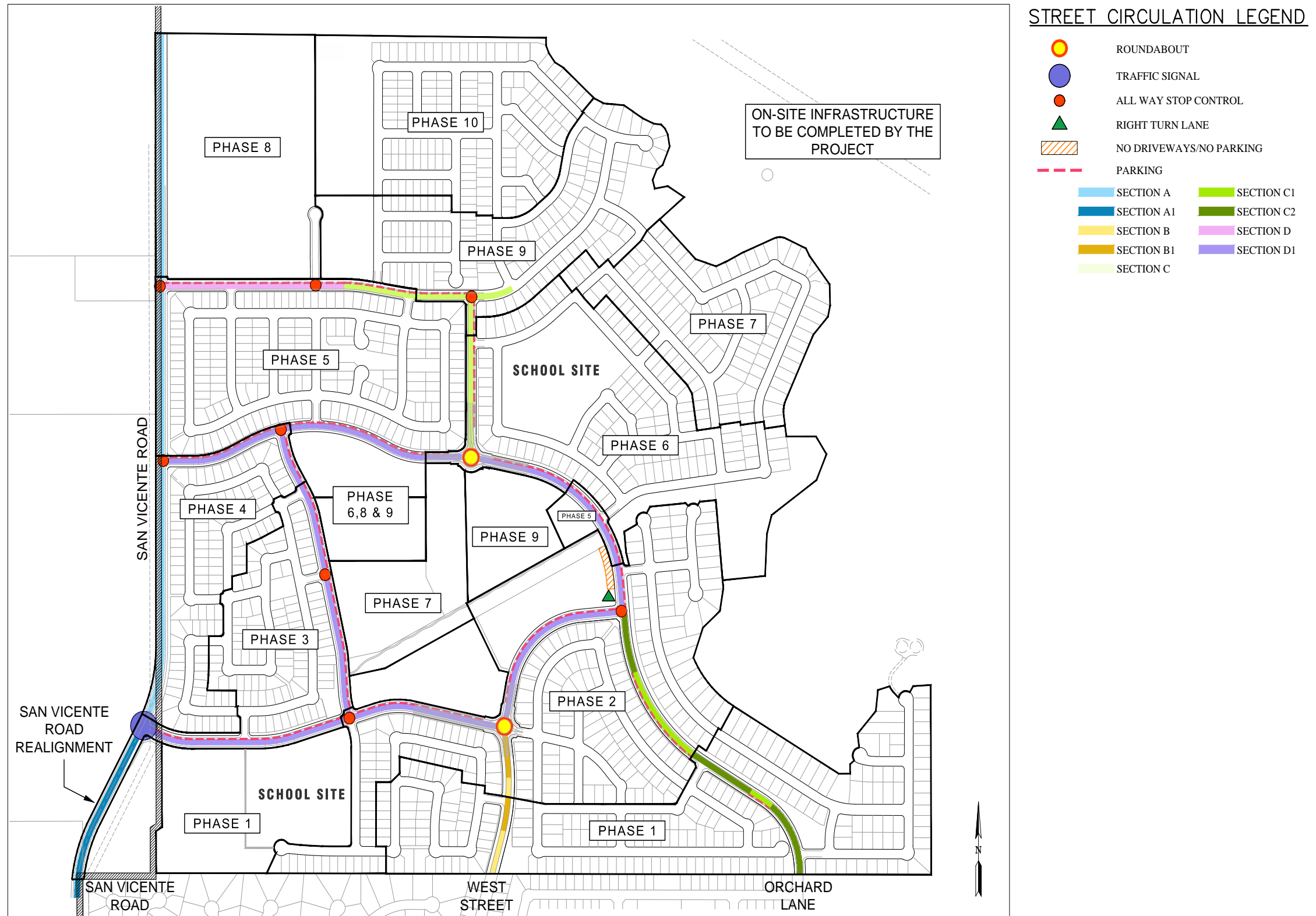


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Source: RJA 2022

Figure 5-5  
Circulation Master Plan

City of Soledad LAFCO Application - Miramonte



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## 6.0 Open Space and Agricultural Land

### 6.1 Open Space and Agricultural Land (City-Specific Attachment 2 – LAFCO Policies and Procedures, Part E)

The City of Soledad recognizes the importance of agriculture in Monterey County and to the state. Consistent with the 2016 MOA, the city is focusing development north of U.S. Highway 101 within the geographic limits of the 2016 MOA Urban Growth Boundary to preserve the prime agricultural soils within its General Plan Planning Area in the vicinity of the Salinas River. Development of lands north of U.S. Highway 101 will convert prime farmland to non-agricultural uses as the city grows. Development of the proposed SOI/Reorganization area consistent with Specific Plan residential land use densities and types of residential units includes more than 40 percent medium and high-density units (up to about 23 units per acre), which will provide for a compact land use development pattern. As a result, growth is effectively consolidated into a relatively small geographic area within the Urban Growth Boundary, effectively preserving agricultural land and open space elsewhere in the General Plan planning area, in particular on the highly fertile soils south of U.S. Highway 101.

#### Part 1 Project Site Characteristics

a. **Potential existence of “Prime Agricultural Land” (as defined by the Cortese-Knox-Hertzberg Act) and/or “Prime Farmland” (as identified by the California Department of Conservation) in the proposal area: It is LAFCO staff’s understanding that all lands within the proposal are classified as Prime Farmland on the state’s Important Farmlands Map.**

The approximate 647-acre SOI/Reorganization area consists of approximately 466 acres of Prime Farmland and Farmland of Statewide Significance according to the California Department of Conservation Important Farmland Mapping Program. The important farmland designations for the SOI/Reorganization area are shown in the City’s Miramonte Agricultural Mitigation Plan Figure 2, Annexation Area Prime Farmland ([Exhibit G](#)).

b. **Please describe any current or recent agricultural uses of the site (livestock, fruit trees, nut trees, vines, row crops, etc.)**

Approximately 495 acres of the plan area is used for agricultural row crop production and equipment storage; approximately 142.5 acres of the site is unused but available for use as rangeland; approximately 10 acres consists of publicly-owned right-of-way and city infrastructure parcels. Approximately 495 acres of the site has historically been used for grapes and row crop production.

c. Does the affected area include any agricultural preserves (including Williamson Act contracts or agricultural easements)? If so, describe and include acreages.

No.

d. Describe any cultivated lands adjacent to the proposal. Has agricultural use of the site returned at least \$400 per acre in three of the last five calendar years?

West of San Vicente Road, the SOI/Reorganization area is bordered by land in agricultural row crop production. Other uses west of San Vicente Road include an agricultural equipment staging area and a farmworker housing development. A residence and undeveloped ranchland border the site to the north; undeveloped land borders the site to the east.

Although the actual agricultural revenues are unknown, it is presumed that agricultural production within the SOI/Reorganization area has returned at least \$400 per acre annually.

e. Have local agencies (County, city, or district) adopted an agricultural preservation policy relating to this area? If so, describe how the proposal will conform to the adopted policies.

The 2016 MOA requires the city and county to work cooperatively on common planning, growth, and development issues in the City of Soledad. The 2016 MOA goals and policies identify performance objectives for agricultural preservation. The 2016 MOA acknowledges the need for development to occur beyond the present city limits, and directs that growth to those areas where that growth will have the least adverse impact on agricultural lands, while binding the city and County to a number of principles related to growth beyond the current sphere of influence. Key provisions in the 2016 MOA are summarized below. Consistency with the 2016 MOA is discussed in [Exhibit D](#).

Section 1.3 states that the County recognizes that a commitment to city-centered growth principles implies long-term reliance on the city to accommodate housing and other urban needs, and relies on the city to be able to designate adequate land for its needs while developing in a logical, compact and orderly manner. Section 2.1e establishes a permanent agricultural edge and the proposed SOI/Reorganization area is not located in proximity to the permanent agricultural edge. Section 2.1f calls for the utilization of agricultural buffers to address compatibility between urban and agricultural uses. Section 2.1g calls for participation in developing a valley-wide agricultural mitigation program to address the loss of agricultural land from development; however, no such plan yet exists. Section 2.2c denotes the County's agreement to promote long-term conservation of commercial agriculture outside of the Soledad Urban Growth Boundary. Section 6 gives the city, at its discretion, the ability to mitigate the loss of agricultural land by meeting four objectives that provide compensatory mitigation:

- “(a) providing in-kind (1:1) acquisition of agricultural mitigation easements and dedication of the same to an agricultural land trust or other qualifying entity, or
- (b) purchasing agricultural banked mitigation credits at 1:1 ratio from a qualifying

entity, or (c) paying an in-lieu mitigation fee, which amount will be determined by the City and is expected to lead to the preservation of agricultural land, and said fee kept by the City in a fund established specifically for agricultural land mitigation, or (d) implementing other innovative approaches as approved by the City that results in the preservation of agricultural land within the areas targeted by the City.”

The City of Soledad 2005 General Plan (general plan) policies focus growth toward the north and western portion of the city’s General Plan planning boundary within identified expansion areas and the Urban Growth Boundary, and require the preparation of specific plans to guide development within those areas. The Specific Plan guides development north of the existing SOI and city limit, consistent with the General Plan and 2016 MOA policies. Regarding agricultural land mitigation, the four performance objectives for agricultural land preservation are reflected in Specific Plan Policy LU-J, which requires development that would eliminate Prime Farmland or Farmland of Statewide Importance to implement one of the four compensatory measures agreed upon in the 2016 MOA.

The loss of Prime Farmland/Farmland of Statewide Importance resulting from development of the annexation area was studied in the Miravale III Specific Plan EIR (EIR) and the Addendum to the Miravale III Specific Plan EIR (EIR Addendum) both of which were certified by the City of Soledad (Refer to [Exhibit B](#)). The City of Soledad City Council determined that the loss of prime farmland resulting from development would be a significant and unavoidable impact with mitigation, for which the City Council made CEQA findings and adopted a statement of overriding considerations (refer to [Exhibit B](#)). EIR Addendum Mitigation Measure 4.2-6 (Exhibit C) requires compensation for conversion of Prime Farmland/Farmland of Statewide Importance by using one or more of four methods identified in the 2016 MOA and specific plan policy LU-J, at the discretion of the City Council prior to or concurrent with recordation of the first final subdivision map (see City Council Resolution #5431, Section III (b)).

The City Council adopted the City of Soledad Miramonte Agricultural Mitigation Plan (2022) (Agricultural Mitigation Plan) to provide an overall implementation approach to address development within the SOI/Reorganization area that will preserve prime agricultural lands, protect adjoining prime agricultural lands by preventing their premature conversion to other uses, and minimize potential conflicts between urban development and adjacent agricultural uses. Buildout of the SOI/Reorganization area is expected to take 10-25 years, over which conditions may change that affect the viability and approaches to agricultural mitigation. The city’s adopted Agricultural Mitigation Plan addresses the conversion of prime agricultural lands within the SOI/Reorganization area and provides uniformly applicable implementation criteria and performance standards to ensure appropriate and measurable preservation methods are implemented over time. The Agricultural Mitigation Plan is included as [Exhibit G](#).

f. Please describe mitigation measures applicable to the loss of agricultural lands resulting from approval of this proposal. They can include measures that require agricultural easements, agricultural buffers, or exchange of land to be preserved for land that may be urbanized.

The four options for compensation for the loss of agricultural land provided in the 2016 MOA are the cornerstones of the city's Agricultural Mitigation Plan. described in greater detail in the Agricultural Mitigation Plan (Exhibit G). In addition to providing performance thresholds and criteria for compensatory agricultural land preservation, consistent with the 2016 MOA, the Agricultural Mitigation Plan also provides an overall implementation approach within the SOI/Reorganization area to protect adjoining and on-site prime agricultural activities by preventing their premature conversion to other uses, and minimize potential conflicts between urban development and adjacent agricultural uses through the use of temporary buffers and right-to-farm deed notifications.

Development phasing reflects the city requirements for the provision of temporary buffers during development ensures that opportunities for agricultural use of the site will remain viable as development proceeds. Development boundaries (per phased final maps) will follow the linear park and collector streets within the specific plan. These features will provide an interim buffer between urban development and the remaining agricultural lands.

Implementation of the city's Agricultural Mitigation Program will facilitate future developers' successful compliance with the city's adopted mitigation measures and conditions of approval pertaining to the provision of right-to-farm notifications, temporary buffers and compensatory agricultural land preservation (refer to [Exhibit G](#)).

## 6.2 Open Space and Agricultural Land Preservation (City-Specific Attachment 2- LAFCO Policies and Procedures, Part E)

### Part 2: Conformance to LAFCO Policy

1. A Proposal must discuss how it balances the state interest in the preservation of open space and prime agricultural lands against the need for orderly development. (Government Code section 56001.) Proposals that fail to discuss this balance, in the opinion of the executive officer, will be deemed incomplete. Proposals may be denied if they fail to demonstrate to the satisfaction of LAFCO that the need for orderly development is balanced against the preservation of open space and prime agricultural lands.

The annexation area is within the Soledad General Plan planning area and within the Urban Growth Boundary of the 2016 MOA. The 2016 MOA acknowledges the need for development to occur beyond the present city limits, and directs that growth to those areas where that growth will have the least adverse impact on agricultural lands. The proposed annexation area boundary is consistent with

the geographic development limits established by the 2016 MOA. This indicates that both the city and the county determined that the area within which the SOI/Reorganization area lies is an appropriate location for new development.

The Soledad General Plan includes discussion and policy regarding growth management and the need to balance infill development with the availability of new land capacity within the General Plan planning area to provide opportunities for new housing and employment generating uses and to also protect agricultural land. The intent of the city is supported by the city's General Plan Policy L-2, which partially reads as follows:

‘Further annexations to the City may occur when a) a substantial portion of the development capacity within the existing city limits has been developed, b) a substantial public benefit can be realized through the annexation, such as the provision of public open space, additional parkland, or the protection of scenic vistas, or natural resources...’

As noted in Section 1, available land for development opportunities to increase the city's available housing stock will be exhausted in one to three years according to city staff, as approved but not yet constructed projects come on line. As development opportunities decline, so will the city's revenues from collection of development impact fees and other assessments that fund infrastructure improvements and long-term maintenance as the city's current infrastructure ages out. Additional market-rate residential development and new commercial and employment opportunities will provide additional sources of revenues that will have a positive effect on General Fund Revenues (refer to the fiscal analysis in [Appendix F](#)). The city's 2019 Housing Element update reported indicators of overcrowding in its existing supply of housing stock in the current sphere, which became highly evident as a result of shelter-in-place orders during 2020 and 2021, when people were forced to stay at home. Recent state law requiring an emphasis on housing production, and increases in the city's obligations to meet regional housing needs are compounding this issue.

The General Plan and the 2016 MOA require the preparation of specific plans to guide orderly development and growth and implement city-centered growth principles within the Urban Growth Boundary to achieve a logical, and orderly development pattern. The Miramonte Specific Plan was developed and adopted by the city to ensure that orderly growth would balance the loss of agriculture that would result from development of the SOI/Reorganization area while maintaining substantial open space areas consistent with the General Plan.

As noted in the Section 6.1 discussion, the approved Specific Plan effectively consolidates growth within the SOI/Reorganization area in a relatively small geographic area north of U.S. Highway 101 and east of the permanent agricultural edge, effectively preserving highly fertile agricultural land to the south and west consistent with the 2016 MOA, which identifies priority growth areas north and east of the existing city limit. Focusing growth in this area avoids premature conversion of prime agricultural lands to the west and south. Compliance with required agricultural land compensation,

the provision of temporary buffers and right-to-farm deed notifications are required consistent with the city's Agricultural Mitigation Plan and regulated through the city's existing processes for final map review and acceptance, and enforced through the building permit process. Building permit issuance by development phase is contingent upon compliance with the city's adopted Mitigation Measures and Conditions of Approval. Development consistent with the Specific Plan is contiguous with the existing city limit and effectively preserves as public open space; approximately 150 acres of the city's scenic hillside open space above the 400-foot elevation contour and provides approximately 59.4 acres of improved public parkland. [Figure 6-1, Open Space, Trails, and Parks](#), shows the conceptual layout of parks and open space within the proposed SOI/Reorganization area. Additionally, future development with the requested SOI/reorganization would provide two 11-acre sites for two new schools to serve new residents and would dedicate land for local students interested in pursuing agricultural livelihoods through the SUSF FFA program.

**2. A Proposal must discuss its effect on maintaining the physical and economic integrity of agricultural lands. (Government Code section 56668 (a).) Proposals that fail to discuss their effect, in the opinion of the executive officer, will be deemed incomplete. Proposals may be denied if they fail to demonstrate to the satisfaction of LAFCO that the physical and economic integrity of agricultural lands is maintained.**

The proposed SOI/Reorganization will lead to permanent loss of Prime Farmland within the SOI/Reorganization area, which contributes incrementally to County-wide losses of Prime Farmland from development within the County and local jurisdictions. Approximately 466 acres of Prime Farmland and Farmland of Statewide Importance will be lost by the eventual development of the proposed SOI/Reorganization area if annexed. The physical and economic integrity of these lands are defined in Section 2.2 of the city's Agricultural Mitigation Plan ([Exhibit G](#)). Physical integrity is based on USDA Natural Resources Conservation Service land use capability classification or has a Storie Index Rating between 80 and 100. These are the primary determinants of the city's Agricultural Mitigation Plan that define Prime Agricultural Lands. LAFCO policies base economic integrity of lands on having an annual return of at least \$400 per acre. Land valuations of economic integrity of the project site were not used nor are they recommended for any proposed compensatory off-site agricultural conservation easement because the operators' choice of crops and agricultural activity are variable and beyond the control of the local jurisdiction. Therefore, the city's Agricultural Mitigation Plan relies on the underlying physical integrity of agricultural lands as an indicator of economically viable agricultural opportunities of any site, including potential off-site agricultural conservation easements that are proposed by the developer.

An additional 174.2 acres would be affected that is designated by the California Department of Conservation as Grazing Land and Unique Farmland (Refer to Figure 2 in [Exhibit G](#)) and may meet the Cortese Knox-Hertzberg definition of Prime Agricultural Land. All lands designated as Grazing Land (about 150 acres) have not been utilized as such for several years and are located at or above the 400-foot elevation contour. These lands would remain in open space, and available for active



rangeland consistent with the Specific Plan allowable uses. No substantial negative effects to the economic and physical integrity of these lands would occur. The areas of the project site under the Unique Farmland designation would be developed; however, much of these lands are designated as parkland by the Specific Plan.

Physical and economic integrity of adjacent active agricultural lands west of San Vicente road are addressed by the provision of a temporary buffer along San Vicente Road. Refer to the exhibits presented in Appendix D of the Agricultural Mitigation Plan ([Exhibit G](#)). The proposed buffer is considered temporary by the city due to its location relative to the western edge of the 2016 MOA Urban Growth Boundary, within which the city and county expect future growth to occur. An improved and realigned San Vicente right-of-way, landscaped medians, the primary stormwater retention basin, and high-voltage electrical transmission line easements combine to provide a buffer width greater than 200 feet at the southwest and northwest portions of the SOI/Reorganization area. The buffer varies to a width of 160 feet at the shortest distance where the improved San Vicente Road right-of-way, high voltage transmission line easement, adjacent sidewalks, open space, medians and building setbacks on future lots, combine to provide the minimum proposed buffer width. All portions of this buffer would include landscaping and fencing as further barriers to minimize conflicts with agricultural uses.

On an interim basis, the phased development of lands within the SOI/Reorganization area will include broad temporary buffers in the form of the linear parkway and collector streets to maintain agricultural lands separate from urban uses as development occurs. Remaining agricultural land within the Urban Growth Boundary and adjacent to the SOI/Reorganization area, whether interim or permanent, will be contiguous to other agricultural land, which facilitates efficient ongoing use for agriculture. With these measures built into the specific plan, the specific plan will be consistent with this policy. Refer to the discussion in the LAFCO application text, Item 3 - Section 8, Phasing.

**3. A Proposal must discuss whether it could reasonably be expected to induce, facilitate, or lead to the conversion of existing open-space land to uses other than open-space uses. (Government Code section 56377.) Proposals that fail to discuss potential conversion, in the opinion of the executive officer, will be deemed incomplete. Proposals may be denied if they fail to demonstrate to the satisfaction of LAFCO that: a) they guide development or use of land for other than open-space uses away from existing prime agricultural lands in open-space use and toward areas containing nonprime agricultural lands (Government Code section 56377 (a)); and b) development of existing vacant or nonprime agricultural lands for urban uses within the existing jurisdiction of a local agency or within the Sphere of Influence of a local agency will occur prior to the development of existing open-space lands for non-open-space uses which are outside of the existing jurisdiction of the local agency or outside of the existing Sphere of Influence of the local agency (Government Code section 56377 (b)).**

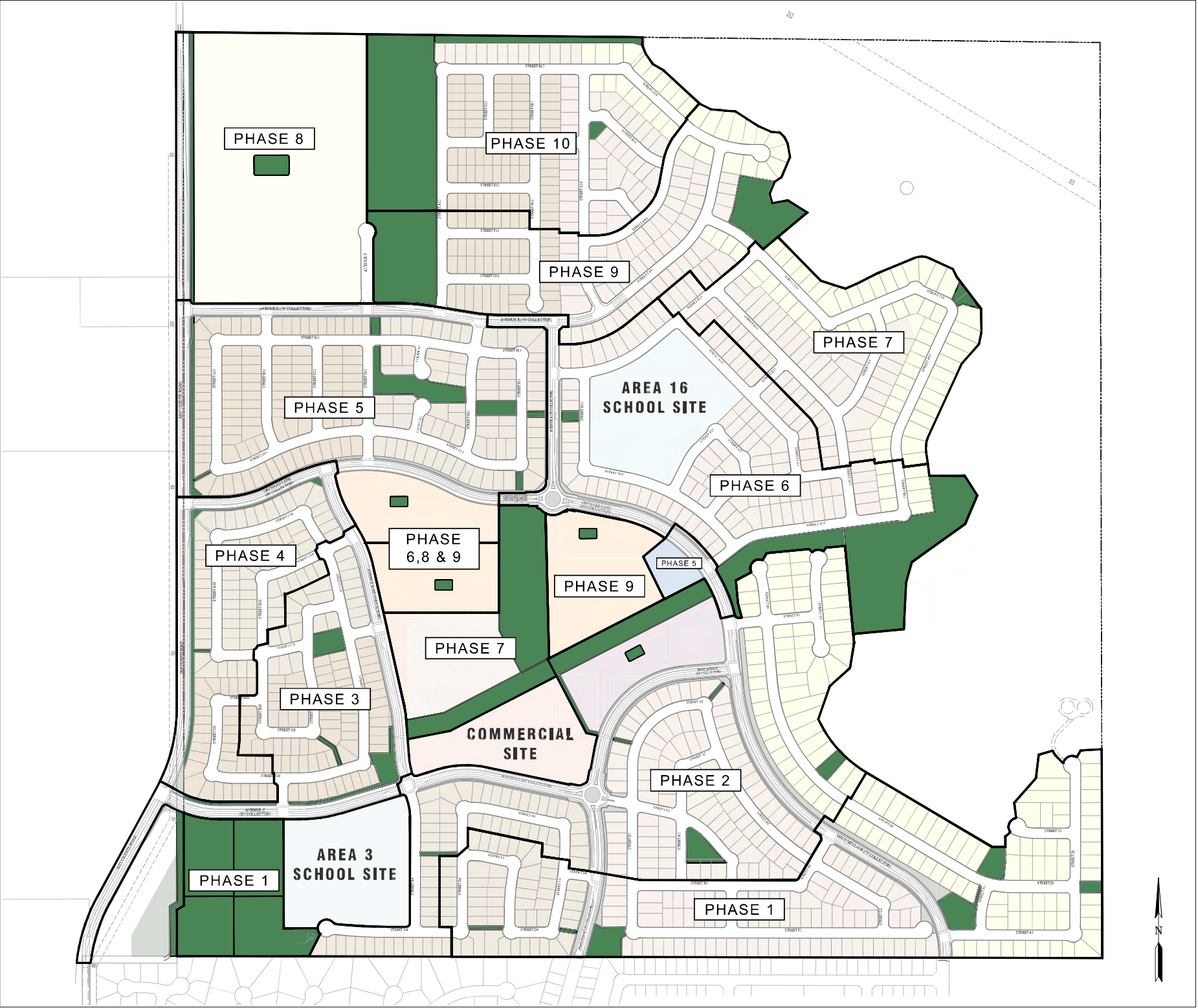
Response: Refer to the discussion in the LAFCO application text, Item 3 - Section 8, Phasing. The specific plan will convert the agricultural land within the plan area to urban uses. This is consistent with the 2016 MOA which establishes geographic development limits to direct growth to locations that will have the least adverse impact on agricultural lands. The specific plan includes a set of phasing parameters that are designed to prevent premature conversion of agricultural land. The specific plan will also permanently preserve approximately 140 acres of hillside open space, located above the 400-foot elevation contour. The specific plan includes means of preserving agricultural land on an interim basis and permanently preserves open space land, and is consistent with this policy.

**4. A Proposal must, if applicable, provide for pre-zoning (Government Code section 56375 (a)), and must demonstrate that it is consistent with the General Plans and Specific Plans of the existing local agency and any immediately adjacent local agency (Government Code sections 56375 (a) and 56668 (g)). Proposals may be denied if they are not consistent with such plans, or, if not pre-zoned, if the Proposal does not demonstrate to the satisfaction of LAFCO that the existing development entitlements are consistent with the local agency's plans.**

Response: The Specific Plan includes provisions for pre-zoning of land in conjunction with annexation applications, and therefore, is consistent with this Policy. The Pre-zoning Ordinance and Map is included in Item 10 of this application package.

**5. Agricultural Buffers: To further these policies, it is the position of LAFCO that agricultural buffers provide an important means to preserve open-space and agricultural lands and preserve the integrity of planned, well-ordered, efficient urban development patterns. Such buffers may be permanent, temporary, or rolling, and may take many forms; easements, dedications, appropriate zoning, streets, or parks, for example. How agricultural buffers are used to further the state policy of preserving open-space and agricultural lands within patterns of planned, well-ordered, efficient urban development is left to the discretion of each local agency; however, Proposals will be judged on how state-wide policies under the Act, and LAFCO adopted policies, with respect to the preservation of open-space and agricultural lands are furthered.**

Response: Refer to the discussion in the LAFCO application text, Item 3 - Section 8, Phasing. The proposed SOI and Reorganization is consistent with the geographic development limits established by the 2016 MOA. The Specific Plan includes a set of phasing parameters that are designed to prevent premature conversion of agricultural land. Development phase boundaries are likely to follow the linear park and collector streets within the Specific Plan. These features will provide an interim buffer between urban development and the remaining agricultural lands.



- NOTES**
1. THE PHASES SHOWN ARE SUBJECT TO CHANGE.
  2. PHASES MAY BE COMBINED OR MAY BE FURTHER DIVIDED INTO SUBPHASES DEPENDING ON MARKET CONDITIONS AND INFRASTRUCTURE REQUIREMENTS.
  3. INDIVIDUAL PARK/BASIN LAND MAY BE DEDICATED IN PHASES SO LONG AS THE MINIMUM REQUIRED CUMULATIVE PARK ACREAGE IS ACHIEVED WITH EACH PHASE OF DEVELOPMENT OR UNLESS OTHERWISE SET FORTH IN THE PROJECT DEVELOPMENT AGREEMENT.
  4. EACH SCHOOL PARCEL OFFER OF DEDICATION WILL BE MADE WITH THE PHASE IN WHICH THE RESPECTIVE PARCEL IS CREATED ON THE FINAL MAP, OR UNLESS OTHERWISE SET FOR IN THE PROJECT DEVELOPMENT AGREEMENT.



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## Efficient Urban Development Patterns, Housing, and Jobs

### 7.1 Efficient Urban Development Patterns (City-Specific Application Attachment 3 - LAFCO Policies and Procedures, Part D.XIII)

“For annexations and Sphere of Influence applications, Monterey County LAFCO shall consider as part of its decision whether the city in which the annexation or Sphere of Influence amendment is proposed has included certain goals, policies, and objectives into its General Plan that encourage mixed uses, mixed densities, and development patterns that will result in increased efficiency of land use, and that encourages and provides planned, well-ordered, efficient urban development patterns.”

**Please outline the goals, policies, and objectives in the city’s General Plan that encourage mixed uses, mixed densities, and development patterns that will result in increased efficiency of land use, and that encourage and provide planned, well-ordered, efficient urban development patterns.**

As reported in Section 1.1 of this application request, the City Council approvals on November 7, 2018, included a General Plan Amendment to change the jurisdictional boundaries and land use designations for 647.3 acres of the affected City of Soledad Expansion Areas to Miramonte Specific Plan (MM-SP) (Refer to [Exhibit A](#)). As noted previously, the Specific Plan boundary and proposed SOI/Reorganization area boundary are coterminous. The General Plan amendments approved by the City of Soledad for the Specific Plan area assure that the land uses for the Specific Plan area are consistent with the applicable General Plan land use designations, land use intensity and residential densities.

The Specific Plan implements the following General Plan goals and policies that encourage mixed uses, mixed densities and an efficient, orderly development pattern (See the related discussion in Section 3). The proposal is consistent with the City of Soledad long-term planned direction of growth, as the SOI and Reorganization area is located within the city’s future growth Expansion Areas identified within the General Plan planning area, and also lies squarely within the geographical limits of the Urban Growth Boundary identified in the 2016 MOA. The proposal is consistent with the city’s intent that the subject portion of the General Plan planning area be developed with urban

uses consistent with Specific Plan land use designations. The proposed SOI and Reorganization is consistent with the following goals and policies of the General Plan. Additional discussion is provided in Section 4.

### **City of Soledad General Plan Land Use Goals:**

1. To provide effective standards for the location, amount, rate, type, and quality of new development so that the local economy remains healthy, attractive residential neighborhoods can expand, the small-town character of the town is preserved, and the natural environment is protected.
2. To manage the growth of the town so that adequate facilities and services can be provided in pact with development.

### **City of Soledad General Plan Land Use Policies:**

L-2 Further annexations to the City may occur when a) a substantial portion of the development capacity within the existing city limits has been developed, b) a substantial public benefit can be realized through the annexation, such as the provision of public open space, additional parkland, or the protection of scenic vistas, or natural resources, or c) a special type of use is proposed that cannot be practically accommodated in the existing city limits, and d) the project can be found to provide a benefit to the City or to be fiscally neutral. The Planning Commission shall review the merits of a request for annexation based on these criteria, and make a recommendation to the City Council.

L-3 A Specific Plan shall be required for all annexations and development of properties designated Expansion Area. Specific plans shall be prepared in accordance with the standards provided in Appendix B.

L-4 The City shall promote patterns of development that allow for the efficient and timely extension of infrastructure and services.

L-5 New development shall not be allowed unless adequate public services are available to serve such new development, or that can be provided at the time of development.

L-6 New development shall pay its fair share of providing additional public services needed to accommodate such development.

L-7 Master plans for sewer, water, roads, drainage and other public improvements shall be required for new development on large undeveloped parcels and may be included in the Specific Plan required by policy L-3, and as determined by the City.

L-12 The City shall maintain an adequate supply of land in appropriate designations to accommodate projected household growth, maintain affordability to moderate and below moderate-income groups, and maintain acceptable vacancy rates.



L-13 The City shall require that residential projects be designed to reflect and consider the relationship of the project to surrounding uses. Residential densities and lot patterns will be determined by these and other factors. As a result, the maximum density specified by the General Plan land use designations or zoning for a given parcel of land may not be realized.

L-14 The maximum allowable residential density for new residential subdivisions or development projects shall be computed based on the gross area of the lot before dedications for highway setbacks, parks, streets, or other requirements.

L-16 The pace of new residential development should be such that new residents can be absorbed into the fabric of the town and existing residents are not overwhelmed by newcomers. This can be accomplished in part by requiring phasing of larger residential projects and by ensuring that adequate infrastructure and public improvements are in place concurrently, or in advance of new development.

L-18 The infill of existing residential lots shall be encouraged.

L-19 In general, higher densities of residential development shall be located in areas served by the widest range of urban services, and shall be preferred along collector and arterial streets, within walking distance of schools, city parks and transit stops.

L-20 The approval of new residential subdivisions shall incorporate provisions to ensure that an appropriate amount of new multifamily development is constructed concurrently, or in advance of, new single-family residences.

L-43 Specific plans prepared for major expansion areas shall incorporate the standards described in Appendix B – Standards for Specific Plans. In general:

- a. New residential projects should be designed to integrate with existing neighborhoods to ensure that they do not destroy the established character. Subdivisions in City expansion areas should be designed so that individual, separately developed projects work together to create true neighborhoods with a sense of identity, instead of disjointed or isolated enclaves.
- b. Subdivision design should emphasize pedestrian connectivity within each project, and to adjacent neighborhoods, and nearby schools and parks. All streets and walkways should be designed to provide safe and pleasant conditions for pedestrians. Streets within neighborhoods should be no wider than needed to accommodate parking and two low speed travel lanes. Sidewalks should be separated from curbs by parkway strips of at least four feet in width; and the parkways should be planted with canopy street trees.

- c. Specific plans should provide a range of residential housing types affordable to the widest range of income groups, consistent with the goals, policies and programs of the Housing Element of the General Plan.
- d. Subdivisions should be designed to provide usable public open spaces in the form of parks, linear bicycle and pedestrian trails, squares, and greens, as appropriate.

L-49 The form, scale and character of new residential development shall emulate the best characteristics of the existing residential neighborhoods, such as single and two-story dwellings with adequate off-street parking, landscaped front yards with trees, and sidewalks.

L-50 Multifamily development shall include usable open space for each dwelling and shall be designed to be integrated with the surrounding neighborhood.

### **City of Soledad General Plan Housing Goals:**

To promote community character, livability, affordability and housing choice, by requiring an integrated mix of housing types in new residential areas.

### **City of Soledad General Plan Housing Policies:**

H-1 The City of Soledad shall promote the expansion of its LAFCO Sphere of Influence and annexation of additional land consistent with its General Plan Land Use Element to accommodate long-term demand for residential development.

H-3 The City of Soledad shall require new residential areas to contain a mix of housing types targeted to very low, low, moderate, and above moderate households in approximately the proportion that each of these income categories represent in the AMBAG Fair Share Housing Allocation.

H-5 The City shall provide incentives to housing developers that provide housing opportunities for large families in new residential development areas.

## **7.2 Housing and Jobs (City-Specific Application Attachment 3 - LAFCO Policies and Procedures, Part D.XIII)**

“Proposals must demonstrate through both quantitative and qualitative methods the relationship between the Proposal and the surplus or deficiency of local and county-wide housing supply and demand, and employment availability and creation. Additionally, the Proposal must demonstrate how its pattern of land use and transportation complements local and regional objectives and goals for the improvement of air quality and reduction of greenhouse gas (GHG) emissions and local vehicle miles traveled (VMT). These factors and their impacts, if any, shall be considered by the Commission in acting upon the Proposal.”

## Please submit a detailed explanation of how the proposal will conform to LAFCO's adopted Housing and Jobs policy.

The City of Soledad 2015-2023 Housing Element (2019 housing element) includes a vacant land inventory that identifies approximately 100 acres of vacant land within the city with a potential residential capacity of about 916 residential units (City of Soledad 2019, Table 34). The city's primary factors affecting residential development and housing affordability include market factors, the availability of land, entitlement costs and the city's processing procedures, standards, and fees related to development. With this in mind, city staff estimate that the city will essentially be built out within the next one to three years as approved, but not yet constructed projects come on line further constraining opportunities for housing within the existing sphere.

Consistency with housing and jobs policies are discussed in the Specific Plan Section 2.2 (pp 2-13 – 2-14), which notes that the Association of Monterey Bay Area Governments (AMBAG) assigned the city a Regional Housing Needs Assessment housing target of 191 units for the 2015 – 2023 time period, also reported in the 2019 housing element; however, this assignment predates state mandates for jurisdictions to provide greater numbers of housing and the onset of the COVID 19 pandemic.

The 2019 housing element update notes that Soledad's residential vacancy rate in 2014 was about 3.4 percent, which is an indicator of overcrowding. Approximately 32 percent of all dwelling units in Soledad were overcrowded in 2012, which was more than one third higher than the rate of overcrowding in Monterey County and four times the rate of overcrowding in California as a whole before the onset of the COVID 19 pandemic. Overcrowding is also indicated by large household sizes, which are reported in the 2109 Housing Element as being "tied for the third highest household size of any jurisdiction in Monterey County" (City of Soledad 2019, page 16).

Existing available opportunities for new housing development are limited within the city's current SOI, and overcrowding in the city's available housing stock has been exacerbated by the COVID 19 pandemic. Development within the proposed SOI/Reorganization area consistent with the Specific Plan will increase available housing stock by 2,392 housing units, which more than meets the AMBAG target, and will address observed overcrowded housing conditions within the city.

Development consistent with the Specific Plan will include housing for lower income households, seniors, and workforce. Implementation of the Specific Plan will ensure integration of affordable housing both through design and location. Development consistent with the Specific Plan land uses and development pattern includes affordable housing that is integrated throughout the Specific Plan area and also located in the Specific Plan core area adjacent to a park, elementary schools, senior housing, and commercial uses. Smaller than average lots will provide a more affordable low-density single-family detached housing opportunity. Duplexes, duets, triplexes, and fourplexes may also be constructed with placement and design that is in keeping with the overall low-density character.

Specific Plan policy LU – C requires the incorporation of affordable housing within the plan area, including housing for senior citizens, workforce, and low and very low-income households. In conformance to the city’s Inclusionary Ordinance, development consistent with the Specific Plan will provide at least six percent of units for very low-income households, six percent for low-income households, and eight percent for moderate income households. At least 30 percent of medium density housing units may be available as rentals. Consistent with the Specific Plan development of affordable housing units within the SOI/Reorganization area will be constructed concurrently with the market rate housing units.

Development consistent with the Specific Plan land use designations will, on its own, meet the city’s 5<sup>th</sup> cycle affordable housing requirement by providing 280 affordable units over a 10-year period or 560 affordable units over a 20-year period. At least 800 units are intended to be affordable due to low-income deed restrictions (207 units), senior deed restrictions (134), or a minimum density meeting the default density value of 20 units per acre for which affordability is assumed by the Housing and Community Development Department (419 units).

Commercial and public services (e.g., schools, parks, public safety, etc.) development within the SOI/Reorganization area consistent with Specific Plan land uses combined with the increase in population resulting from new residential units creating demand, will result in the establishment of new jobs within the plan area and in the community of Soledad. The land use and circulation pattern will promote reduced vehicle miles traveled for shopping and school trips, which in turn reduce air and greenhouse gas (GHG) emissions. Circulation master plans (refer to Figure 5-5 and [Appendix J](#)) show consistency with Specific Plan goals to promote walking and bicycling, safe routes to schools and an integrated trail system that connects new and existing neighborhoods with parks, schools, and commercial areas.

Development of the SOI/Reorganization area will provide much needed housing, additional job opportunities, and a comprehensive pedestrian/bicycle circulation and trail system that reduces internal automobile trips. As a result, mobile-source emissions of criteria air pollutants and GHGs would be reduced. Preparation and implementation of GHG emissions reduction plans are a required condition of map approval for development within the SOI/Reorganization area. The city has prepared a guidance document for the reduction of GHG emissions to assist the developer with the required preparation of either an overall emissions reduction plan or phased emissions reductions plans with each map, which will further reduce cumulative effects of automobiles to air quality and GHG emissions volumes. The emissions reduction guidance document is included in [Appendix K](#).

For the reasons described herein, the requested SOI/Reorganization conforms to this policy.

## 8.0 Groundwater Standards

### 8.1 Groundwater Standards

#### **a. Did the proposal's CEQA clearance determine that the proposal may significantly impact the groundwater basin?**

No. The EIR Addendum (Exhibit B) found that the proposed project as mitigated would not significantly impact the water quality or capacity of the groundwater basin. A water supply verification letter was issued by the city in 2007 for the formerly proposed Miravale III Specific Plan project based on the conclusions of a SB610 water supply assessment analysis commissioned by the city in 2007.

In 2017, the city commissioned an update to the original water supply assessment, the results of which confirmed that the city's water supplies will be able to serve the Specific Plan (SOI/Reorganization) area. The Plan for Services was prepared with extensive input from the City of Soledad Director of Public Works, using the updated water supply assessment prepared by AKEL Engineers, which is the firm that also prepared the city's 2015 Urban Water Management Plan. This firm has also peer reviewed the domestic water master plan (Figure 5-2), and is incorporating the site and related infrastructure improvements into the city's water system master plan (refer to discussion in Section 5.2). Development of the SOI/Reorganization area consistent with the Specific Plan would demand less water than the original Miravale III project and also less water than that consumed by the existing agricultural use of the site. A new water supply verification letter is not required.

However, as noted in the Plan for Services, new water system infrastructure is required to maintain capacity to meet overall peak hour demand (refer also to the discussion in Section 5.2). Conditions of map approval (see Condition of Approval 33 included in [Exhibit C](#)) require all infrastructure improvements to be shown in an engineered master plan and to provide a mechanism for incorporating appropriate water conserving measures into the project to reduce demand based on factors provided by the Director of Public Works, all of which are included in the master plan. The city engineering consultants have reviewed the required master plan and confirmed it meets city design standards. An additional well is required to maintain flows, which is called for in the city's water system master plans. Conformance to peak hour demand performance criteria has been reviewed and confirmed by the city Engineering consultant.

Existing wells on the site will not be used for domestic water supply, and if used for non-potable water, sufficient water quality testing is required as a condition of map approval to support their intended use and to protect the integrity of the city's groundwater supplies (see Condition of Approval 34 in [Exhibit C](#)). The water system master plan identifies all water supply infrastructure requirements for the SOI/Reorganization area including treatment and distribution system for potable and recycled water. Design details will be finalized in the final map and are subject to review and approval by the City Engineer and Director of Public Works. The requirements are discussed in greater detail in Conditions of Approval (refer to Appendix C), in Section 3.15 of the EIR Addendum ([Exhibit B](#)) and related discussion in Section 5.2.

**b. LAFCO will encourage boundary change proposals involving projects that use reclaimed wastewater, minimize nitrate contamination, and provide beneficial use of storm waters.**

Refer to Section 5.2 and the response to item 8.1.a, above, regarding performance standards for groundwater quality, and potential use of on-site wells. Future development of the project site consistent with the Specific Plan may eventually include reclaimed wastewater purple pipe recycled water lines designed and constructed in compliance with the City Code. Sizes, locations, and/or type of recycled water service lines, service connections, meters, backflow protection devices, and any/all other appurtenances shall be included in the final water system master plan, subject to review and approval of the city Public Works Director prior to acceptance of any final map. Refer to Conditions of Approval No. 34 and No. 35 ([Exhibit C](#)).

Future development of the SOI/Reorganization area consistent with the Specific Plan also includes the beneficial use of storm water. The proposed project includes a drainage bio-swale within the linear park, and a series of retention basins to capture post-development runoff, and other improvements to capture, retain, and percolate storm water within the project site consistent with the requirements of the Central Coast Regional Water Quality Control Board (RWQCB) (refer to the discussion of storm drainage in Section 5.2). In the early stages of development storm water would be collected in the linear park and directed to the retention pond in the southwest corner of the site (primary basin). The linear park would serve as a bio-swale, following the existing topography and leading from upper elevations to the storm water retention basin at the lowest elevation on the project site. In later phases, three additional basins would be constructed near the northwestern boundary of the project site to capture and convey flows from upper elevations off-site and direct them ultimately to the primary basin in the southwest corner. Storm water within developed areas would be collected and conveyed in a curb, gutter and underground storm drain system to the storm water retention basin.



According to the Storm Drain Master Plan, the primary basin, which serves as a dual-use facility for recreational purposes, is sized to accept the increase in flow resulting from full buildout of the uses identified in the Specific Plan and limit discharge to pre-development levels in conformance to RWQCB Post Construction Stormwater Management Requirements standards. The Storm Drain Master Plan (Figure 5-4) has been reviewed by the city's engineering consultant, Schaaf and Wheeler, and the Department of Public Works Director who confirm that additional off-site infrastructure is not required. The engineering consultant is currently preparing an update to the city's storm drain master plan to incorporate the project site. Final design details for on-site improvements will be reviewed in the City Engineer prior to city acceptance of final maps. Additional design criteria are provided in Section 5.2, in Section 5.3 of the Plan for Services (Exhibit D), and in the required conditions of map approval (Exhibit C).

**c. LAFCO will encourage proposals which have incorporated water conservation measures. Water conservation measures include drought tolerant landscaping, water-saving irrigation systems, installation of low-flow plumbing fixtures, retrofitting of plumbing fixtures with low-flow devices, and compliance with local ordinances.**

In addition to compliance with the Model Water Efficient Landscape Ordinance and RWQCB Post Construction Stormwater Management Requirements, and standard conditions of project approval for individual development projects, future development of the SOI/Reorganization area consistent with the Specific Plan land uses is subject to compliance with Specific Plan Policy PSF-E, that requires reductions in potable water consumption through the use of recycled water for irrigation, emphasis on drought-tolerant plant materials for landscaping, and the incorporation of state-of-the-art low water/high efficiency use fixtures and appliances in all new private development and public facility construction, including schools.

**d. LAFCO will encourage those proposals which comply with adopted water allocation plans as established by applicable cities or water management agencies.**

The proposed project would not require an additional allocation of water. Refer to the discussion in item 8.1.a.

**e. LAFCO will encourage those proposals where the affected jurisdiction has achieved water savings or new water sources elsewhere that will offset increases in water use in the project site that would be caused by the proposal.**

Refer to the discussion in item 8.1.a.

**f. LAFCO will discourage those proposals which contribute to the cumulative adverse impact on the groundwater basin unless it can be found that the proposal promotes the planned and orderly development of the area.**

The proposal will not contribute to an adverse impact on the groundwater basin. Refer to the discussion in Section 8.1.a. Future development of the SOI/Reorganization area consistent with the Specific Plan land use designation would not result in cumulatively considerable contributions to cumulative groundwater impacts (Refer to Table 5.2-1 of the Miravale III Specific Plan included as an appendix to the EIR Addendum in Exhibit B). In response to a request by LAFCO staff, EMC Planning Group prepared the technical memorandum: *Groundwater Compatibility Analysis for the City of Soledad LAFCO SOI/Reorganization Application - Miramonte* (2022) which provides an analysis of consistency with Salinas Valley Basin Groundwater Sustainability Agency policies. The technical memorandum is included in [Appendix L](#). The following discussion summarizes the findings of the technical memorandum.

The Sustainable Groundwater Management Act (SGMA) and its amendments provide guidance on groundwater adjudications and defines sustainable groundwater management as the “management and use of groundwater in a manner that can be maintained during the planning and implementation horizon without causing undesirable results.” SGMA The proposed project is within the Salinas Valley - Forebay Aquifer Subbasin (Subbasin, or Forebay Subbasin), which is an unadjudicated groundwater subbasin designated by the Department of Water Resources as medium priority. The Forebay Subbasin falls partially within the jurisdiction of the Salinas Valley Basin Groundwater Sustainability Agency (SVBGSA) and partially within the jurisdiction of the Arroyo Seco Groundwater Sustainability Agency (Salinas Valley Basin Groundwater Sustainability Agency 2022, p. ES-3). According the Salinas Valley Groundwater Basin Forebay Aquifer Subbasin Groundwater Sustainability Plan (GSP), adopted in 2022, the Subbasin has historically not been considered in overdraft. Soledad is located near the confluence of the Salinas and Arroyo Seco rivers and overdraft conditions have not been identified in this area by the Monterey County Water Resources Agency. It is expected that groundwater will continue to be a reliable supply for the City of Soledad (Salinas Valley Basin Groundwater Sustainability Agency 2022, p. ES-6).

For these reasons, development within the SOI/Reorganization area consistent with the Specific Plan would not contribute to overdraft conditions, and the proposed SOI/reorganization is compatible with the Salinas Valley Basin Groundwater Sustainability Agency GSP.

**g. LAFCO will discourage those boundary change proposals which, when considered individually and after taking into account all mitigation measures to be implemented with the project, still cause a significant adverse impact on the groundwater basin.**

See item f) above. The SOI and Reorganization will not result in a significant adverse impact to the groundwater basin.

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## 9.0 Regional Traffic Impacts

### 9.1 Regional Traffic Impact Mitigation

**a. For (city) annexations and Sphere of Influence applications: Please discuss how the proposal mitigates its regional traffic impacts (for example, by monetary contribution to a regional transportation improvement fund as established by the Transportation Agency of Monterey County or otherwise):**

Future development of the SOI/Reorganization area consistent with the Specific Plan s is required to pay the TAMC Regional Development Transportation Impact Fee prior to issuance of any building permit for each phase of development. Payment of the fees mitigates the project's impacts to regional facilities (refer to mitigation measure 4.13-10 included in the attached Mitigation Monitoring and Reporting Program, [Exhibit C](#)).

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## 10.0 Disadvantaged Unincorporated Communities Adjacent to Cities

### 10-1 Disadvantaged Unincorporated Communities Adjacent to Cities

There are no disadvantaged unincorporated communities contiguous to the project site.

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# 11.0

## Environmental Justice

### 11.1 Environmental Justice

**a. Please provide information on the demographics of the proposal area, including ethnicity and income.**

There are no residents within the project site.

**b. Will all residents have access to the facilities or services requested by this application?**

All existing residents within the current city limit and future residents within the project site will have access to all facilities and services within the project site.

**c. Will the projected cost of such services be appropriate to the income levels of the area's population? If so, are the service costs likely to be held to this level for the long-term?**

Yes. See also the discussion in Section 5. An updated fiscal analysis ([Appendix H](#)) has been prepared and peer reviewed by city consultants. The fiscal analysis notes that the Specific Plan provides a mechanism to manage and pay for area development so that adequate facilities and services can be provided in pace with development consistent with the Specific Plan, and to ensure that present and future public safety, and other services needs of new residents are met without compromising the needs of existing residents elsewhere in the city. Costs of services and infrastructure for development consistent with the Specific Plan would be provided via development impact fees, a site-specific traffic impact fee paid for by new development, and ongoing assessments collected through the formation of a CFD covering the project site. The updated fiscal analysis and peer review conclude that buildout of the Specific Plan uses within the SOI/Reorganization area would not have an adverse fiscal impact on the Soledad General uses on the site would be supplemented by assessments from the CFD.

**d. What measures have been taken to solicit public comment on the proposal?**

The following is a summary of major events related to the city's review of and agency/public participation for the proposed Miramonte Specific Plan and Vesting Tentative Map project.

- 2000 - Application initiated by Nader Agha (applicant) for a proposed Specific Plan (Miravale III Specific Plan) and preliminary vesting tentative map for 920 acres north and west of the city limit;
- 2006 – Public Scoping Meeting (CEQA) Miravale III Specific Plan EIR;
- 2008 – City of Soledad City Council adopts water supply assessment and issues verification of water supply for Miravale III Specific Plan;
- 2008 - Draft EIR for the Miravale III Specific Plan was circulated for public review;
- December 11, 2008 – Duly noticed public hearing for Planning Commission consideration of the Miravale III Specific Plan Final EIR;
- August 12, 2010 – Planning Commission consideration of original Miravale III Specific Plan and Vesting Tentative Map project;
- September 1, 2010 – City Council certifies Final EIR for the Miravale III Specific Plan (Resolution # 4564) and adopts Resolution #4565 requiring the following:
  - directs applicant to revise project consistent with one of the alternatives identified in the Miravale III Specific Plan EIR; and
  - directs staff to initiate a sphere amendment with LAFCO, once the revised project is submitted.
- June 2016 – Application initiated by Nader Agha (applicant) for a proposed revised tentative map (VTM project application);
- August 2017 – City Consultant completes draft Miramonte Specific Plan based on applicant’s preliminary tentative map;
- September 14, 2017 - Applicant’s preliminary vesting tentative map, and the city-prepared draft Specific Plan and Plan for Services presented at duly-noticed joint meeting with Planning Commission and City Council;
- April 12, 2018 – Duly-noticed Planning Commission public hearing to consider application requests, draft Specific Plan, vesting tentative map, and Addendum to the Miravale III Specific Plan EIR. Staff is directed to revisit circulation, lotting plan and parkland provisions and other items;
- May 10, 2018 – Continued Planning Commission consideration of revisions to Specific Plan and conditions of approval as requested by Commissioners. Staff directed to revisit timing for traffic mitigation measures and conditions of approval;

- June 14, 2018 – Continued consideration by the Planning Commission. Planning Commission adopts resolutions recommending adoption of environmental documentation, approval of a General Plan amendment for the Specific Plan, conditional approval of the vesting tentative map, initiation of Sphere of influence, reorganization and rezoning, etc.;
- July 18, 2018 – Duly noticed public meeting held by City Council for informational presentation of the Addendum to the Miravale III Specific Plan EIR and preliminary vesting tentative map, and the city-prepared draft Specific Plan, Fiscal Analysis and Plan for Services. Staff is directed to revisit circulation, lotting plan, parkland provisions, schools, and other items;
- August 28, 2018 – Duly noticed public hearing held by the City Council to collect public testimony, consider application requests, draft Specific Plan, vesting tentative map, and Addendum to the Miravale III Specific Plan EIR. Staff is directed to provide further information on circulation improvement timing;
- October 23, 2018 – Continued consideration by City Council to discuss circulation needs. Staff directed to provide additional information on alternatives to mitigation measures for required traffic improvements;
- November 7, 2018 – City Council adopts resolutions making CEQA findings, adopting a Statement of Overriding Considerations, certifies the Addendum to the Miravale III Specific Plan EIR, adopts the Mitigation Monitoring and Reporting Program for the Miramonte Specific Plan and Vesting Tentative Map, approves the Miramonte Specific Plan and General Plan Amendment, adopts the Prezone Ordinance 718, and conditionally approves the Vesting Tentative Map;
- June 28, 2021 – LAFCO presents a report on Proposed and Anticipated City Growth in Soledad (regarding the proposed SOI/Reorganization);
- January 26, 2022 – Monterey County Board of Supervisors adopts Resolution No. 22-029 for the “Miramonte Reorganization” involving SOI/Reorganization of 647 acres and related detachments;
- February 16, 2022 – City Council adopts Resolution No. 5782, approving a property tax transfer for the proposed “Miramonte Reorganization” involving SOI/Reorganization of 647 acres and related detachments; and
- May 18, 2022 – City Council Adopts Resolution No. 5816, approving the City of Soledad Miramonte Agricultural Mitigation Plan

**e. Would this proposal result in inferior public services being provided to an area where there is a concentration of low-income or ethnic groups?**

No. There are no residents within the SOI/Reorganization area. The fiscal analysis and peer review conclude that payment of fees and collection of taxes and assessment will cover additional costs and result in a net benefit to the city's General Fund, so that services the city provides elsewhere will not be reduced in order to serve the project site.

**f. Are there any adjacent neighborhoods that might benefit from the agency's services that could be included in the proposal? If so, what are the demographics for this area and why were they excluded?**

The adjacent neighborhoods are already within the city limits and receive city services. Future development associated with the proposal would result in the provision of new elementary schools, increased recreational opportunities in plan area parks and open space, increased accessibility to commercial and professional uses, and a new police and/or fire substation. The adjacent neighborhoods that might benefit from the agency's services are located within the existing city limit of the City of Soledad and have already been evaluated and incorporated into the proposal.

**g. Please provide a listing of the members of the City Council or District Board of Directors for the subject agency, and include the gender and ethnicity of each member.**

The City Council Members at the time of approved entitlements consisted of: Fred J. Ledesma, Mayor (male); Alejandro Chavez, Mayor Pro Tempore (male); Anna Velazquez, Councilmember (female); Carla Strobridge Stewart, Councilmember (female); and Marisela Lara, Councilmember (female). The ethnicity of the City Council members accurately represents the general ethnicity of the city.

The current City Council Members are: Anna Velazquez, Mayor (female); Carla Strobridge, Mayor Pro Tempore (female); Ben Jimenez, Jr., Councilmember (male); Alejandro Chavez, Councilmember (male); and Marisela Lara, Councilmember (female). The ethnicity of the City Council members accurately represents the general ethnicity of the city.

**h. Are members elected or appointed? If elected, please note whether elections are by district or at-large.**

The City Council members are elected at-large

**i. How long is the term of office?**

Council members: Four (4) years

Mayor: Two (2) years



**j. How will the voting rights of persons in the affected territory be affected?**

There are no residents in the project site.

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## 12.0 Additional Information

### 12.1 Consent to Inclusion

There are no inhabitants on the SOI/Reorganization area. The property owners of the portions of parcels located west of San Vicente Road that would be affected by roadway realignment and right-of-way acquisition have been contacted by the city in response to comments received from them in 2018. The city has not received a response.

### 12.2 Indemnification Agreement

The required indemnification agreement is included as [Appendix M](#).

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## City Council Resolution of Application







## RESOLUTION NO. 5435

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLEDAD REQUESTING THAT THE MONTEREY COUNTY LOCAL AGENCY FORMATION COMMISSION (LAFCO) INITIATE PROCEEDINGS IN CONNECTION WITH REORGANIZATION, INCLUDING ANNEXATION, OF LAND RELATED TO THE MIRAMONTE SPECIFIC PLAN AREA AND INVOLVING APPROXIMATELY 647 ACRES WITHIN THREE EXPANSION AREAS, CONSISTENT WITH THE ADOPTED GENERAL PLAN**

**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, Northwest Expansion Areas, and the North Entry Commercial Specific Plan Area and Entry Commercial Expansion Area; and

**WHEREAS**, Soledad General Plan (Program 2.1) does direct the City to pursue an application to the Monterey County Local Agency Formation Commission 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**, the Monterey County Local Agency Formation Commission ("LAFCO") is the agency with jurisdiction over Sphere of Influence (SOI) amendments and reorganizations of boundaries within Monterey County; and

**WHEREAS**, the City Council of the City of Soledad requests that proceedings to apply to LAFCO for reorganization are initiated, including annexation of approximately 647 acres of property ("Subject Property") to the city as illustrated on a map prepared by the applicant's engineer consistent with the sphere boundary amendment shown in the Exhibit A of City Council Resolution 5434, incorporated herein by reference, and which property currently falls within the Mirassou, San Vicente West, Northwest Expansion Areas, and the North Entry Commercial Specific Plan Area and Entry Commercial Expansion Area 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**, on August 12, 2010, the Planning Commission, conducted a noticed public hearing to consider a recommendation to the City Council for initiating a SOI amendment request, and considered the Staff Report and oral report for this item; and

**WHEREAS**, the Planning Commission, through adoption of Resolution 2010-15, resolved to recommend that the City Council of the City of Soledad hold a public hearing and, thereupon, provide direction for preparation of a SOI amendment application to LAFCO, contingent upon the provision of adequate funding and application fees by the Miravale III project applicant; and

**WHEREAS**, notice of the public hearing on this resolution was given and published in the manner required by law and by the City, and the public hearing on this resolution was held on September 1, 2010 before the City Council; and

**WHEREAS**, the City of Soledad complied 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 Miravale III Specific Plan (SCN# 2006081129); and

**WHEREAS**, both adequately address the environmental effects of the proposed boundary change pursuant to CEQA; and

**WHEREAS**, prior to 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**, although the City Council adopted Resolution 4565 and directed City Staff to pursue a SOI amendment, applications were never filed with Monterey County LAFCO to request the amendment; and

**WHEREAS**, the Applicant for the Miravale III project resubmitted project applications on July 26, 2016, 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 of the City of Soledad finds that the principal reasons for the proposed reorganization of boundaries, including annexation to the City of Soledad, are as follows:

1. The City Council finds that the proposed reorganization (annexation) is consistent with and facilitates the fulfillment of the goals, policies and objectives set forth in the City of Soledad General Plan; and

2. The plan area and subject properties are proposed for future development pursuant to the 2005 Soledad General Plan, the General Plan Amendment and the Miramonte Specific Plan, all of which are incorporated herein by reference; and

3. 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 FEIR; and

4. The City Council finds that the request for a Sphere of Influence Amendment of this 647 acre territory, including the San Vicente Road corridor, 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

5. The City Council requests that the City of Soledad initiate an application to LAFCO amend the SOI boundary to include the subject properties and adjoining roadways and recognizes this action as a prerequisite to LAFCO Reorganization, including Annexation, of the territory; and

6. The City Council requests that the City of Soledad initiate consultation with Monterey County and LAFCO for the reorganization; and

7. The City Council finds that this Reorganization, including Annexation, will not create islands or other discontinuous parcels within the City, because the plan area and subject properties are contiguous with the existing City of Soledad limits; and

8. The City Staff and City Council request the preparation of a Miramonte Plan Area “Plan for Services” and “Fiscal Impact Analysis”, and to include these documents in any application submittal to LAFCO for a SOI amendment and Reorganization, including Annexation, of the Miramonte Plan Area; and

9. The City Council has approved the Pre-zoning of the Miramonte Plan Area through Ordinance 718 and subject properties; and

10. The City Council further finds that this LAFCO Reorganization/Annexation will promote the general health, safety and welfare of the community; and

**WHEREAS**, it is found by City Staff and the City Council 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 Planning Commission and City Council members held a joint duly noticed public workshop 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**, the City of Soledad City Council adopted the Addendum and Mitigation Monitoring and Reporting Program for the 2010 certified Miravale III FEIR through Resolution 5431

and Resolution 5432; and

**WHEREAS**, notice of time and place of hearing for the City Council's deliberations regarding the request to LAFCO to reorganize and annex territory was given in the manner prescribed by law and by the City; and

**WHEREAS**, the City Council, at public hearings on August 28, 2018, October 23, 2018 and November 7, 2018 considered the Reorganization (Annexation), 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, attached to the SOI Amendment Resolution and incorporated herein by reference, and requests the initiation of LAFCO proceedings to reorganize boundaries, including annexation of the territory identified as the Miramonte Specific Plan Area and subject properties.

**NOW, THEREFORE BE IT RESOLVED** that the City Council of the City of Soledad requests the initiation of LAFCO proceedings to reorganize boundaries and annex lands to the City of Soledad known as Miramonte Specific Plan Area 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 that 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 Reorganization, including Annexation, have been balanced against the benefits of the Miramonte Specific Plan; and

5. Finds that, after reviewing the Record of Proceedings, findings supported by evidence in the record provide cause for the City Council to approve a request for the Reorganization (Annexation); and

6. That this Resolution of Application is hereby adopted by the City Council, and the Local Agency Formation Commission of Monterey County is hereby requested to initiate proceedings to Reorganize boundaries and Annex the plan area and subject properties to the City of Soledad; and

7. The City Council, as supporting evidence, hereby requests the submission of a

“Plan for Services” and “Fiscal Impact Analysis” to LAFCO with the City’s request for a SOI Amendment and Reorganization, including Annexation, of the Miramonte Plan Area and subject properties.

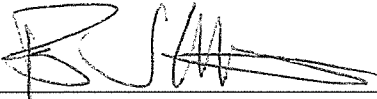
**PASSED AND ADOPTED** this 7<sup>th</sup> day of November, 2018, by the City Council of Soledad, by the following vote:

**AYES**, and in favor thereof, Councilmembers: Christopher Bourke, Mayor Fred Ledesma, Mayor Pro Tem Alejandro Chavez and Carla Stewart

NOES, Councilmembers: Velazquez

ABSENT, Councilmembers: None

ABSTAIN, Councilmembers: None

  
\_\_\_\_\_  
FRED J. LEDESMA, Mayor

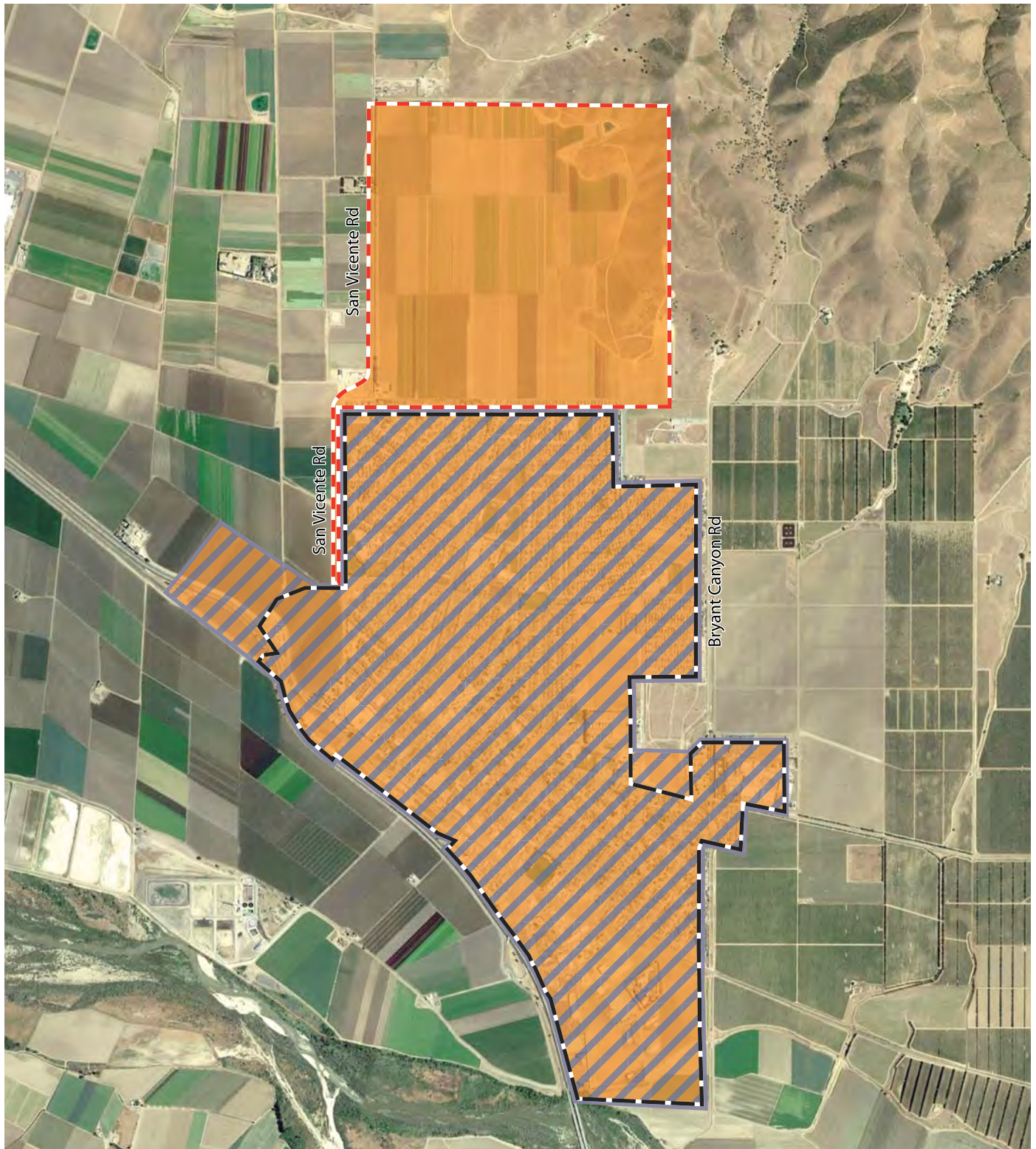
ATTEST:



\_\_\_\_\_  
Michael McHatten, City Clerk







 Existing Sphere of Influence
  Proposed Sphere of Influence
  MM-SP
  Existing City Limits

Source: Esri 2017

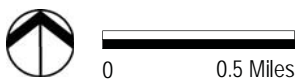


Exhibit A

# Sphere of Influence Amendment Map

City Council Resolutions for Miramonte I



## **RESOLUTION NO. 5434**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLEDAD REQUESTING THE INITIATION OF MONTEREY COUNTY LOCAL AGENCY FORMATION COMMISSION (LAFCO) PROCEEDINGS IN CONNECTION WITH A SPHERE OF INFLUENCE AMENDMENT, RELATED TO THE MIRAMONTE SPECIFIC PLAN AREA AND INVOLVING APPROXIMATELY 647 ACRES WITHIN THREE EXPANSION AREAS, CONSISTENT WITH THE ADOPTED GENERAL PLAN**

**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, Northwest Expansion Areas, and the North Entry Commercial Specific Plan Area and Entry Commercial Expansion Area; and

**WHEREAS**, Soledad General Plan (Program 2.1) does direct the City to pursue an application to the Monterey County Local Agency Formation Commission 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**, the Monterey County Local Agency Formation Commission ("LAFCO") is the agency with jurisdiction over SOI amendments within Monterey County; and

**WHEREAS**, through the adoption of Resolution 2018-04, the Planning Commission recommended that the City Council of the City of Soledad initiate proceedings to apply to LAFCO for an amendment to its SOI to include approximately 647 acres of property ("Subject Property") to the city as illustrated in Exhibit A, which property currently falls within the Mirassou, San Vicente West, Northwest Expansion Areas, and the North Entry Commercial Specific Plan Area and Entry Commercial Expansion Area 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**, on August 12, 2010, the Planning Commission, conducted a noticed public hearing to consider a recommendation to the City Council for initiating a SOI amendment request, and considered the Staff Report and oral report for this item; and

**WHEREAS**, the Planning Commission, through adoption of Resolution 2010-15, resolved to recommend that the City Council of the City of Soledad hold a public hearing and, thereupon, provide direction for preparation of a SOI amendment application to LAFCO, contingent

upon the provision of adequate funding and application fees by the Miravale III project applicant; and

**WHEREAS**, notice of the public hearing on Resolution 2010-15 was given and published in the manner required by law and by the City, and the public hearing on this resolution was held on September 1, 2010 before the City Council; and

**WHEREAS**, the City of Soledad complied 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 Miravale III Specific Plan (SCN# 2006081129); and

**WHEREAS**, both adequately address the environmental effects of the proposed boundary change pursuant to CEQA; and

**WHEREAS**, prior to 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**, although the City Council adopted Resolution 4565 and directed City Staff to pursue a SOI amendment, applications were never filed with Monterey County LAFCO to request the amendment; and

**WHEREAS**, the Applicant for the Miravale III project resubmitted project applications on July 26, 2016, 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 of the City of Soledad finds that the principal reasons for the proposed SOI boundary change are as follows:

1. The City Council finds that the proposed Sphere of Influence amendment is consistent with and facilitates the fulfillment of the goals, policies and objectives set forth in the City of Soledad General Plan; and
2. The plan area and associated properties are proposed for future development pursuant to the 2005 Soledad General Plan and the Miramonte Specific Plan; and
3. 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; and
4. The City Council finds that the request for a Sphere of Influence Amendment

of this 647 acre territory, including the San Vicente Road corridor, and as illustrated in Exhibit A 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

5. The City Council finds and recognizes that an amendment to the SOI boundary to include the subject parcels and adjoining roadways is a prerequisite to LAFCO annexation of the territory; and

6. The City Council finds that the City of Soledad shall initiate consultation with Monterey County and LAFCO for the SOI amendment, as illustrated in Exhibit A attached hereto and incorporated herein by reference; and

7. The City Council finds that this SOI amendment will not create islands or other discontinuous parcels within the City, because the plan area and subject properties are contiguous with the existing City of Soledad limits; and

8. The City Council further finds that this SOI amendment will promote the general health, safety and welfare of the community; and

**WHEREAS**, it was determined by City Staff and City Council that due to the reduction in size of the project boundary (by 273 acres) and density (by 5,489 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 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**, the City of Soledad City Council adopted the Addendum and Mitigation Monitoring and Reporting Program for the 2010 certified Miravale III FEIR through Resolution 5431 and Resolution 5432; and

**WHEREAS**, notice of time and place of hearing for the City Council’s deliberations regarding amendment to the City’s SOI was given in the manner prescribed by law and by the City; and

**WHEREAS**, the City Council of the City of Soledad at public hearings held August 28, 2018, October 23, 2018 and November 7, 2018 considered the amendment to the City’s SOI, 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 Findings pursuant to City Council Resolution No. 5431, incorporated herein by reference, and requests initiation of proceedings to amend the City’s SOI boundary to include the Miramonte Specific Plan Area and subject properties (Exhibit A).

**NOW, THEREFORE BE IT RESOLVED** that the City Council of the City of Soledad requests initiation of LAFCO proceedings for a SOI Amendment to include the Miramonte Specific Plan Area and subject properties 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

2. That the City Council recommends that the Local Agency Formation Commission of Monterey County, based on the findings and evidence incorporated herein, initiate proceedings to amend the City of Soledad SOI boundary to include the plan area and subject properties as illustrated in Exhibit A; and

3. The City Council directs City Staff to prepare all such documents as may be required to facilitate the SOI amendment application in the following manner:

a) City Staff will prepare, or have prepared, the LAFCO application, SOI Amendment map, Plan for Services and updated Fiscal Impact Analysis. All work related to the LAFCO application, SOI amendment map, Plan for Services and updated Fiscal Impact Analysis shall be undertaken at the applicant's expense; and

b) The applicant shall deposit funds with the City in an amount sufficient to allow for completion of the SOI application, LAFCO application fees, and the preparation of an updated Fiscal Analysis and Plan for Services that conforms with City infrastructure and public facility master plan requirements and meets LAFCO standards.

**PASSED AND ADOPTED** this 7<sup>th</sup> day of November, 2018, by the City Council of Soledad, by the following vote:

**AYES**, and in favor thereof, Councilmembers: Christopher Bourke, Carla Stewart, Mayor Pro Tem Alejandro Chavez and Mayor Fred Ledesma

NOES, Councilmembers: Velazquez

ABSENT, Councilmembers: None

ABSTAIN, Councilmembers: None

  
FRED J. LEDESMA, Mayor Chairman

ATTEST:

  
MICHAEL MCHATTEN, City Clerk

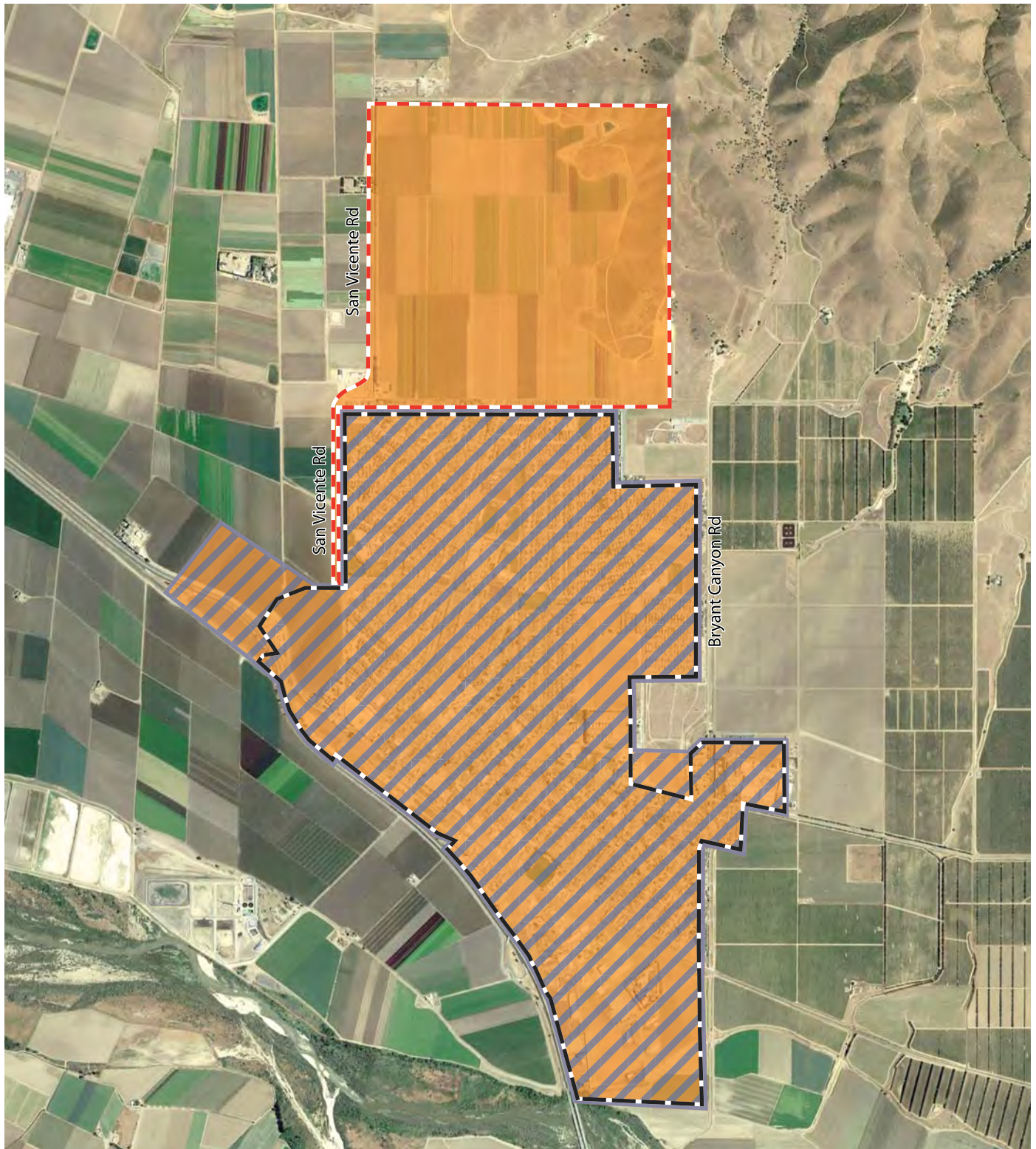


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## **EXHIBIT A**

### **SPHERE OF INFLUENCE AMENDMENT MAP**

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 Existing Sphere of Influence
  Proposed Sphere of Influence
  MM-SP
  Existing City Limits

Source: Esri 2017

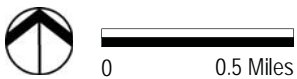


Exhibit A

# Sphere of Influence Amendment Map

City Council Resolutions for Miramonte I

## Application Checklists

B  
APPENDIX



KATE McKENNA, AICP  
Executive Officer

## LAFCO Application Checklist City of Soledad Sphere of Influence and Reorganization

Please submit two paper copies of all required materials, plus a digital submittal (via email attachment, CD-ROM, or USB thumb drive) of all materials.

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1. ✓ City Council Resolution of Application to LAFCO (only required if annexation is proposed)
2. ✓ Written Request for LAFCO Action: Please include a letter to request the specific action, briefly outlining the reasons for the action.
3. ✓ Application Form: This form provides a description of the proposal and supporting statements detailing the proposal's conformance to state law and LAFCO's locally adopted policies and procedures.
4. ✓ "Responses to Sphere of Influence Policies and Criteria" Attachment: Please complete and submit this form, which provides a description of the proposal and supporting statements detailing the proposal's conformance to state law and LAFCO's locally adopted policies and procedures for Sphere of Influence amendments.
5. ✓ Plan for Providing Services: Please submit a description of the services to be provided, financing, capacity of existing systems, and other related information, using the provided "Plan for Providing Services" attachment as a basis for your submittal. (*Applicable only if an annexation is also being proposed at this time*)
6. ✓ Responses to City-Related LAFCO Policies. Please refer to the attachments for details of each of these policies.
  - ✓ Efficient Urban Development Patterns / Housing & Jobs
  - ✓ Preservation of Open Space & Agricultural Lands

7. ☒ **Map and Legal Description:**  
The map must conform to State Board of Equalization requirements as outlined in the State Board's "*Change of Jurisdictional Boundary: Requirements for Statements, Geographic Descriptions, Maps and Fees.*" Map(s) should be no larger than 11x17. (These requirements only apply to annexation. If an SOI amendment "only" is being proposed, a simple map is adequate).
8. ☒ **Environmental Clearance Documentation:** Please submit one paper copy and a digital version of the EIR addendum, plus a digital version or a link to the **original** EIR.
9. ☒ **Property Tax Transfer Agreement:** A property tax transfer agreement, approved by both the City Council and the County Board of Supervisors, must be received before LAFCO can determine the application to be complete. (Applicable only if an annexation is also being proposed)
10. ☒ **Ordinance Designating Pre-Zoning of Affected Property:** For city annexations, please submit a pre-zoning ordinance adopted by the City Council. (Applicable only if annexation is proposed)
11. ☐ **Consent to Inclusion of Property (optional):** While not required, completion of this form would confirm consent of the property owners to a boundary change proposal, and may waive the need for a protest hearing. (Applicable only if annexation is proposed)
12. ☒ **LAFCO Processing and Filing Fees:** One check made out to LAFCO for processing in accordance with LAFCO fee schedule. If the proposal is not exempt from CEQA, the State Department of Fish and Game (DFG) requires an environmental review fee to be submitted with the Notice of Determination unless verification can be provided that this fee has already been paid. In addition, the State Board of Equalization (BOE) requires a filing fee. The BOE and DFG fees will be a condition of approval and must be forwarded to LAFCO before the annexation can be recorded with the County.
13. ☒ **Public Notice Requirements** – No action needed. LAFCO staff will work with the County to identify the landowners and registered voters who must be notified of the SOI amendment and annexation (if applicable), as we did in October 2017 for the Summerfield project.



# LAFCO of Monterey County

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## LOCAL AGENCY FORMATION COMMISSION OF MONTEREY COUNTY

March 31, 2020, via email

Brent Slama, Community and Economic Development Director  
City of Soledad

Brent,

LAFCO received the application for this proposal on March 2. Our 30-day completeness review is provided below. As always, please feel free to contact me at [mcbaind@monterey.lafco.ca.gov](mailto:mcbaind@monterey.lafco.ca.gov) or 754-5438 if you have any questions.

1. **Agency comments:** To date, LAFCO has received a comment letter from the Soledad Unified School District. The Monterey County Water Resources Agency staff indicated they have no comments. LAFCO has requested input from other nearby public agencies, primarily including the County of Monterey Resource Management Agency and Agricultural Commissioner, the Mission Soledad Rural Fire Protection District, Cal Fire, the Soledad-Mission Recreation District, the Salinas Valley Basin Groundwater Sustainability Agency, and the Soledad Cemetery District. We have not yet received comments from these agencies. We will forward along to you any comments we receive.

### 2. Application completeness

This application is currently incomplete, as detailed below. When these items have been satisfactorily addressed, LAFCO staff will issue a Notice of Filing and the application can proceed to a public hearing before the Commission.

- **Specific agricultural mitigation and agricultural buffer proposal:** The annexation application did not include a specific proposal for offsetting the future development's impacts on agricultural lands (ag mitigation) and providing long-term physical separation to reduce potential land-use conflicts between the new development and remaining agricultural operations in the nearby area (ag buffering). The application suggests that decisions on these matters should be deferred to the City's final map process, after the site has been annexed. However, LAFCO's adopted policy and consistent past practice for all City annexation proposals is that the City must identify a specific ag mitigation plan, as well as details of the proposed ag buffers now, as part of the annexation proposal, as an essential element for our Commission's consideration.<sup>1</sup> Please be aware that a 200-foot buffer, rather than the 100 feet referenced in the application, has typically been considered the appropriate minimum for a permanent ag buffer.
- **Property tax transfer agreement:** Pursuant to State law (Revenue and Taxation Code Section 99), both the Board of Supervisors and the City Council must approve a property tax transfer agreement before LAFCO can determine an annexation proposal to be complete.
- **Annexation map and geographic description:** Please submit a map and accompanying text for the entire proposed annexation area. The map and text must conform to the State BOE's requirements (previously provided).

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<sup>1</sup> "A Proposal must discuss how it balances the state interest in the preservation of open space and prime agricultural lands against the need for orderly development. (Government Code section 56001.) *Proposals that fail to discuss this balance, in the opinion of the executive officer, will be deemed incomplete.* Proposals may be denied if they fail to demonstrate to the satisfaction of LAFCO that the need for orderly development is balanced against the preservation of open space and prime agricultural lands." (LAFCO of Monterey County Policies and Procedures as adopted on February 25, 2013, p. 38, emphasis added).

- **Plan for services:** State law (Government Code section 56653.b) requires specific responses to items 1 through 5, previously provided and restated below. Please use information in the City's specific plan or other documents to briefly summarize and respond to these items.
  - (1) An enumeration and description of the services currently provided or to be extended to the affected territory.
  - (2) The level and range of those services.
  - (3) An indication of when those services can feasibly be extended to the affected territory, if new services are proposed.
  - (4) An indication of any improvement or upgrading of structures, roads, sewer or water facilities, or other conditions the local agency would impose or require within the affected territory if the change of organization or reorganization is completed.
  - (5) Information with respect to how those services will be financed.
- **Municipal service review:** LAFCO must approve a new MSR prior to amending a City's Sphere of Influence, per Government Code section 56430. Staff has begun drafting the MSR and will reach out to the City for input. The Commission will be able to consider the MSR, the sphere amendment, and annexation at one public hearing.

### 3. Other matters not affecting application completeness, but relevant to LAFCO staff's evaluation of the proposal

- Potential phased annexation approvals:** Annexation is generally appropriate for lands that have an expected buildout of approximately five to seven years.<sup>2</sup> Lands with a longer expected buildout (five to twenty years) are appropriate for being placed with the sphere of influence and designated as an urban transition area until such time as development becomes more imminent.<sup>3</sup> The current application anticipates buildout to occur within ten to twenty years in multiple phases, although it does not appear to offer any data or analysis (for example, recent annual construction/absorption of new residential units) to support this projection. Under these circumstances, a phased annexation approach, beginning with annexing only the subareas most likely to be built in the near term, appears to be logical and supportable.
- Financial feasibility of the proposed development:** LAFCO has a statutory role in helping to ensure that new development is economically feasible.<sup>4</sup> Based on information in the application, the feasibility of this project appears to rely on establishment of a community facilities district that has not yet been quantified, and/or the success of the project's neighborhood-serving commercial component. Feasibility will also depend on the costs of providing major infrastructure upgrades. It is unclear whether the costs of the necessary public improvements have been quantified.
- Groundwater:** LAFCO has a statutory and policy interest in minimizing overdraft in the Salinas Valley groundwater basin. This proposal's compatibility with the plans prepared by the Salinas Valley Basin Groundwater Sustainability Agency pursuant to the Sustainable Groundwater

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<sup>2</sup> "LAFCO, in furtherance of its objectives of preserving prime agricultural land, containing urban sprawl, and in providing a reasonable assurance of a city/district's ability to provide services shall consider the appropriateness of phasing annexation proposals which include territory that is not within a city/district's urban service area and *has an expected build-out over a period longer than five to seven years.*" (LAFCO of Monterey County Policies and Procedures, p. 31, emphasis added).

<sup>3</sup> An urban transition area is an "area within the Sphere of Influence of a city or an urban service district which is not programmed for urban facilities or utility extensions within the next five years. This area will most likely be used for urban expansion within approximately five to twenty years." (LAFCO of Monterey Co. Policies and Procedures, p. 8).

<sup>4</sup> Among other considerations, State Law specifies that LAFCO must consider "the ability of the newly formed or receiving entity to provide the services that are the subject of the application to the area, *including the sufficiency of revenues for those services following the proposed boundary change.*" (Government Code section 56668, emphasis added).

Management Act will be an important consideration for future discussions prior to the Commission's consideration of this proposal.

- d. **Jobs and housing policy** (LAFCO Policies and Procedures, Part F): The application included only a brief description of the proposal's conformance to the policy, particularly the provision that "Additionally, the Proposal must demonstrate how its pattern of land use and transportation complements local and regional objectives and goals for the improvement of air quality and reduction of greenhouse gas (GHG) emissions and local vehicle miles traveled (VMT)." Further detail would benefit our evaluation and eventual recommendations. As a suggestion, the greenhouse gas emissions reduction plan (referred to in application attachment D as a required condition of map approval) could possibly be performed – or outlined in preliminary form – now.
- e. **Proposed annexation of lands to remain as open space:** The proposed sphere amendment and annexation appears to include approximately 140 acres of hillside open space, located above the 400-foot elevation contour, intended to remain in open-space uses in perpetuity. The application provides a rationale why these subareas are included in the proposal. However, unless there are compelling reasons for needing City services, it may be more appropriate to retain these acres in the unincorporated county.<sup>5</sup>
- f. **School district concerns:** Please refer to the attached comment letter from the Soledad Unified School District. Note: Timely availability of school facilities and related issues prompted the Santa Rita Union School District to file litigation against the City of Salinas in January 2020, related to development of a specific plan in northern Salinas.

Thank you for your submittal to LAFCO. Please keep in mind this application completeness review is not a final assessment of the proposal's conformance to State statutory mandates and locally adopted policies. We look forward to working with the City to receive additional information that will assist in our review of this proposal.

Very sincerely yours –

/s/ Darren McBain  
Principal Analyst

CC: Sally Rideout and Shoshana Wangerin, EMC Planning Group

Attachment: Soledad Unified School District letter dated March 19, 2020

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<sup>5</sup> "Territory not in need of urban services, including open space, agriculture, recreational, rural lands or residential rural areas, shall not be assigned to an agency's Sphere of Influence unless the area's exclusion would impede the planned, orderly and efficient development of an area." (LAFCO of Monterey County Policies and Procedures, p. 13).





# LAFCO *of Monterey County*

## LOCAL AGENCY FORMATION COMMISSION OF MONTEREY COUNTY

**2021**

**Commissioners**

**Chair**

Christopher Lopez  
*County Member*

**Vice Chair**

Mary Ann Leffel  
*Special District Member*

Luis Alejo  
*County Member*

Wendy Root Askew  
*County Member, Alternate*

Kimbley Craig  
*City Member*

Matt Gourley  
*Public Member*

Ian Oglesby  
*City Member*

Warren Poitras  
*Special District Member*

Steve Snodgrass  
*Public Member, Alternate*

Graig R. Stephens  
*Special District Member, Alternate*

Anna Velazquez  
*City Member, Alternate*

**Counsel**

Kelly L. Donlon  
*General Counsel*

**Executive Officer**

Kate McKenna, AICP

132 W. Gabilan Street, #102  
Salinas, CA 93901

P. O. Box 1369  
Salinas, CA 93902

Voice: 831-754-5838

[www.monterey.lafco.ca.gov](http://www.monterey.lafco.ca.gov)

September 1, 2021

Brent Slama, City Manager  
City of Soledad  
248 Main Street  
Soledad, CA 93960  
*Via email*

Dear Brent,

Thank you for meeting with LAFCO staff on August 12 to discuss the status of the City's second submittal of the Miramonte Sphere of Influence amendment/reorganization application on July 22. The submittal was in response to LAFCO's letter of March 31, 2020. That letter outlined items needed to complete the original application received in March 2020, and other matters that will assist in staff's review of the application.

We discussed that the City's application remains in incomplete status for reasons listed in our original letter. The group discussed in detail the considerable progress being made to address incomplete items. We also discussed other matters such as removing application references to a "Specific Plan." Our understanding is that the City and its development team will provide an updated application to LAFCO in coming months, including a pending revision of the plan for services and a detailed transmittal letter. After the August 12 meeting, the property owner contacted me to discuss agricultural conservation easements, and I appreciate that you met with County staff to discuss the property tax transfer agreement.

In addition to the meeting discussion topics, please note that the annexation map and geographic description included in the second submittal do not appear to conform to the State Board of Equalization requirements. Our staff can assist with any questions about conformance.

Again, thank you for your second submittal and for meeting with us. LAFCO staff will welcome opportunities to assist you and your team, including participation in meetings with the County of Monterey, school district and other stakeholders to address the outstanding items. This application completeness review is not a final assessment of the proposal's conformance to State mandates and locally adopted policies, but we are committed to maintaining open, productive communication and supporting the goals of the City of Soledad. I can be reached directly by cell at (831)682-0157 or by email at [mckennak@monterey.lafco.ca.gov](mailto:mckennak@monterey.lafco.ca.gov).

Sincerely,

A handwritten signature in blue ink that reads "Kate McKenna".

Kate McKenna, AICP  
Executive Officer



KATE McKENNA, AICP  
Executive Officer

## BEFORE YOU APPLY: RECOMMENDED PRE-APPLICATION STEPS

- For all proposals - Pre-application meeting: Attend a meeting with LAFCO staff to discuss the proposal prior to completing the application forms. (a meeting was held on January 9, 2019, but we would be happy to meet again)

- Sphere of Influence amendments

**Preliminary Sphere of Influence Review:** It is often beneficial for a city or special district be able to make an informal presentation to the Commission at a public meeting, and receive preliminary feedback and guidance from the Commission, before initiating a formal application process. Such actions could include when a city is considering an update to a City's general plan, or in preparation for a formal application for a change to a Sphere of Influence. Preliminary guidance may assist the local agency in the timely and efficient completion of the actions for which such preliminary guidance is appropriate. Preliminary guidance need not result in a comprehensive review or study. Any local agency may request a Preliminary Review of its Sphere of Influence by providing a written request to the Executive Officer. Prior to determining that a Preliminary Review is appropriate, the LAFCO Executive Officer will confer informally with the local agency. (Not expected in this instance. LAFCO staff has kept our commission informed this year about this potential proposal, and will be providing another brief update at the Dec. 9 regular meeting, if any City reps would like to attend).

**Municipal Service Review determination:** For any request that requires a major Sphere of Influence amendment, an applicant may need to coordinate with LAFCO on the preparation of a municipal services review. The study will examine all services provided in the area affected by the proposal, and determine the most feasible way of providing services. The report will be based on the Commission's process and the Municipal Service Review Guidelines prepared by the State Office of Planning and Research. The Commission must make certain determinations in accordance with the law regarding services before approving the Sphere of Influence amendment. (LAFCO staff will begin an MSR update, and will share an administrative draft with the City)

**(For Cities) - Intergovernmental Coordination:** Government Code Section 56425 requires a City-County consultation meeting prior to submittal of the application to LAFCO. Any agreement that is reached will be given great weight by the Commission if it is consistent with LAFCO policies. Please plan for early agency coordination, with a goal of ultimately reaching a written City-County agreement as a result of that consultation process. The agreement should address LAFCO's mandate to preserve agricultural land, discourage urban sprawl, and encourage the orderly growth in government agencies, and should include a discussion of policies on regional transportation impacts and efficient development patterns. (The 2016 MOA constitutes the required consultation, unless any changes since 2016 would necessitate an update/amendment to the MOA)

- Annexations, Consolidations, and other boundary changes:
  - Consultation with Affected Agencies: Cities are encouraged to consult with affected special districts to ensure that an annexation will not adversely affect the districts' ability to continue to provide services outside of the proposed annexation area.



- **Property Tax Transfer Agreement:** A property tax transfer agreement, approved by both the City Council (or District board) and the County Board of Supervisors, must be received before LAFCO can determine the application to be complete. This process may require several months to complete. Applicants are encouraged to contact Nick Chiulos, Assistant County Administrative Officer (755-5145) to initiate a discussion with the County. (Required for annexations, though not for the SOI amendment)

## Pre-application Information and Consult





KATE McKENNA, AICP  
Executive Officer

## BEFORE YOU APPLY: RECOMMENDED PRE-APPLICATION STEPS

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# Pre-application Meeting Summary

## Previous Pre-application Meeting and Consultation

### March 15, 2016

The City and County enter into a Memorandum of Agreement (2016 MOA) for intergovernmental coordination to “work cooperatively on common planning, growth and development issues in order to be as effective as possible in the implementation of their respective general plans.”

### January 9, 2019

The following items were discussed with LAFCO staff:

- City approval of the Miramonte Specific Plan area and intent to submit an application for a Sphere of Influence amendment and Reorganization of the area; and
- Phased Annexation.

### February 5, 2020

The following items were discussed with LAFCO staff by teleconference call:

- Roles and responsibilities of all involved parties including LAFCO, the City of Soledad, the County of Monterey, etc.;
- Process steps and project processing timeline; and
- Technical inputs needed for the application.

### March 2, 2020

LAFCO receives application request and forwards comments to the following agencies:

- Soledad Unified School District;
- Monterey County Water Resources Agency;
- County of Monterey Resource Management Agency and Agricultural Commissioner;
- Mission Soledad Rural Fire Protection District;
- Cal Fire; Soledad-Mission Recreation District;
- Salinas Valley Basin Groundwater Sustainability Agency, and
- Soledad Cemetery District.

## August 20, 2020

The following items were discussed with LAFCO staff:

- 2016 MOA agricultural policies;
- City agricultural land protection policies and programs;
- LAFCO agricultural preservation policy; and
- Agricultural in-lieu fees and conservation easement approaches.

## February 17, 2021

City consultant discusses buffers and conservation easement policy and concerns with Agricultural Commissioner staff as part of general conversation for another project.

## July 22, 2021

Second application submittal received by LAFCO.

## August 12, 2021

The following issues were discussed with LAFCO staff:

- Removing application references to a “Specific Plan”;
- Master Tax Transfer Agreement and the Soledad/County of Monterey 2016 MOA;
- Agricultural impacts and actions being taken by the project applicant to address impacts on agricultural land;
- City agricultural land protection policies and programs;
- LAFCO agricultural preservation policy; and
- City/County consultation process.

## January 25, 2022

County of Monterey Board of Supervisors approves Tax Share Agreement.

## February 16, 2022

City of Soledad City Council approves Tax Share Agreement.

## June 9, 2022

The following issues were discussed with LAFCO staff:

- Application Submittal Requirements Review;
- Checklist and Staff Comments (Incompleteness 1&2);



- Application Completeness Materials;
  - Agricultural Mitigation Plan;
  - Plan for Services;
    - ◆ Circulation and Utility Master Plans;
  - Tax Share Agreement;
- Additional Materials;
  - SUSD Comment Resolution;
  - Fiscal Analysis and Financing Overview;
  - Consistency Analysis with MOA;
  - Indemnification Agreement; and
- Anticipated Hearing Date.

## Outstanding Items

The City of Soledad is not aware of any outstanding items.

## Other Agencies Affected by the Proposal

- Monterey County;
  - Resource Conservation District;
- Mission-Soledad Rural Fire Protection District;
- Soledad Mission Recreation District;
- Soledad Cemetery District; and
- Soledad Unified School District.

*This side intentionally left blank.*

## Base Map and Legal Description





**"EXHIBIT A"**  
**LEGAL DESCRIPTION AREA OF ANNEXATION**

All that real property situated in the County of Monterey, State of California, being all of "Section 16" of Township 1 South, Range 06 East, Mount Diablo Baseline and Meridian and a portion of "Rancho San Vicente" being more particularly described as follows

**Beginning** at the northeast corner of said "Section 16", also being the northeast corner of "Parcel 2" as shown on the Record of Survey filed June 29, 1995 in Volume 19 of Surveys Page 76, Records of Monterey County, California; thence along the east line of said "Parcel 2" and "Parcel 3" as shown on said Record of Survey,

Course 1. South 00°07'56" East, a distance of 5,236.63 feet to the southeast corner of said "Section 16" and the southeast corner of said "Parcel 3" as shown on said Record of Survey; thence along the south line of said "Parcel 3" as shown on said Record of Survey,

Course 2. North 89°52'11" West, a distance of 3,035.11 feet; thence continuing along said south line of "Parcel 3" as shown on said Record of Survey,

Course 3. North 89°53'30" West, a distance of 2,254.67 feet to the east line of San Vicente Road as shown on the Right-Of-Way Map filed August 25, 1971 in Book O of Right-Of-Way Maps, at page 2379, records of Monterey County, California; thence along said east line of San Vicente Road,

Course 4. South 00°04'37" West, a distance of 40.00 feet to the south line of said San Vicente Road; thence along said south line of San Vicente Road,

Course 5. North 89°55'32" West, a distance of 501.80 feet to a point on the east line of said San Vicente Road; thence along said east line of said San Vicente Road,

Course 6. South 00°12'51" East, a distance of 778.05 feet; thence continuing along said east line of San Vicente Road,

Course 7. South 69°40'13" East, a distance of 10.68 feet; thence continuing along said east line of San Vicente Road,

Course 8. South 00°12'51" East, a distance of 1,373.78 feet; thence continuing along said east line of San Vicente Road,

Course 9. South 89°47'09" West, a distance of 10.00 feet; thence continuing along said east line of San Vicente Road,

Course 10. South 00°12'51" East, a distance of 882.29 feet; thence continuing along said east line of San Vicente Road,

Course 11. North 89°47'09" East, a distance of 10.00 feet; thence continuing along said east line of San Vicente Road,

Course 12. South 45°12'44" East, a distance of 28.29 feet; thence continuing along said east line of San Vicente Road,

Course 13. South 00°12'40" East, a distance of 3.88 feet to the north line of Gabilan Drive; thence along said north line,

Course 14. South 89°47'20" West, a distance of 110.00 feet to the west line of San Vicente Road; thence along said west line,

Course 15. North 00°12'51" West, a distance of 2,961.74 feet to the beginning of a tangent curve to the right having a radius of 1,040 feet; thence leaving said west line,

Course 16. northerly along said curve, through a central angle of 29°38'43"; a distance of 538.10 feet; thence,

Course 17. North 29°25'52" East, a distance of 655.35 feet to the beginning of a tangent curve to the left having a radius of 960.00 feet; thence

Course 18. northerly along said curve, through a central angle of 29°29'09" a distance of 494.04 feet to a point on the west line of San Vicente Road; thence along said west line of San Vicente Road,

Course 19. North 00°03'17" West, a distance of 3,866.96 feet to a point being the intersection of said west line of San Vicente Road, and the elongation of the north line of said "Parcel 1" and "Parcel 2" as shown on said Record of Survey; thence along said elongation and the north line of said "Parcel 1" and "Parcel 2" as shown on said Record of Survey,

Course 20. South 89°20'50" East, a distance of 5,283.08 feet to the **Point of Beginning**.

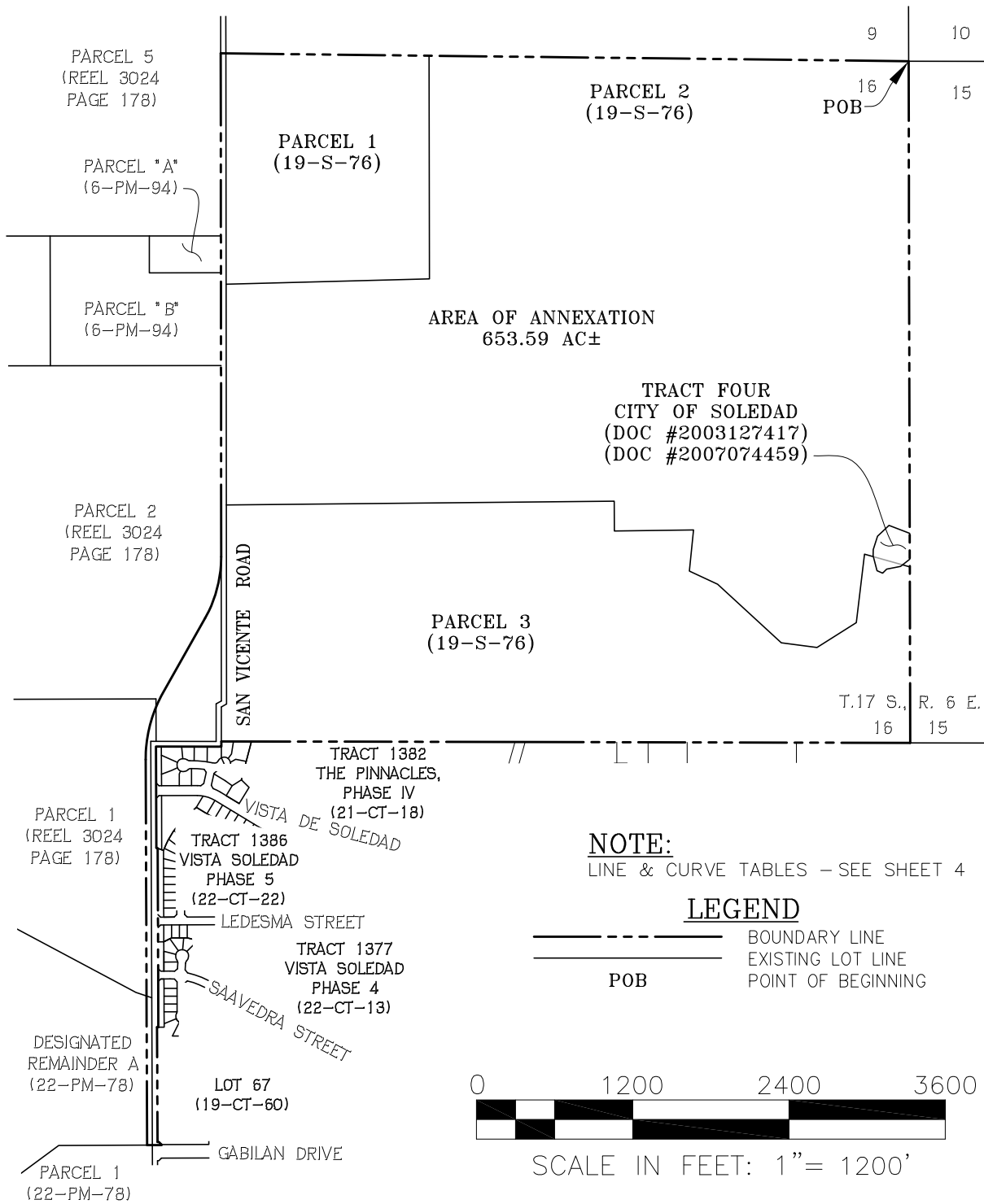
Containing 653.59 acres, more or less.

As shown on "Exhibit B", attached hereto and made a part hereof.

END OF DESCRIPTION.

This description was prepared by me or under my direction pursuant to the requirements of the Professional Land Surveyor's Act.

\_\_\_\_\_  
Bryan Pierce, PLS 8859      Date



## "EXHIBIT B"

BEING ALL OF "SECTION 16" OF TOWNSHIP 1 SOUTH, RANGE 06 EAST, MOUNT  
DIABLO BASELINE AND MERIDIAN AND A PORTION OF "RANCHO SAN VICENTE"  
SITUATED IN THE COUNTY OF MONTEREY, STATE OF CALIFORNIA.

SHEET 1 OF 4



**RUGGERI-JENSEN-AZAR**

ENGINEERS • PLANNERS • SURVEYORS

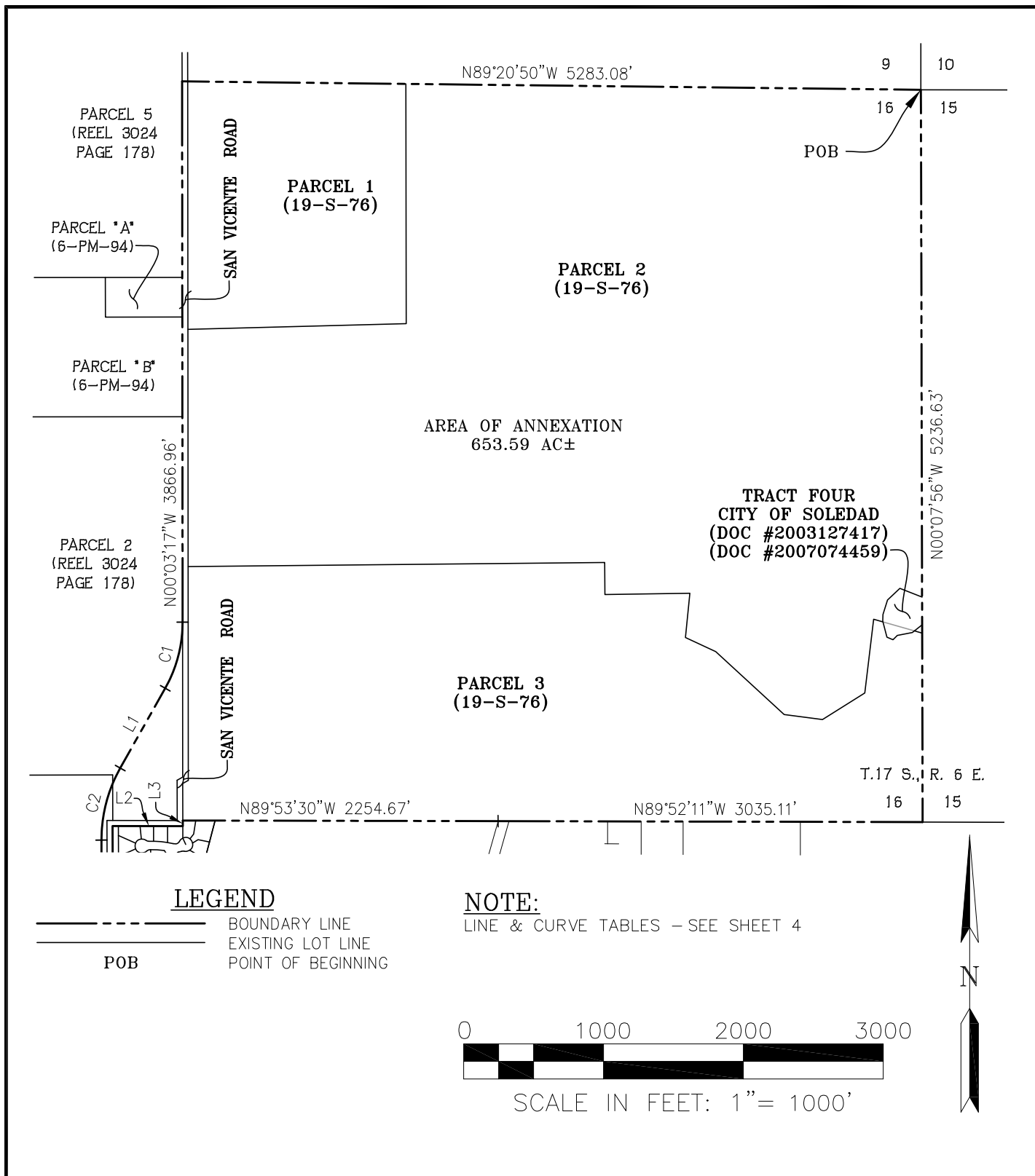
8055 CAMINO ARROYO GILROY, CA 95020  
PHONE: (408) 848-0300 FAX: (408) 848-0302

SCALE:  
1" = 1200'

DATE:  
09/17/2021

JOB NO.:  
202015





## "EXHIBIT B"

BEING ALL OF "SECTION 16" OF TOWNSHIP 1 SOUTH, RANGE 06 EAST, MOUNT DIABLO BASELINE AND MERIDIAN AND A PORTION OF "RANCHO SAN VICENTE" SITUATED IN THE COUNTY OF MONTEREY, STATE OF CALIFORNIA.

SHEET 2 OF 4



**RUGGERI-JENSEN-AZAR**

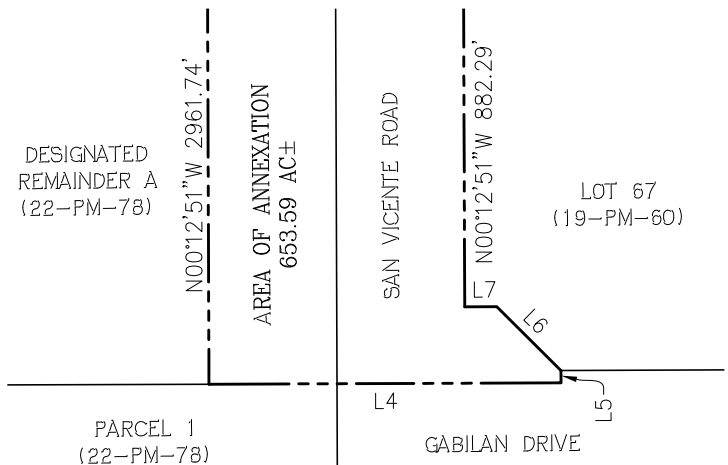
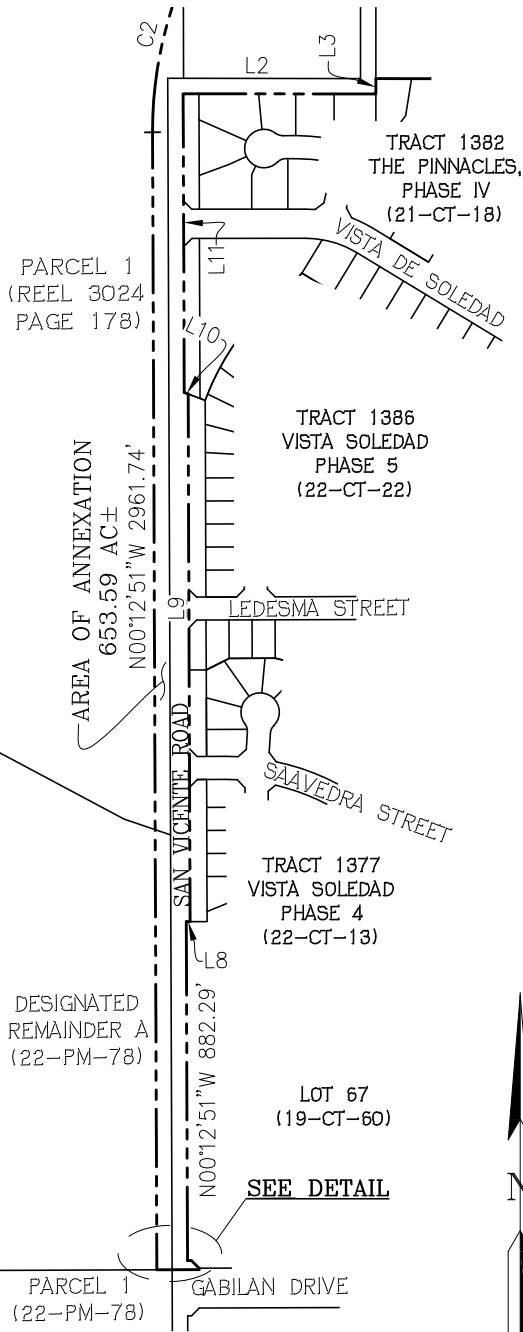
ENGINEERS • PLANNERS • SURVEYORS

8055 CAMINO ARROYO GILROY, CA 95020  
PHONE: (408) 848-0300 FAX: (408) 848-0302

SCALE:  
1" = 1000'

DATE:  
09/17/2021

JOB NO.:  
202015



DETAIL:  
1"=60'

NOTE:  
LINE & CURVE TABLES - SEE SHEET 4

LEGEND

--- BOUNDARY LINE  
--- EXISTING LOT LINE  
--- POB POINT OF BEGINNING



SCALE IN FEET: 1"= 500'

**"EXHIBIT B"**

BEING ALL OF "SECTION 16" OF TOWNSHIP 1 SOUTH, RANGE 06 EAST, MOUNT  
DIABLO BASELINE AND MERIDIAN AND A PORTION OF "RANCHO SAN VICENTE"  
SITUATED IN THE COUNTY OF MONTEREY, STATE OF CALIFORNIA.

SHEET 3 OF 4



**RUGGERI-JENSEN-AZAR**

ENGINEERS • PLANNERS • SURVEYORS  
8055 CAMINO ARROYO GILROY, CA 95020  
PHONE: (408) 848-0300 FAX: (408) 848-0302

SCALE:  
1"= 500'

DATE:  
09/17/2021

JOB NO.:  
202015

LINE TABLE		
LINE	BEARING	DIST
L1	N29°25'52"E	655.35'
L2	N89°55'32"W	501.80'
L3	N0°04'37"E	40.00'
L4	N89°47'20"E	110.00'
L5	N0°12'40"W	3.88'
L6	N45°12'44"W	28.29'
L7	N89°47'09"E	10.00'
L8	N89°47'09"E	10.00'
L9	N0°12'51"W	1373.78'
L10	N69°40'13"W	10.68'
L11	N0°12'51"W	778.05'

CURVE TABLE			
CURVE	LENGTH	RADIUS	DELTA
C1	494.04'	960.00'	029°29'09"
C2	538.10'	1040.00'	029°38'43"

## "EXHIBIT B"

BEING ALL OF "SECTION 16" OF TOWNSHIP 1 SOUTH, RANGE 06 EAST, MOUNT DIABLO BASELINE AND MERIDIAN AND A PORTION OF "RANCHO SAN VICENTE" SITUATED IN THE COUNTY OF MONTEREY, STATE OF CALIFORNIA.

SHEET 4 OF 4



**RUGGERI-JENSEN-AZAR**

ENGINEERS • PLANNERS • SURVEYORS

8055 CAMINO ARROYO GILROY, CA 95020  
PHONE: (408) 848-0300 FAX: (408) 848-0302

SCALE:  
NONE

DATE:  
09/17/2021

JOB NO.:  
202015

## Ordinance 718, Prezone

E  
APPENDIX



## **ORDINANCE NO. 718**

### **THE CITY COUNCIL OF THE CITY OF SOLEDAD ADOPTS AN ORDINANCE APPROVING PRE-ZONING OF 647 ACRES FROM AGRICULTURAL TO THE CITY OF SOLEDAD MIRAMONTE SPECIFIC PLAN**

**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 Northwest Expansion Areas, and the North Entry Commercial Specific Plan Area and Entry Commercial Expansion Area; 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 the adoption of Resolution 2018-04, the Planning Commission recommended that the City Council of the City of Soledad initiate proceedings to apply to LAFCO for an amendment to its sphere of influence (SOI) to include approximately 647 acres of property ("Subject Property") to the city, which property currently falls within the Mirassou, San Vicente West 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 City Council adopted Resolution 4565 in 2010 directing City Staff to pursue a SOI amendment contingent upon on receiving the applicant's revised specific plan, but those applications were never filed with Monterey County LAFCO to request the amendment because a revised specific plan was not received from the applicant; 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, 2016, 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**, it is found by the City Council 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 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 Pre-zoning the subject properties is as follows:

1. The City Council finds that an 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

2. 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

3. The City Council finds that it is appropriate to request LAFCO amend the City's SOI 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

4. 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 re-zoning; 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 through Ordinance 718, pre-zones the subject properties to "Miramonte Specific Plan" ("MM-SP"), as illustrated in **Exhibit A**, and said Specific Plan contains modifications of standards contained in the City of Soledad Municipal Code that are applicable within and only within the Miramonte Specific Plan boundary; and

7. The City Council finds that pre-zoning of the subject properties becomes effective upon LAFCO's action to amend the SOI and final certification of the reorganization (annexation) of the properties to the City of Soledad; and

8. The City, as a part of their consideration of the Pre-zoning, reviewed and considered the CEQA and Project Findings, attached to the SOI Amendment Resolution and incorporated herein by reference; and

9. The City Council further finds that this Pre-zoning 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 Pre-zoning the subject properties was given in the manner prescribed by law and by the City; and

**WHEREAS**, the City Council at its regularly scheduled meetings of August 28, 2018, considered the Pre-zoning of the subject properties, 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, and recommends that the City Council Pre-zone the subject properties as "Miramonte Specific Plan" area ("MM-SP"), as illustrated in Exhibit A and incorporated herein by reference.

**NOW, THEREFORE BE IT RESOLVED** that the City Council of the City of Soledad Pre-zones the Miramonte Specific Plan Area and subject properties "MM-SP" 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 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 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 Pre-zoning of the subject properties have been balanced against the benefits of the Miramonte Specific Plan; and

5. Finds that, after reviewing the Record of Proceedings, findings supported by evidence in the record provide cause for recommending approval of the Pre-zoning of the subject properties; and

6. The City Council finds and takes action to designate the subject properties "MM-SP" (Miramonte Specific Plan), illustrated on the map in Exhibit A, in Pre-zoning the land within the plan area, and adopted the CEQA and Project Findings, incorporated herein by reference.

**PASSED AND ADOPTED** this 9<sup>th</sup> day of January, 2019, by the City Council of Soledad, by the following vote:

**AYES**, and in favor thereof, Councilmembers: Mayor Pro Tem Alejandro Chavez, Mayor Fred Ledesma, Anna Velazquez and Marisela Lara

**NOES**, Councilmembers: None

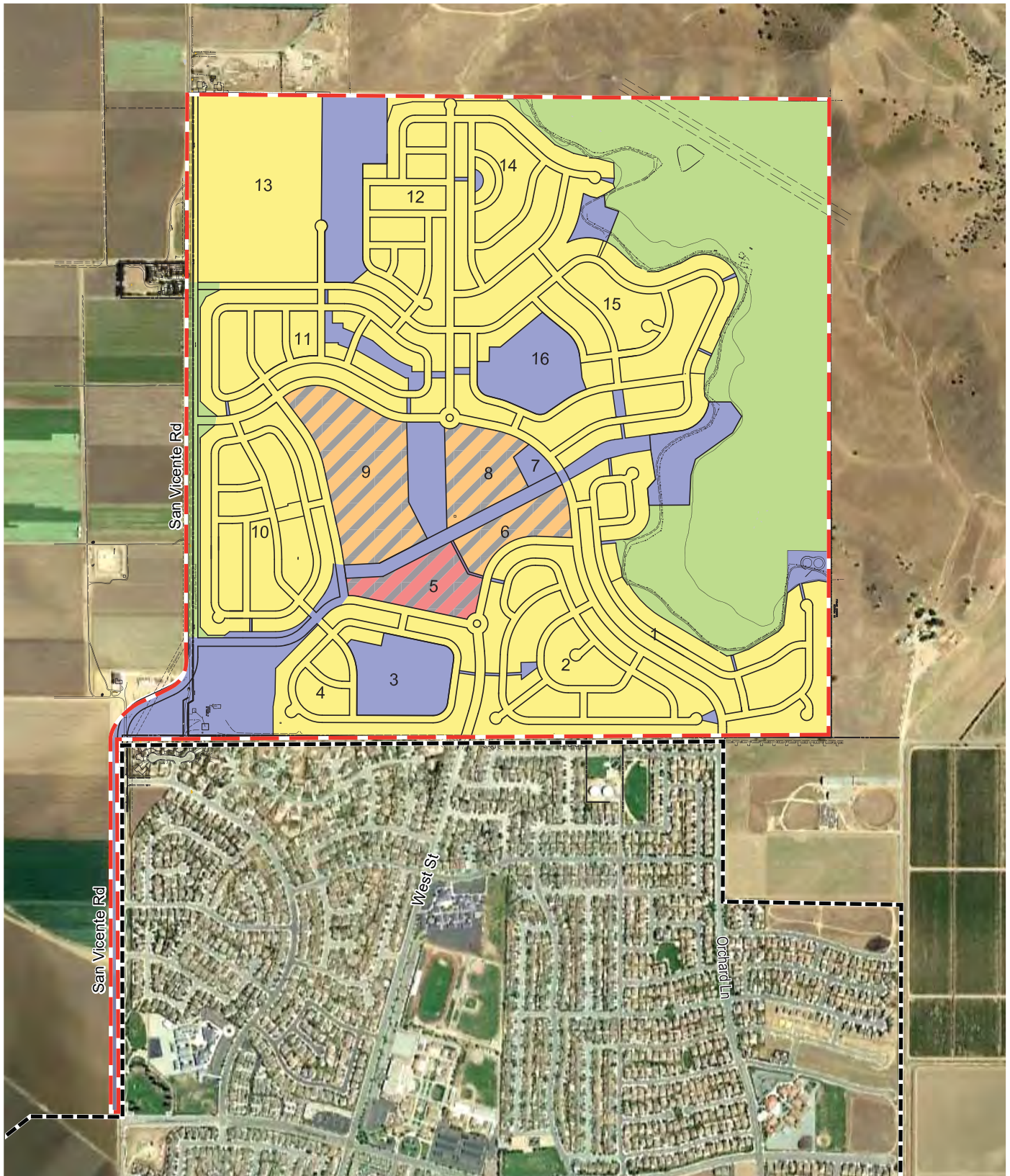
**ABSENT**, Councilmembers: Stewart

**ABSTAIN**, Councilmembers: None

  
FRED J. LEDESMA, Mayor

ATTEST:

  
MICHAEL MCHATTEN, City Clerk



0 1,200 feet



Plan Area Boundary



City Limits

MMSP-R-1

MMSP-R-V

MMSP-MU

MMSP-C-V

OS

PF

Source: Google Earth 2017

Note: Neighborhood Park locations are conceptual within Sub-areas

Exhibit A

# Miramonte Specific Plan Zoning Map

Ordinance No. 718 Prezone

E

M

C





## Tax Share Agreement

F  
APPENDIX



**RESOLUTION NO. 5782**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLEDAD  
APPROVING A PROPERTY TAX TRANSFER FOR THE PROPOSED “MIRAMONTE  
REORGANIZATION” INVOLVING SPHERE OF INFLUENCE AMENDMENT,  
ANNEXATION OF 647 ACRES TO THE CITY OF SOLEDAD AND THE  
DETACHMENTS FROM THE MONTEREY COUNTY RESOURCE CONSERVATION  
DISTRICT, THE MISSION-SOLEDAD RECREATION DISTRICT AND THE MISSION  
SOLEDAD RURAL FIRE PROTECTION DISTRICT**

**WHEREAS**, Government Code Section 56425(b) requires that prior to updating of a city’s Sphere of Influence, representatives of the city and county shall meet to discuss the proposed sphere and its boundaries and explore methods to reach agreement on the boundaries, development standards and zoning requirements within the area; and

**WHEREAS**, the city and county approved a Memorandum of Agreement consistent with the requirements of Government Code Section 56425(b) on March 15, 2016; and

**WHEREAS**, the Revenue and Taxation Code Section 99 (Assembly Bill 8, Chapter 282) Statutes 1979, as amended by Senate Bill 180 (Chapter 801) provides for the Monterey County Board of Supervisors to determine an appropriate tax transfer for all jurisdictional changes of organization occurring within Monterey County and for the city council of any affected City to concur on the transfer prior to the proposal being considered by the Local Agency Formation Commission (LAFCO); and

**WHEREAS**, the City of Soledad has submitted a resolution of application to LAFCO for the “Miramonte Reorganization” involving annexation of 647 acres to the City and detachments from the Monterey County Resource Conservation District, the Mission-Soledad Recreation District and the Mission -Soledad Rural Fire Protection District, located in Tax Rate Areas 126-004 and 126-007 ; and

**WHEREAS**, pursuant to Revenue and Taxation Code Section 99(b) (6), the Executive Officer of LAFCO shall not issue a Certificate of Filing (Government Code Section 56828) for a change of organization until an exchange of property tax revenue is negotiated; and

**WHEREAS**, the Monterey County Board of Supervisors adopted as policy a set of formulas to be used for all jurisdictional changes of organization on April 29, 1980 (Resolution #80-249); and

**WHEREAS**, the current distribution of property taxes within tax rate area 126-004 is as follows:

28.10%	-	Monterey County's Share
3.9%	-	Affected District's Share
68.00%	-	Non-affected District's Share
<hr/>		
100.00%	-	Total; and

**WHEREAS**, the current distribution of property taxes within tax rate area 126-007 is as follows:

28.49%	-	Monterey County's Share
3.03%	-	Affected District's Share
68.48%	-	Non-affected District's Share
<hr/>		
100.00%	-	Total; and

**WHEREAS**, the Revenue and Taxation Code Section 99 (Senate Bill 180, Chapter 801) requires that non-affected local agencies percentage share will remain constant; and

**WHEREAS**, the County of Monterey and the City of Soledad wish to agree to a fair share distribution of remaining property tax revenues; and

**WHEREAS**, the County of Monterey has realized a 41% reduction and the City has realized a 34% reduction in property tax revenue imposed by the State under Senate Bill 617, Chapter 699, Statutes 1992; and

**WHEREAS**, each year thereafter both the County and the City continue to shift revenues to the Education Revenue Augmentation Fund (ERAF);

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Soledad hereby agree to the following formulas for property tax base and increment distribution within Tax Rate Area 126-004 after change of organization/reorganization for the Miramonte reorganization

Tax Rate Area 126-004

**A. DISTRIBUTION OF PROPERTY TAX BASE:**

Property tax base is the property tax revenue that is available prior to change of organization/reorganization.



Prior to Change or Organization/Reorganization:

(City of Soledad, Tax Rate Area 6-000)

Current Ratio

City of Soledad	-	22.94%	51.38%
Monterey County	-	21.71%	48.62%

Based on existing Tax Rate Area 126-004, Monterey County's share of property tax reduced by 41% is equal to 16.58%. The total property tax available for distribution in the proposal area is equal to 16.58%.

After Change of Organization/Reorganization:

(New Tax Rate Area – To Be Assigned)

16.58%       -       Property Tax Available for Distribution

1.       City of Soledad's Share of Total Property Taxes Collected:

	16.58%	-	Property Tax Available for Distribution
X	51.38%	-	City of Soledad's Current Ratio
=	8.52%		
+	0.85%	-	Fire District Share
+	2.98%	-	Recreation District Share
=	12.35%		

2.       Monterey County's Share of Total Property Taxes Collected:

	16.58%	-	Property Tax Available for Distribution
X	48.62%	-	Monterey County's Current Ratio
=	8.06%		
plus			
	11.52%	-	The Adjustment for State Tax Shift
=	19.58%		

Formula for property tax base allocation to the City of Soledad from tax rate area 126-004 after change of organization/reorganization.

City of Soledad's Property Tax Revenue =

Total Property Taxes Collected      X      12.35%      X

Full Months Remaining in Tax Year Divided by 12.

**B.      DISTRIBUTION OF PROPERTY TAX INCREMENT:**

Property tax increment is the increase in property tax revenue above the base resulting from the increase in assessed value of property after the change in organization/reorganization.

The formula recognizes that all future growth will be subject to a shift to ERAF in the amount of 41% for the County and 34% for the City. After the shift, the County and the City will be in the same relative position as before dividing the remainder.

Prior to Change of Organization/Reorganization:

(City of Soledad, Tax Rate Area 6-000)

Current Rate / ERAF Adjustment      =      Resulting Rate      Resulting Ratio

City of Soledad      22.94%      66.0%      34.76%      48.6%

Monterey County      21.71%      59.0%      36.79%      51.4%

Based on existing Tax Rate Area 126-004, Monterey County's share of property tax is 28.10%. The total property available for distribution in the proposal area is 28.10%. The new Resulting Ratio calculated above are applied to the increment.

After Change of Organization/Reorganization

(New Tax Rate Area to be Assigned)

28.10%      =      Property Tax Available for Distribution

**1.      City of Soledad's Share of Property Tax Increment:**

	28.10%	-	Property Tax Available for Distribution
X	48.60%	-	City of Soledad's New Resulting Ratio
=	13.66%	-	
	0.85%	-	Fire District Share
	2.98%	-	Recreation District Share
	17.49%		

2.	Monterey County's Share of Property Tax Increment:		
	28.10%	-	Property Tax Available for Distribution
X	51.40%	-	Monterey County's New Resulting Ratio
=	14.44%		

Formula for property tax increment to the City of Soledad from Tax Rate Area 126-004 after change of organization/reorganization:

City of Soledad's Property Tax Increment =

Total Property Tax Increment Collected X 17.49% X Full Months Remaining in Tax Year Divided by 12.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that the Monterey County Board of Supervisors does hereby agree to the following formulas for property tax base and increment distribution within Tax Rate Area 126-007 after change of organization/reorganization.

#### **Tax Rate Area 126-007**

##### **A. DISTRIBUTION OF PROPERTY TAX BASE:**

Property tax base is the property tax revenue that is available prior to change of organization/reorganization.

##### Prior to Change or Organization/Reorganization:

(City of Soledad, Tax Rate Area 6-000)

			<u>Current Ratio</u>
City of Soledad	-	22.94%	51.38%
Monterey County	-	21.71%	48.62%

Based on existing Tax Rate Area 126-007, Monterey County's share of property tax reduced by 41% is equal to 16.81%. The total property tax available for distribution in the proposal area is equal to 16.81%.

After Change of Organization/Reorganization:

(New Tax Rate Area – To Be Assigned)

16.81%        -        Property Tax Available for Distribution

1.        City of Soledad's Share of Total Property Taxes Collected:

          16.81%        -        Property Tax Available for Distribution

X        51.38%        -        City of Soledad's Current Ratio

=        8.64%

+        3.03%        -        Recreation District Share

=        11.67%

2.        Monterey County's Share of Total Property Taxes Collected:

          16.81%        -        Property Tax Available for Distribution

X        48.62%        -        Monterey County's Current Ratio

=        8.17%

plus

          11.68%        -        The Adjustment for State Tax Shift

=        19.85%

Formula for property tax base allocation to the City of Soledad from tax rate area 126-007 after change of organization/reorganization.

City of Soledad's Property Tax Revenue =

Total Property Taxes Collected        X        11.67%        X Full Months Remaining in Tax  
Year Divided by 12.

**B.        DISTRIBUTION OF PROPERTY TAX INCREMENT:**

Property tax increment is the increase in property tax revenue above the base resulting from the increase in assessed value of property after the change in organization/reorganization.

The formula recognizes that all future growth will be subject to a shift to ERAF in the amount of 41% for the County and 34% for the City. After the shift, the County and the City will be in the same relative position as before dividing the remainder.

Prior to Change of Organization/Reorganization:

(City of Soledad, Tax Rate Area 6-000)

Current Rate    ☐      ERAF

Adjustment      =      Resulting Rate Resulting Ratio

City of Soledad      22.94%

66.0%

34.76%

48.6%

Monterey County 21.71%      59.0% 36.79%      51.4%

Based on existing Tax Rate Area 126-007, Monterey County's share of property tax is 28.49%. The total property tax available for distribution in the proposal area is 28.49%. The new Resulting Ratio calculated above is applied to the increment.

After Change of Organization/Reorganization

(New Tax Rate Area to be Assigned)

28.49%      =      Property Tax Available for Distribution

1.      City of Soledad's Share of Property Tax Increment:

28.49%      -      Property Tax Available for Distribution

X      48.60%      -      City of Soledad's New Resulting Ratio

=      13.85%      -

+      3.03% -      Recreation District Share

=      16.88%

2.      Monterey County's Share of Property Tax Increment:

28.49%      -      Property Tax Available for Distribution

X      51.40%      -      Monterey County's New Resulting Ratio

=      14.64%

Formula for property tax increment to the City of Soledad from Tax Rate Area 126-007 after change of organization/reorganization:

City of Soledad's Property Tax Increment =  
Total Property Tax Increment Collected    X    16.88%    X  
Full Months Remaining in Tax Year Divided by 12.

**PASSED AND ADOPTED** by the City Council of the City of Soledad at a regular meeting duly held on the 16<sup>th</sup> of February 2022, by the following vote:

**AYES**, and in favor thereof Councilmembers: Ben Jimenez Jr, Alejandro Chavez, Mayor Pro Tem Lara, and Mayor Anna M. Velazquez


**NOES**, Councilmembers:                      None

**ABSENT**, Councilmembers:                  Strobridge

**ABSTAIN**, Councilmembers:                None

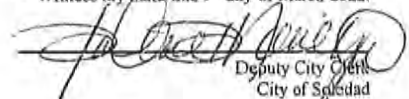
  
ANNA M. VELAZQUEZ, Mayor

ATTEST:

  
BRENT SLAMA, City Clerk

I, Darlene Noriega, Deputy City Clerk of the City of Soledad, hereby certify that the forgoing is a full, true and correct copy of an original Resolution No. 5782 of the Soledad City Council of said City duly adopted on February 16, 2022, and now remaining of record in my office.

Witness my hand this 9<sup>th</sup> day of March 2022.

  
Deputy City Clerk  
City of Soledad

*Before the Board of Supervisors in and for the  
County of Monterey, State of California*

**Resolution No.: 22-029**

Approve Property Tax Transfer for the proposed )  
 “Miramonte Reorganization” involving Sphere of )  
 Influence amendment, annexation of 647 acres to )  
 the City of Soledad and detachments from the )  
 Monterey County Resource Conservation District, )  
 the Mission-Soledad Recreation District and the )  
 Mission Soledad Rural Fire Protection District..... )

**WHEREAS**, Government Code Section 56425(b) requires that prior to updating of a city’s Sphere of Influence, representatives of the city and county shall meet to discuss the proposed sphere and its boundaries and explore methods to reach agreement on the boundaries, development standards and zoning requirements within the area; and

**WHEREAS**, the city and county approved a Memorandum of Agreement consistent with the requirements of Government Code Section 56425(b) on March 15, 2016; and

**WHEREAS**, the Revenue and Taxation Code Section 99 (Assembly Bill 8, Chapter 282) Statutes 1979, as amended by Senate Bill 180 (Chapter 801) provides for the Monterey County Board of Supervisors to determine an appropriate tax transfer for all jurisdictional changes of organization occurring within Monterey County and for the city council of any affected City to concur on the transfer prior to the proposal being considered by the Local Agency Formation Commission (LAFCO); and

**WHEREAS**, the City of Soledad has submitted a resolution of application to LAFCO for the “Miramonte Reorganization” involving annexation of 647 acres to the City and detachments from the Monterey County Resource Conservation District, the Mission-Soledad Recreation District and the Mission -Soledad Rural Fire Protection District; and

**WHEREAS**, pursuant to Revenue and Taxation Code Section 99(b) (6), the Executive Officer of LAFCO shall not issue a Certificate of Filing (Government Code Section 56828) for a change of organization until an exchange of property tax revenue is negotiated; and

**WHEREAS**, the Monterey County Board of Supervisors adopted as policy a set of formulas to be used for all jurisdictional changes of organization on April 29, 1980 (Resolution #80-249); and

**WHEREAS**, the current distribution of property taxes within tax rate area 126-004 is as follows:

28.10%	-	Monterey County’s Share
3.9%	-	Affected District’s Share
<u>68.00%</u>	-	Non-affected District’s Share
100.00%	-	Total; and

**WHEREAS**, the Revenue and Taxation Code Section 99 (Senate Bill 180, Chapter 801) requires that non-affected local agencies percentage share will remain constant; and

**WHEREAS**, the County of Monterey and the City of Soledad wish to agree to a fair share distribution of remaining property tax revenues; and

**WHEREAS**, the County of Monterey has realized a 41% reduction and the City has realized a 34% reduction in property tax revenue imposed by the State under Senate Bill 617, Chapter 699, Statutes 1992; and

**WHEREAS**, each year thereafter both the County and the City continue to shift revenues to the Education Revenue Augmentation Fund (ERAF);

**NOW, THEREFORE, BE IT RESOLVED** that the Monterey County Board of Supervisors does hereby agree to the following formulas for property tax base and increment distribution within Tax Rate Area 126-004 after change of organization/reorganization.

#### **Tax Rate Area 126-004**

##### **A. DISTRIBUTION OF PROPERTY TAX BASE:**

Property tax base is the property tax revenue that is available prior to change of organization/reorganization.

##### Prior to Change or Organization/Reorganization:

(City of Soledad, Tax Rate Area 6-000)

			<u>Current Ratio</u>
City of Soledad	-	22.94%	51.38%
Monterey County	-	21.71%	48.62%

Based on existing Tax Rate Area 126-004, Monterey County's share of property tax reduced by 41% is equal to 16.58%. The total property tax available for distribution in the proposal area is equal to 16.58%.

##### After Change of Organization/Reorganization:

(New Tax Rate Area – To Be Assigned)

16.58% - Property Tax Available for Distribution

##### 1. City of Soledad's Share of Total Property Taxes Collected:

	16.58%	-	Property Tax Available for Distribution
X	51.38%	-	City of Soledad's Current Ratio
=	8.52%		
+	0.85%	-	Fire District Share
+	2.98%	-	Recreation District Share
=	12.35%		

##### 2. Monterey County's Share of Total Property Taxes Collected:

16.58% - Property Tax Available for Distribution



$$\begin{array}{rcl} X & 48.62\% & - \quad \text{Monterey County's Current Ratio} \\ = & 8.06\% & \end{array}$$

plus

$$\begin{array}{rcl} & 11.52\% & - \quad \text{The Adjustment for State Tax Shift} \\ = & 19.58\% & \end{array}$$

Formula for property tax base allocation to the City of Soledad from tax rate area 126-004 after change of organization/reorganization.

City of Soledad's Property Tax Revenue =

$$\begin{array}{l} \text{Total Property Taxes Collected} \quad X \quad 12.35\% \quad X \\ \text{Full Months Remaining in Tax Year Divided by 12.} \end{array}$$

## B. DISTRIBUTION OF PROPERTY TAX INCREMENT:

Property tax increment is the increase in property tax revenue above the base resulting from the increase in assessed value of property after the change in organization/reorganization.

The formula recognizes that all future growth will be subject to a shift to ERAF in the amount of 41% for the County and 34% for the City. After the shift, the County and the City will be in the same relative position as before dividing the remainder.

### Prior to Change of Organization/Reorganization:

(City of Soledad, Tax Rate Area 6-000)

Current Rate	÷	ERAF Adjustment	=	Resulting Rate	Resulting Ratio
City of Soledad	22.94%	66.0%		34.76%	48.6%
Monterey County	21.71%	59.0%		36.79%	51.4%

Based on existing Tax Rate Area 126-004, Monterey County's share of property tax is 28.10%. The total property available for distribution in the proposal area is 28.10%. The new Resulting Ratio calculated above are applied to the increment.

### After Change of Organization/Reorganization

(New Tax Rate Area to be Assigned)

$$28.10\% = \text{Property Tax Available for Distribution}$$

#### 1. City of Soledad's Share of Property Tax Increment:

$$\begin{array}{rcl} & 28.10\% & - \quad \text{Property Tax Available for Distribution} \\ X & 48.60\% & - \quad \text{City of Soledad's New Resulting Ratio} \\ = & 13.66\% & - \end{array}$$

+	0.85%	-	Fire District Share
+	2.98%	-	Recreation District Share
=	17.49%		

2. Monterey County's Share of Property Tax Increment:

	28.10%	-	Property Tax Available for Distribution
X	51.40%	-	Monterey County's New Resulting Ratio
=	14.44%		

Formula for property tax increment to the City of Soledad from Tax Rate Area 126-004 after change of organization/reorganization:

City of Soledad's Property Tax Increment	=	
Total Property Tax Increment Collected	X	17.49% X
Full Months Remaining in Tax Year Divided by 12.		

**Tax Rate Area 126-007**

**WHEREAS**, the current distribution of property taxes within tax rate area 126-007 is as follows:

28.49%	-	Monterey County's Share
3.03%	-	Affected District's Share
<u>68.48%</u>	-	Non-affected District's Share
100.00%	-	Total; and

**WHEREAS**, the Revenue and Taxation Code Section 99 (Senate Bill 180, Chapter 801) requires that non-affected local agencies percentage share will remain constant; and

**WHEREAS**, the County of Monterey and the City of Soledad wish to agree to a fair share distribution of remaining property tax revenues; and

**WHEREAS**, the County of Monterey has realized a 41% reduction and the City has realized a 34% reduction in property tax revenue imposed by the State under Senate Bill 617, Chapter 699, Statutes 1992; and

**WHEREAS**, each year thereafter both the County and the City continue to shift revenues to the Education Revenue Augmentation Fund (ERAF);

**NOW, THEREFORE, BE IT RESOLVED** that the Monterey County Board of Supervisors does hereby agree to the following formulas for property tax base and increment distribution within Tax Rate Area 126-007 after change of organization/reorganization.

**A. DISTRIBUTION OF PROPERTY TAX BASE:**

Property tax base is the property tax revenue that is available prior to change of organization/reorganization.

Prior to Change or Organization/Reorganization:

(City of Soledad, Tax Rate Area 6-000)

			<u>Current Ratio</u>
City of Soledad	-	22.94%	51.38%
Monterey County	-	21.71%	48.62%

Based on existing Tax Rate Area 126-007, Monterey County's share of property tax reduced by 41% is equal to 16.81%. The total property tax available for distribution in the proposal area is equal to 16.81%.

After Change of Organization/Reorganization:

(New Tax Rate Area – To Be Assigned)

16.81% - Property Tax Available for Distribution

## 1. City of Soledad's Share of Total Property Taxes Collected:

	16.81%	-	Property Tax Available for Distribution
X	51.38%	-	City of Soledad's Current Ratio
=	8.64%		
+	3.03%	-	Recreation District Share
=	11.67%		

## 2. Monterey County's Share of Total Property Taxes Collected:

	16.81%	-	Property Tax Available for Distribution
X	48.62%	-	Monterey County's Current Ratio
=	8.17%		

plus

	11.68%	-	The Adjustment for State Tax Shift
=	19.85%		

Formula for property tax base allocation to the City of Soledad from tax rate area 126-007 after change of organization/reorganization.

City of Soledad's Property Tax Revenue =

Total Property Taxes Collected      X      11.67%      X  
Full Months Remaining in Tax Year Divided by 12.

**B. DISTRIBUTION OF PROPERTY TAX INCREMENT:**

Property tax increment is the increase in property tax revenue above the base resulting from the increase in assessed value of property after the change in organization/reorganization.

The formula recognizes that all future growth will be subject to a shift to ERAF in the amount of 41% for the County and 34% for the City. After the shift, the County and the City will be in the same relative position as before dividing the remainder.

Prior to Change of Organization/Reorganization:

(City of Soledad, Tax Rate Area 6-000)

<b>Current Rate</b>	<b>÷</b>	<b>ERAF Adjustment</b>	<b>=</b>	<b>Resulting Rate</b>	<b>Resulting Ratio</b>
City of Soledad	22.94%	66.0%		34.76%	48.6%
Monterey County	21.71%	59.0%		36.79%	51.4%

Based on existing Tax Rate Area 126-007, Monterey County's share of property tax is 28.49%. The total property tax available for distribution in the proposal area is 28.49%. The new Resulting Ratio calculated above is applied to the increment.

After Change of Organization/Reorganization

(New Tax Rate Area to be Assigned)

28.49% = Property Tax Available for Distribution

1. City of Soledad's Share of Property Tax Increment:

	28.49%	-	Property Tax Available for Distribution
X	48.60%	-	City of Soledad's New Resulting Ratio
=	13.85%	-	
+	3.03%	-	Recreation District Share
=	16.88%		

2. Monterey County's Share of Property Tax Increment:

	28.49%	-	Property Tax Available for Distribution
X	51.40%	-	Monterey County's New Resulting Ratio
=	14.64%		

Formula for property tax increment to the City of Soledad from Tax Rate Area 126-007 after change of organization/reorganization:

City of Soledad's Property Tax Increment =  
 Total Property Tax Increment Collected X 16.88% X  
 Full Months Remaining in Tax Year Divided by 12.

**PASSED AND ADOPTED** on this 25<sup>th</sup> day of January 2022, by roll call vote:

AYES: Supervisors Alejo, Phillips and Lopez

NOES: Supervisors Askew and Adams

ABSENT: None

(Government Code 54953)

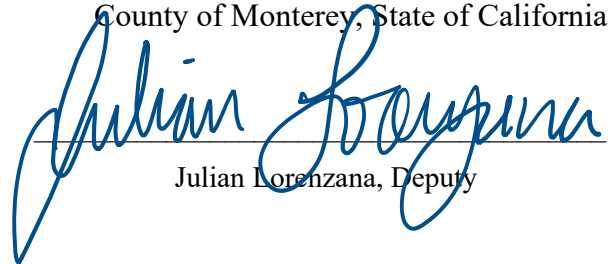
I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 82 for the meeting January 25, 2022.

Dated: January 26, 2022

File ID: 22-061

Agenda Item No.: 34

Valerie Ralph, Clerk of the Board of Supervisors  
County of Monterey, State of California

A handwritten signature in blue ink, appearing to read "Julian Lorenzana", is written over a horizontal line. Below the line, the name "Julian Lorenzana, Deputy" is printed.

Julian Lorenzana, Deputy





## Monterey County Board of Supervisors

### Board Order

168 West Alisal Street,  
1st Floor  
Salinas, CA 93901  
831.755.5066  
[www.co.monterey.ca.us](http://www.co.monterey.ca.us)

A substitute motion was made by Supervisor Chris Lopez, seconded by Supervisor Luis A. Alejo to:

#### **Resolution No.: 22-029**

Approve Property Tax Transfer for the proposed “Miramonte Reorganization” involving Sphere of Influence amendment, annexation of approximately 647 acres to the City of Soledad and detachments from the Monterey County Resource Conservation District, the Soledad Mission Recreation District and the Mission Soledad Rural Fire Protection District.

PASSED AND ADOPTED on this 25<sup>th</sup> day of January 2022, by roll call vote:

AYES: Supervisors Alejo, Phillips and Lopez

NOES: Supervisors Askew and Adams

ABSENT: None

(Government Code 54953)

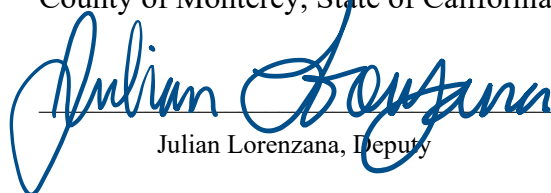
I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 82 for the meeting January 25, 2022.

Dated: January 26, 2022

File ID: 22-061

Agenda Item No.: 34

Valerie Ralph, Clerk of the Board of Supervisors  
County of Monterey, State of California

  
Julian Lorenzana, Deputy





SUSD Communications





**From:** [Sally Rideout](#)  
**To:** [Sally Rideout](#)  
**Subject:** FW: Miramonte Conditions of Approval  
**Date:** Wednesday, June 8, 2022 11:55:37 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)

---

**From:** Bangs, Randy <[rbangs@soledad.k12.ca.us](mailto:rbangs@soledad.k12.ca.us)>  
**Sent:** Wednesday, February 2, 2022 11:31 AM  
**To:** Sally Rideout <[rideout@emcplanning.com](mailto:rideout@emcplanning.com)>  
**Cc:** Brent Slama <[bslama@cityofsoledad.com](mailto:bslama@cityofsoledad.com)>; [ssantana@dwkesq.com](mailto:ssantana@dwkesq.com); Bryan Swanson ([bswanson@cityofsoledad.com](mailto:bswanson@cityofsoledad.com)) <[bswanson@cityofsoledad.com](mailto:bswanson@cityofsoledad.com)>  
**Subject:** Re: Miramonte Conditions of Approval

Dear Sally,

Thank you for your email. I apologize for the delayed response.

We do have some clarifications that the District would like added to the COAs to address the District's concerns. Please see our proposed changes below:

COA 7. A development agreement shall be established between the developer and the City, which shall incorporate and provide for implementation of the VTM and the conditions of approval set forth herein. The development agreement shall contain the subdivision phasing plan, comprehensive financing plan required by these conditions, and shall address other issues of concern to the parties including, but not limited to, defining responsibilities of the developer and the City (e.g. dedication of land, utility and roadway infrastructure, water, wastewater, and storm water improvements, affordable housing requirements, timing for commercial development, **definition of the Residential Study Area**, definition of the conservation easement over the open space area, establishment of and payment provisions for development impact fees (which may vary from those applicable city-wide both in terms of improvements and amount of fees), **responsibilities for school district improvements**, police/fire substation, etc.). The development agreement shall be approved by both parties and submitted for consideration and approval by the City Council prior to acceptance of the first final map.

### **30. Schools:**

- a. The developer(s) shall prepare, at their expense, an offer to dedicate two **[11 acre]** elementary school sites and one two-acre site for the Soledad High School Future Farmers of America program, at no cost to the City or the Soledad Unified School District, as identified in the Miramonte Specific Plan, prior to City Council approval of the first final map; and shall record the dedication concurrent with recordation of the first final subdivision map or as specified in the development agreement.
- b. The developer(s) shall pay school impact fees prior to issuance of building permits, which may be off-set by school facility capital improvements that are designed, funded, and constructed by the developer. **[The developer(s) school impact fees shall be paid in accordance with the terms of the Memorandum of Understanding for School Sites, dated June 1997 as restated by the First Addendum to Memorandum of Understanding for School Sites, dated November 30, 2018.]**

### 31. School Site Dedications, Fees and Improvements:

- a. Two elementary school sites of [no less than] approximately 11 acres each, as shown on the specific plan Land Use Diagram, and an additional two acres of Sub-area 13 shall be offered for dedication to the Soledad Unified School District, and included on the final map prior to recordation of the first final map. Proof of the offer of dedication shall be submitted to the City Planning Director prior to acceptance of the first final map.
- b. School Impact Fees shall be submitted to the Soledad Unified School District prior to the time of issuance of building permits for the first phase of development, ~~unless otherwise agreed to by the Soledad Unified School District~~. School impact fees shall include those fees required by State law, as well as any additional amount agreed upon by the developer and the District for each residential lot created by the project. . [The developer(s) school impact fees shall be paid in accordance with the terms of the Memorandum of Understanding for School Sites, dated June 1997 as restated by the First Addendum to Memorandum of Understanding for School Sites, dated November 30, 2018.] ~~Evidence shall be submitted to the City CCC by the developer that the developer and District have met in good faith in an attempt to agree upon the amount of school impact fees to be paid by developer prior to the recordation of the first final map.~~ Evidence of payment shall be submitted to the City Community Development Department prior to issuance of the first building permit

Please let me know if you have any questions.

Thank you,

-Randy

Randy Bangs  
Superintendent  
Soledad Unified School District  
1261 Metz Road  
Soledad, CA 93960

On Wed, Jan 26, 2022 at 8:43 AM Sally Rideout <[rideout@emcplanning.com](mailto:rideout@emcplanning.com)> wrote:

Hello Randy:

It has been some time since we last spoke. On behalf of Bryan Swanson, Economic and Community Development Director with the City of Soledad, I am circling back to the District to verify that the City answered your questions about the Miramonte project, and that the District's concerns have been satisfactorily met. Please confirm or contact Bryan and/or I if you have any other questions/concerns.

Thanks in advance for a prompt response!

Sally

**Sally Rideout, EMPA** | Principal

tel 831.649.1799 ext 210

Cell 831.760.3744

[rideout@emcplanning.com](mailto:rideout@emcplanning.com)



**EMC Planning Group**

301 Lighthouse Avenue, Suite C

Monterey, CA 93940

Fax 831.649.8399

[www.emcplanning.com](http://www.emcplanning.com)

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---

**From:** Sally Rideout

**Sent:** Tuesday, October 12, 2021 2:50 PM

**To:** Bangs, Randy <[rbangs@soledad.k12.ca.us](mailto:rbangs@soledad.k12.ca.us)>; [ssantana@dwkesq.com](mailto:ssantana@dwkesq.com)

**Cc:** 'Brent Slama' <[BSlama@cityofsoledad.com](mailto:BSlama@cityofsoledad.com)>

**Subject:** RE: Miramonte Conditions of Approval

Hello Randy and Sam:

Thank you for making the time to discuss the Miramonte project today. For tracking purposes please note that Sub-area 13 has been renamed as Area 17. COA 31 outlines provisions that cover much of today's discussion.

COA related to schools for the Miramonte development are as follows:

COA 7. A development agreement shall be established between the developer and the City, which shall incorporate and provide for implementation of the VTM and the conditions of approval set forth herein. The development agreement shall contain the subdivision phasing plan, comprehensive financing plan required by these conditions, and shall address other issues of concern to the parties including, but not limited to, defining responsibilities of the developer and the City (e.g. dedication of land, utility and roadway infrastructure, water, wastewater, and storm water improvements, affordable housing requirements, timing for commercial development, **definition of the Residential Study Area**, definition of the conservation easement over the open space area, establishment of and payment provisions for development impact fees (which may vary from those applicable city-wide both in terms of improvements and amount of fees), **responsibilities for school district improvements**, police/fire substation, etc.). The development agreement shall be approved by both parties and submitted for consideration and approval by the City Council prior to acceptance of the first final map.

---

### 30. Schools:

- a. The developer(s) shall prepare, at their expense, an offer to dedicate two elementary school sites and one two-acre site for the Soledad High School Future Farmers of America program, at no cost to the City or the Soledad Unified School District, as identified in the Miramonte Specific Plan, prior to City Council approval of the first final map; and shall record the dedication concurrent with recordation of the first final subdivision map or as specified in the development agreement.
- b. The developer(s) shall pay school impact fees prior to issuance of building permits, which may be off-set by school facility capital improvements that are designed, funded, and constructed by the developer.

### 31. School Site Dedications, Fees and Improvements:

- a. Two elementary school sites of approximately 11 acres each, as shown on the specific plan Land Use Diagram, and an additional two acres of Sub-area 13 shall be offered for dedication to the Soledad Unified School District, and included on the final map prior to recordation of the first final map. Proof of the offer of dedication shall be submitted to the City Planning Director prior to acceptance of the first final map.
- b. School Impact Fees shall be submitted to the Soledad Unified School District prior to the time of issuance of building permits for the first phase of development, unless otherwise agreed to by the Soledad Unified School District. School impact fees shall include those fees required by State law, as well as any additional amount agreed upon by the developer and the District for each residential lot created by the project. Evidence shall be submitted to the City CCC by the developer that the developer and District have met in good faith in an attempt to agree upon the amount of school impact fees to be paid by developer prior to the recordation of the first final map. Evidence of payment shall be submitted to the City Community Development Department prior to issuance of the first building permit.

**Sally Rideout, EMPA** | Principal

tel 831.649.1799 ext 210

Cell 831.760.3744

[rideout@emcplanning.com](mailto:rideout@emcplanning.com)



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*available to protect confidentiality.*

---

**From:** Brent Slama <[BSlama@cityofsoledad.com](mailto:BSlama@cityofsoledad.com)>  
**Sent:** Tuesday, October 12, 2021 2:27 PM  
**To:** Sally Rideout <[rideout@emcplanning.com](mailto:rideout@emcplanning.com)>  
**Cc:** Bangs, Randy <[rbangs@soledad.k12.ca.us](mailto:rbangs@soledad.k12.ca.us)>; [ssantana@dwkesq.com](mailto:ssantana@dwkesq.com)  
**Subject:** Miramonte Conditions of Approval

Sally,

Please follow up with the requests regarding conditions of approval from this meeting.



**Brent Slama**  
City Manager

248 Main Street Soledad, CA 93960  
Direct: 831-223-5043  
Fax: 831-678-3965





## Updated Fiscal Analysis and City Peer Review







# **FISCAL IMPACT ANALYSIS MIRAMONTE SPECIFIC PLAN**

**Prepared By:**



**2281 LAVA RIDGE COURT  
ROSEVILLE, CALIFORNIA 95661**

**June 14, 2022**

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## **I. Executive Summary**

---

### **Introduction**

This report was prepared by DPFPG, LLC (“DPFPG”) on behalf of Nader Agha (“Developer”) to analyze the fiscal impacts of The Miramonte Specific Plan (“Project”). The Project is located in Monterey County (“County”) and in the process of annexing into the City of Soledad (“City”). This Fiscal Impact Analysis (“FIA”) is intended to estimate the demand that the Project will place on City services and provide an estimate of the revenues that will be generated by the Project to offset the increased demand on services. This report evaluates the build-out of the Project plan area.

### **Project Overview**

The Project consists of approximately 647 acres, approximately 370 acres planned for residential land uses totaling 2,392 residential units. The Project also includes approximately 196.4 acres of parks and open space, 8.6 acres of neighborhood commercial, 25.7 acres of schools and public facilities, and 46.3 acres of collector streets and roads.

The Project is estimated to generate 9,840 residents at buildout.

### **Fiscal Impact Analysis Summary**

The FIA indicates that the Project, at buildout, is estimated to generate a fiscal surplus to the City’s General Fund.

The Project is estimated to generate a total of \$6.121 million in revenue for the City General Fund at buildout, against \$4.594 million in expenditures (i.e., costs) at buildout, resulting in a combined surplus of \$1.527 million annually.

The reader should be aware that any FIA is only as accurate as the assumptions and methodologies used to calculate its results, and actual results will vary from these estimates as events and circumstances occur in a manner different than described in the FIA.

## **II. Introduction**

---

### **Purpose of Report**

DPFPG was retained to prepare this report on behalf of the Developer for The Miramonte Specific Plan. This report and the attached tables describe the methodology, assumptions, and results of the FIA. The Project is located in Monterey County.

The purpose of this report is to determine the applicable recurring revenue and expenditure impacts to the City General Fund and quantify the annual net fiscal impacts at buildout of the Project.

### **Organization of Report**

The report describes the Project, methodology, and assumptions applied in the Project FIA, a description of the FIA components for calculating revenues and expenditures, and conclusions of the analysis of the Project at buildout.

### III. Project Description

#### Location, Land Uses, and Assumptions

The Project consists of approximately 647 acres located within Monterey County, to be annexed into the City. The plan area is located east of U.S. Highway 101 on the northern edge of the City.



Figure 2-3

#### Miramonte Specific Plan Land Use Diagram and Conceptual Lotting Program

Miramonte Specific Plan

**Residential Development:** The anticipated residential yield from the Project area is 2,392 residential units of varying densities based on information provided by the Developer. The FIA includes an estimated price range for residential units between \$340,000 and \$695,000. A detailed summary of the residential and nonresidential land use is detailed below in *Table 1*.

**Table 1**  
**Miramonte**  
**Land Use Summary**

Product	Units/SF	Estimated Market Value Per Unit/SF [1]		Total Assessed Valuation	
<b><u>Single Family</u></b>					
50x100	375	\$	600,000	\$	225,000,000
55x100	247	\$	625,000	\$	154,375,000
60x100	455	\$	650,000	\$	295,750,000
70x100	241	\$	695,000	\$	167,495,000
<b><u>Multi-Family</u></b>					
Market Rate	147	\$	425,000	\$	62,475,000
Market Rate (For Rent)	314	\$	375,000	\$	117,750,000
Senior	134	\$	340,000	\$	45,560,000
Affordable	479	\$	150,000	\$	-
<b>Total Residential Land Uses</b>	<b>2,392</b>			<b>\$</b>	<b>1,068,405,000</b>
<b><u>Nonresidential</u></b>					
Commercial	120,000	\$	250	\$	30,000,000
<b>Total Nonresidential</b>	<b>120,000</b>			<b>\$</b>	<b>30,000,000</b>
<b>Total Land Uses</b>				<b>\$</b>	<b>1,098,405,000</b>

**Source:**

Product mix and pricing per Developer.

Notes:

[1] Assumes affordable units will be exempt from property tax.

## **IV. Methodology and Assumptions**

### **Scope and Methodology**

The methodology used to determine the recurring revenue and expenditure impacts to the City as a result of the Project was determined by applying two methodologies, the multiplier method, and the case study method.

The multiplier method employs per capita factors based on the City's fiscal year 2021-2022 budget and number of residents or persons served within the City. The multiplier method uses the current fiscal year budget or projected budget as a baseline to forecast fiscal impacts. Revenue and expenditure funds that are impacted by residents use the City's total population in determining the fund's per capita factor. Revenue and expenditure funds that are impacted by residents use the City's total persons served in determining the fund's per capita factor.

The case study method is used to estimate recurring revenue and expenditures when use of the multiplier method will not accurately quantify fiscal impacts. Case study methods are used where estimated revenues are more accurately estimated as a function of tax rates, and/or estimated home prices.

## General and/or Major Assumptions

An overview of the general assumptions utilized in the FIA is summarized in *Figure 1* below. A more detailed summary of the assumptions used in the FIA can be found in *Appendix A*.

**Figure 1**

<b><u>Development Data</u></b>	
<b>Anticipated Project Build-Out</b>	
<b><u>Single Family Residential</u></b>	<b>Units/ Square Feet</b>
50x100	375
55x100	247
60x100	455
70x100	241
<b><u>Multi Family Residential</u></b>	
Market Rate	147
Market Rate (For Rent)	314
Senior	134
Affordable	479
<b>Total Residential Land Uses</b>	<b>2,392</b>
<b>Nonresidential</b>	
Commercial	120,000
<b>Total Nonresidential</b>	<b>120,000</b>

<b>Initial Market Values</b>	
<b><u>Single Family Residential</u></b>	<b>Value Per Unit/SF</b>
50x100	\$ 600,000
55x100	\$ 625,000
60x100	\$ 650,000
70x100	\$ 695,000
<b><u>Multi Family Residential</u></b>	
Market Rate	\$ 425,000
Market Rate (For Rent)	\$ 375,000
Senior	\$ 340,000
Affordable (Assumes \$0 for assessed value)	\$ 150,000
<b>Nonresidential</b>	
Commercial	\$ 250



**Figure 1 (Continued)**

<b><u>Fiscal Modeling</u></b>	
<b>Property Tax Rate (Post ERAF)</b>	
City General Fund Share of 1% Tax Rate	11.404%
<b>Annual Turnover Rate</b>	
Residential	11.11%
<b><u>Population Data</u></b>	
City of Soledad Population (Excludes prison population)	17,357
City of Soledad Employees	6,547
<b>City of Soledad Persons Served (Population plus 50% of Employees)</b>	<b>20,631</b>
<b>Persons Per Household</b>	
Single Family/Multi Family Residential (With the exception of senior units)	4.48
Senior	1.80

### **Buildout Focus**

The fiscal impacts of the Project were analyzed based on the estimated revenues and expenditures of the Project at buildout.

## **V. Fiscal Impact Analysis**

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### **Revenue Methodology and Assumptions**

This section of the Report describes the methodology used to forecast the Project's revenues at buildout. The calculations of estimated revenues used either a case-study methodology or a multiplier method (i.e., per capita or per persons served).

The case-study approach was used to estimate Property Taxes, Property Tax In-Lieu of Vehicle License Fees, Property Transfer Tax, and Sales Tax Revenues (see *Table A.3, A.4*).

The multiplier method was used to estimate Utility Tax, Business Licenses, Other Licenses & Permits, Franchise Fees, and Charges for Services (see *Table A.1*).

### **Case Study Method**

#### **Property Taxes - Secured**

At buildout, the Project is estimated to have an assessed value of \$1.098 billion dollars. *Table A.6* shows the estimated allocation of tax revenue to each district, fund, and agency after funds have been diverted to the Education Revenue Augmentation Fund ("ERAF"). Following ERAF allocation, The City will receive 11.404% of the total 1% property tax revenue. Secured property tax revenue is derived from taxes on residential uses. Annual property tax revenues are summarized in *Table A.3*.

### **Property Tax In-Lieu of Vehicle License Fees**

The calculation of Property Tax In-Lieu of Vehicle License Fees was a consequence of the passage of Proposition 1A in November of 2004. Revenue was calculated by taking the estimated percent change in assessed value that the Project would have on the City and applying that percent change on the revenue adopted in the FY 2021-22 Budget. Property Tax In-Lieu of Vehicle License Fees revenues are shown in *Table A.3*.

### **Property Transfer Tax**

The City receives this tax at the time in which a new or existing property is sold, and ownership is transferred. Property transfer tax is collected upon the sale of property at a rate of \$1.10 per \$1,000 of assessed valuation of which the City receives \$0.55 per \$1,000 of assessed valuation. The FIA calculates the property transfer tax by using an annual turnover rate of 11.11% (every 9 years) for single family residential units and 5.0% (every 20 years) for nonresidential property. Annual property transfer tax revenues are shown in *Table A.3*.

### **Sales and Use Tax**

The City currently receives three sources of sales tax. The Bradley Burns sales tax (general sales tax) is paid by the state to the City based on one percent of taxable sales that occur at businesses within the City limits. In 2012, voters passed a local sales tax measure (Measure Y) that adds another one percent to the sales tax for local use. In 2014 the measure was renewed and will remain in place through 2032. In 2020, voters passed a local sales tax measure (Measure S) that adds another one half of one percent to the sales tax for local use. Measure S does not have a sunset date. A significant difference with Measure Y and Measure S is that it allows the City to receive sales tax on vehicle purchases outside the City and online retailers. Per conversations with the City, Measure Y and Measure S revenues have been at least double that of the Bradley Burns sales tax revenue.

Taxable sales generated by the Project are calculated by examining the amount of taxable sales that will be generated by new residents and new retail in the Project. The amount of sales and use tax generated by residents is determined through several steps. First, the estimated household income for residents is determined. Second, the proportion of new residents' household income that will be spent on taxable goods and services is determined. Third, a taxable sales capture rate is assumed, as only a portion of the total amount of taxable goods and services generated by residents will occur in the City. Bradley Burns Sales Tax revenue is calculated at 1.00% of the estimated retail capture rate of sales within the City. Measure Y Sales Tax revenue is calculated at 1.00% of double the retail capture of taxable sales by new house households, and 1.00% of retail capture of taxable sales from new retail. Measure S Sales Tax revenue is calculated at 0.50% of double the retail capture of taxable sales by new house households, and 0.50% of retail capture of taxable sales from new retail. Sales Tax revenues are shown in *Table A.4*.

### **Multiplier Method**

Revenue items not calculated in *Table A.3 and A.4* are estimated to be generated on a per person served or per employee basis at a rate calculated from the existing City budget. All revenues calculated using the multiplier method are shown in *Table A.1*.

### **Utility Tax**

Revenue from Utility Tax is calculated on a per person served basis. See attached *Table A.1* for further detail.

### **Business License**

Revenue from Business Licenses is calculated on a per employee basis. See attached *Table A.1* for further detail.

### **Other Licenses & Permits**

Revenue from Other Licenses & Permits is calculated on a per person served basis. See attached *Table A.1* for further detail.

### **Franchise Fees**

Revenue from Franchise Fees is calculated on a per person served basis. See attached *Table A.1* for further detail.

### **Charges for Services**

Revenue from Charges for Services is calculated on a per person served basis. See attached *Table A.1* for further detail.

## **Expenditures Methodology and Assumptions**

Expenditure estimates are based on the City's FY 2021-22 adopted budget. The calculations of the General Fund expenditures and the estimating procedures used to model future expenditures from the Project are shown in *Table A.2*.

The FIA relies on an "average-cost" methodology to estimate all general fund expenditure impacts of new development on the City. An average-cost methodology is a common fiscal impact analysis methodology that divides the City's net cost of service, for a given service function, by the service population to which that service is provided. In this manner, the average-cost method is based on the assumption the marginal cost of agency services to new Project residents and employees would equal the City's existing average cost structure.

This analysis applies adjustment factors to several general fund department average-cost multipliers to reflect the fact that new residents and employees may not increase certain general fund department expenditures on a 1:1 ratio. Some departments have fixed costs not anticipated to increase with new development (see **Table A.2**). These adjustment factors are based on DPFG experience with similar fiscal impact analysis and account for the size and land use of the project compared to that of the existing city.

Expenditures affected by residents and employees are projected using a per person served average expenditure multiplier.

## **VI. Fiscal Impact Results**

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This section of the Report summarizes the Project's annual fiscal impact at buildout on the City. *Table 2* provides a summary of the Project's estimated revenues and expenditures projection.

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**Table 2**  
**Miramonte**  
**Fiscal Impact Analysis**  
**Estimated Fiscal Impact**

	Estimating Procedure	Service Population [1]	Revenue Multiplier	Annual Revenue/Expenditures at Buildout	
City of Soledad					
Estimated General Fund Revenues					
Property Tax					
Property Tax: Secured	Case Study	-	-	\$	1,252,581
Property Tax: Vehicle License Fee (VLF) - Property Tax Swap	Case Study	N/A	-	-	2,847,953
Property Tax: Other	[3]	N/A	-	-	-
Property Transfer Tax	Case Study	N/A	-	-	66,116
Sales Tax	Case Study	N/A	-	-	332,690
Utility Tax	Persons Served	9,930	30.78	-	305,642
Transient Occupancy Tax	[3]	-	-	-	-
Business License	Employees	180	9.93	-	1,787
Building Permits	[3]	-	-	-	-
Other Licenses & Permits	Persons Served	9,930	0.18	-	1,829
Revenue from Other Agents	[3]	N/A	-	-	-
Franchise Fees	Persons Served	9,930	42.83	-	425,342
Charges for Services	Persons Served	9,930	10.93	-	108,539
Grant Revenue	[3]	N/A	-	-	-
Use of Money	[3]	N/A	-	-	-
Other Revenue	[3]	N/A	-	-	-
Transfers In	[3]	N/A	-	-	-
Covid 19	[3]	N/A	-	-	-
Subtotal Estimated General Fund Revenues				\$	5,342,480
Estimated Other Fund Revenues					
Sales Tax: Measure Y	Case Study	N/A	-	\$	519,580
Sales Tax: Measure S	Case Study	N/A	-	-	259,790
Subtotal Estimated Other Fund Revenues				\$	779,369
Total Estimated All Fund Revenues				\$	6,121,850
Estimated General Fund Expenditures					
General Government	Persons Served	9,930	\$ 4.72	\$	46,842
City Manager	Persons Served	9,930	5.97	-	59,238
City Attorney	Persons Served	9,930	2.22	-	22,021
Planning / Community Development	Persons Served	9,930	34.39	-	341,514
Building / Development	Persons Served	9,930	14.62	-	145,186
Human Resources	Persons Served	9,930	3.21	-	31,915
Information Technology	Persons Served	9,930	5.95	-	59,059
Finance Department	Persons Served	9,930	4.27	-	42,440
Police Department	Persons Served	9,930	183.97	-	1,826,794
Fire Department	Persons Served	9,930	56.53	-	561,380
Public Works	Persons Served	9,930	4.41	-	43,744
Visitors Center	[2]	N/A	-	-	-
Non-Departmental	[2]	N/A	-	-	-
Covid 19	[2]	N/A	-	-	-
Subtotal Estimated General Fund Expenditures				\$	3,180,133
Estimated Measure S Expenditures					
Parks	Persons Served	9,930	\$ 41.55	\$	412,603
Recreation / Community Center	Persons Served	9,930	34.06	-	338,225
Animals	Persons Served	9,930	6.26	-	62,166
Community Engagement	Persons Served	9,930	7.71	-	76,573
Administration	Persons Served	9,930	0.48	-	4,813
Subtotal Estimated Measure S Fund Expenditures				\$	894,380
Estimated Measure Y Expenditures					
Police Department	[3]	N/A	N/A	\$	301,926
Fire Department	[3]	N/A	N/A	-	101,191
Parks	[3]	N/A	N/A	-	-
Economic Development	[3]	N/A	N/A	-	-
Administration	[3]	N/A	N/A	-	5,196
Capital Reserve	[3]	N/A	N/A	-	86,752
Council Unallocated	[3]	N/A	N/A	-	24,515
Subtotal Estimated Measure Y Fund Expenditures				\$	519,580
Total Estimated All Fund Revenues				\$	4,594,093
All Funds Surplus/(Deficit)				\$	1,527,757

**Footnotes**

- [1] Persons served is all City residents plus 50% of City employees. See Appendix A.5.  
[2] This revenue/expense source is not expected to be affected by the Project and therefore is not evaluated in this analysis.  
[3] Assumes Measure Y revenue will be expended in the same percentage as budgeted Measure Y expenditures.

## Net Annual Fiscal Impacts at Buildout

The annual net fiscal impacts at buildout of the Project indicate an annual City General Fund, Measure Y and Measure S Fund surplus of \$1.527 annually.

## APPENDICES:

Appendix A: General Fund Revenues (Table A.1)

General Fund Expenditures/Measure S & Y Expenditures (Table A.2)

Case Study Analyses – Property Tax Revenues (Table A.3)

Case Study Analyses – Sales Tax Revenues (Table A.4)

General Assumptions (Table A.5)

Property Tax Allocation (Table A.6)

Land Valuation and Secured Property Tax by TRA (Table A.7)

Table A.1  
Miramonte  
Fiscal Impact Analysis  
General Fund Revenues

	Estimating Procedure	Case Study Reference	FY 2021-22 Adopted Revenues	Service Population [1]	Revenue Multiplier	Adjustment Factor [2]	Adjusted Revenue Multiplier
<b>General Fund Revenues</b>							
<b>Property Tax</b>							
Property Tax: Secured	Case Study	Table A.3	\$ 517,500	N/A	-		-
Property Tax: Vehicle License Fee (VLF) - Property Tax Swap	Case Study	Table A.3	3,273,500	N/A	-		-
Property Tax: Other	[3]	-	258,000	N/A	-		-
Property Transfer Tax	Case Study	Table A.3	-	N/A	-		-
Sales Tax	Case Study	Table A.4	1,100,000	N/A	-		-
Utility Tax	Persons Served	-	635,000	20,631	30.78	100%	30.78
Transient Occupancy Tax	[3]	-	200,000	N/A	-		-
Business License	Employees	-	65,000	6,547	9.93	100%	9.93
Building Permits	[3]	-	300,000	N/A	-		-
Other Licenses & Permits	Persons Served	-	3,800	20,631	0.18	100%	0.18
Revenue from Other Agents	[3]	-	247,500	N/A	-		-
Franchise Fees	Persons Served	-	883,688	20,631	42.83	100%	42.83
Charges for Services	Persons Served	-	225,500	20,631	10.93	100%	10.93
Grant Revenue	[3]	-	250,000	N/A	-		-
Use of Money	[3]	-	106,000	N/A	-		-
Other Revenue	[3]	-	91,563	N/A	-		-
Transfers In	[3]	-	-	N/A	-		-
Covid 19	[3]	-	250,000	N/A	-		-
<b>Total General Fund Revenues</b>			<b>\$ 8,407,051</b>				

Source: City of Soledad 2021-2022 Adopted Budget

Notes:

[1] See Table A.5.

[2] Estimates the percentage of the general fund revenue that the project will impact.

[3] This revenue source is not expected to be affected by the Project and therefore is not evaluated in this analysis.

Table A.2  
Miramonte  
Fiscal Impact Analysis  
Fund Expenditures

	Estimating Procedure	2021/2022 Budget	Service Population (*)	Avg. Cost Per Person Served	Adjustment Factor [1]	Expenditure Per Person
<b>General Fund Expenditures</b>						
City Council	Persons Served	\$ 194,637	20,631	\$ 9.43	50%	\$ 4.72
City Manager	Persons Served	246,147	20,631	11.93	50%	5.97
City Attorney	Persons Served	91,500	20,631	4.44	50%	2.22
Planning / Community Development	Persons Served	946,036	20,631	45.86	75%	34.39
Building / Development	Persons Served	402,184	20,631	19.49	75%	14.62
Human Resources	Persons Served	88,408	20,631	4.29	75%	3.21
Information Technology	Persons Served	163,600	20,631	7.93	75%	5.95
Finance Department	Persons Served	117,565	20,631	5.70	75%	4.27
Police Department	Persons Served	3,795,334	20,631	183.97	100%	183.97
Fire Department	Persons Served	1,166,319	20,631	56.53	100%	56.53
Public Works	Persons Served	121,177	20,631	5.87	75%	4.41
Visitors Center	[2]	-	N/A	-	-	-
Non-Departmental	[2]	681,160	N/A	-	-	-
Other Sources & Uses	[2]	-	N/A	-	-	-
Covid 19	[2]	250,000	N/A	-	-	-
<b>Subtotal General Fund Expenditures</b>		<b>\$ 8,264,067</b>				<b>\$ 320.26</b>
<b>Measure S Expenditures</b>						
Parks	Persons Served	857,221	20,631	\$ 41.55	100%	\$ 41.55
Recreation / Community Center	Persons Served	702,693	20,631	34.06	100%	34.06
Animals	Persons Served	129,156	20,631	6.26	100%	6.26
Community Engagement	Persons Served	159,088	20,631	7.71	100%	7.71
Administration	Persons Served	10,000	20,631	0.48	100%	0.48
<b>Subtotal General Fund Expenditures</b>		<b>\$ 1,858,158</b>				<b>\$ 90.07</b>
<b>Measure Y Expenditures</b>						
						<b>Expenditure as a Percentage of Revenue (\$2M)</b>
Police Department	[3]	1,162,192	N/A	N/A	N/A	58.1%
Fire Department	[3]	389,510	N/A	N/A	N/A	19.5%
Parks	[3]	-	N/A	N/A	N/A	0.0%
Economic Development	[3]	-	N/A	N/A	N/A	0.0%
Administration	[3]	20,000	N/A	N/A	N/A	1.0%
Capital Reserve	[3]	333,933	N/A	N/A	N/A	16.7%
Council Unallocated	[3]	94,365	N/A	N/A	N/A	4.7%
<b>Subtotal General Fund Expenditures</b>		<b>\$ 2,000,000</b>				<b>100%</b>

Source: City of Soledad 2021-2022 Adopted Budget

(\*) Based on population estimates from the California Department of Finance data for January 1, 2021. Also see Table A.5.

Notes:

- [1] Percentage of budget that is expected to grow proportionately with new development.
- [2] This expense source is not expected to be affected by the Project and therefore is not evaluated in this analysis.
- [3] Assumes Measure Y revenue will be expended in the same percentage as budgeted Measure Y expenditures.

**Table A.3**  
**Miramonte**  
**Fiscal Impact Analysis**  
**Case Study Analyses**

Land Use Assumption and Estimated Valuation			
Lot Size	Build Out Units/SF [1]	Price Per Unit/SF [2]	Total Valuation
<b>Residential</b>			
<b>Single Family</b>			
50x100	375	\$ 600,000	\$ 225,000,000
55x100	247	625,000	154,375,000
60x100	455	650,000	295,750,000
70x100	241	695,000	167,495,000
<b>Multi-Family</b>			
Market Rate	147	425,000	62,475,000
Market Rate (For Rent)	314	375,000	117,750,000
Senior	134	340,000	45,560,000
Affordable	479	-	-
<b>Total Residential</b>	<b>2,392</b>		<b>\$ 1,068,405,000</b>
<b>Nonresidential</b>			
Commercial	120,000	250	\$ 30,000,000
<b>Total Nonresidential</b>	<b>120,000</b>		<b>\$ 30,000,000</b>
<b>Total Residential &amp; Nonresidential Valuation</b>			<b>\$ 1,098,405,000</b>
<b>A. Estimated Annual Property Tax Case Study</b>			
Basic Rate			1.00%
Total Residential Secured Property Tax		\$	10,984,050
Percent Allocated to City [3]			11.404%
<b>Annual Property Tax Allocated to City General Fund</b>		<b>\$</b>	<b>1,252,581</b>
<b>B. Estimated Property Transfer Tax Case Study</b>			
<b>Turnover Rate</b>			
Residential Property [4]			11.11%
Commercial Property			5.00%
Residential Property Total Valuation		\$	1,068,405,000
Commercial Property Total Valuation			30,000,000
Annual Estimated Assessed Turnover Valuation		\$	120,211,667
Rate per \$1,000 of Assessed Value (\$.55)			0.055%
<b>Total Estimated Property Transfer Tax</b>		<b>\$</b>	<b>66,116</b>
<b>C. Estimated Property Tax in Lieu of VLF Case Study</b>			
FY 2021-22 City of Soledad Assessed Valuation [5]		\$	1,185,394,376
Assessed Value of Project			1,098,405,000
<b>Total Assessed Value</b>		<b>\$</b>	<b>2,283,799,376</b>
Percent Change in Assessed Value			92.66%
Total FY 2021-22 Property Tax in Lieu of VLF Adopted Revenue [6]			3,073,500
<b>Estimated Increase in Property Tax in Lieu of VLF [7]</b>		<b>\$</b>	<b>2,847,953</b>

**Notes:**

[1] Provided by Developer.

[2] Estimated home values provided by Developer. Assumes affordable housing units will be exempt from property taxes and therefore assumes \$0 value.

[3] See Table A.7.

[4] Assumes a person moves every 9 years and commercial property transfers every 20 years.

[5] Total FY 2021-22 secured and unsecured value for City of Soledad per Monterey County Auditor Controllers Office

[6] City of Soledad FY 2021-2022 Adopted Policy Budget.

[7] Budget reduced by \$200,000 for payments to the City of Gonzales.



Table A.4  
Miramonte  
Fiscal Impact Analysis  
Case Study Analyses

Average Income and Taxable Expenditures for Residential Units			
Household Income and Taxable Expenditures			
Total Annual Mortgage, Ins., & Tax Payments/Rental			
Residential Land Use	Avg Home Value [1]	Payment [2]	Estimated Household Income [3]
Single Family			
50x100	\$ 600,000	\$ 3,432	\$ 137,284
55x100	625,000	3,575	143,004
60x100	650,000	3,718	148,724
70x100	695,000	3,976	159,020
Multi-Family			
Market Rate	425,000	2,431	97,243
Market Rate (For Rent)	375,000	2,145	85,802
Senior	340,000	1,945	77,794
Affordable	150,000	858	34,321
Taxable Exp. As % of			
Average Taxable Expenditures [4]		Income	Average Taxable Expenditures
Single Family			
50x100		22.6%	\$ 31,026
55x100		22.6%	32,319
60x100		22.6%	33,612
70x100		22.6%	35,939
Multi-Family			
Market Rate		22.6%	21,977
Market Rate (For Rent)		22.6%	19,391
Senior		22.6%	17,581
Affordable		22.6%	7,757
Total Taxable Expenditures		Units	Taxable Expenditures
Single Family			
50x100		375	\$ 11,634,783
55x100		247	7,982,754
60x100		455	15,293,276
70x100		241	8,661,191
Multi-Family			
Market Rate		147	3,230,592
Market Rate (For Rent)		314	6,088,870
Senior		134	2,355,914
Affordable		479	3,715,374
Subtotal Taxable Expenditures			39,345,218
Less: Vacancy (5%)			(1,967,261)
Total		2392	\$ 37,377,957
Taxable Sales from New Households			
Est. Taxable Capture Rate within City of Soledad [5]			50%
Total Taxable Sales from New Households			\$ 18,688,978
Taxable Sales from New Retail			
New Occupied Sq. Ft. (Less 10% Vacancy)			108,000
Est. Taxable Sales per Sq. Ft			\$ 270
Estimated capture rate of Miramonte residents [5]			50%
Total Taxable sales from New Retail			\$ 14,580,000
Percentage of Annual			
		Taxable Sales	Estimated Sales Tax Revenue
Sales Tax: General		1.00%	\$ 332,690
Sales Tax: Measure Y [6]		1.00%	\$ 519,580
Sales Tax: Measure S		0.50%	\$ 259,790

Notes:

[1] Estimated home values provided by Developer.

[2] Based on a 4.5%, 30-year fixed rate mortgage with a 20% down payment and 2% for annual taxes and insurance.

[3] Assumes mortgage lending guidelines allow no more than 30% of income dedicated to mortgage payments, taxes, and insurance.

[4] Average taxable expenditures per household used to estimate annual sales tax revenue. Based upon CA State Board of Equalization August 2010 report.

[5] 50% was used to estimate taxable capture rate within the City of Soledad. Assumes project households will do half their Soledad shopping at the onsite retail center.

[6] Measure Y and Measure S entitles the City to receive sales tax on vehicle purchases by residents that occur outside Soledad. Vehicle sales generate large amounts of sales tax in relation to other types of retail goods and Measure Y generates 100% more revenue for the City than the Bradley Burns sales tax, even though the local tax rates for both are one percent.

**Table A.5**  
**Miramonte**  
**Fiscal Impact Analysis**  
**General Assumptions**

General Assumptions			Assumption
Base Fiscal Year [1]			FY 2021-22
Property Turnover Rate (% per year)			
Residential [2]			11.11%
Commercial [2]			5.00%
	Persons per Dwelling Unit [3]	Units	Total Persons
Single Family			
50x100	4.48	375	1,680
55x100	4.48	247	1,107
60x100	4.48	455	2,038
70x100	4.48	241	1,080
Multi-Family			
Market Rate	4.48	147	659
Market Rate (For Rent)	4.48	314	1,407
Senior	1.80	134	241
Affordable	4.48	479	2,146
Subtotal Residents			10,357
Less: Vacancy (5%)			(518)
Total Residential		2,392	9,840
Persons per Nonresidential SF			
	SF/Employee [4]	SF	Employees
Commercial Retail	600	120,000	200
Subtotal Employees			200
Less: Vacancy(10%)			(20)
Nonresidential Persons Served			180
Total Residential/Nonresidential Persons Served (50% of employees)			9,930
General Demographic Characteristics			
Total Citywide			
City of Soledad Population [5]			24,454
City of Soledad Prison Population [6]			(7,097)
City of Soledad Employees [7]			6,547
City of Soledad Persons Served (Population plus 50% of Employees)			20,631

Source: California Department of Finance

**Notes:**

[1] Reflects 2021-2022 City of Soledad Adopted Policy Budget. This analysis does not reflect changes in values resulting from inflation or appreciation.

[2] US Census Bureau 2013 Mobility Study.

[3] Persons per household per State of California, Department of Finance, E-5 Population and Housing Estimates for Cities, Counties and the State — January 1, 2011-2021. Sacramento, California, May 2021. Senior rate based on industry standard.

[4] Estimated employees per square foot for neighborhood retail.

[5] City Population per California Department of Finance E-1 Report dated May 1, 2021.

[6] Represent prison populations from the State of California Correctional Training Facility and Salinas Valley State Prison as reported by the California Department of Corrections and Rehabilitation Division of Correctional Policy Research and Internal Oversight Office of Research dated February 23, 2022. Also includes an 54 inmates in the Gabilan Conservation Camp #38 per the California Department of Corrections and Rehabilitation website for 2021.

[7] U.S. Census Bureau. (2021). LEHD Origin-Destination Employment Statistics (2002-2019) [computer file].

Washington, DC: U.S. Census Bureau, Longitudinal-Employer Household Dynamics Program [distributor], accessed on December 20, 2021 at <https://ontheemap.ces.census.gov>. LODS 7.5 [version].

**Table A.6**  
**Miramonte**  
**Property Tax Allocation Assumptions (FY 2021/2022)**

Property Tax Fund	TRA:	126-004		126-004	ERAF Rate	ERAF Shift[2]	Post ERAF %
		<u>Pre-Annexation</u>	<u>% To City</u>	<u>Allocated to City<sup>1</sup></u>	<u>Post-Annexation</u>		
City of Soledad		0.00000000		0.17481072	0.17481072	0.341314	0.1151454
Monterey County-Wide		0.28080600	48.6%	-0.13647172	0.14433428	0.402607	0.0862243
County Library		0.02591200	0.0%	0.00000000	0.02591200	0.243636	0.0195989
Monterey County Office of Education		0.03040700	0.0%	0.00000000	0.03040700	0.000000	0.0304070
Soledad Unified Sch Dist		0.50052900	0.0%	0.00000000	0.50052900	0.000000	0.5005290
Hartnell College		0.09095700	0.0%	0.00000000	0.09095700	0.000000	0.0909570
MCWRA Dist		0.00158600	0.0%	0.00000000	0.00158600	0.311757	0.0010916
MCWRA Zone 14		0.00000000	0.0%	0.00000000	0.00000000	0.204960	0.0000000
Fire Mission-Soledad Rural Dist		0.00846100	100%	-0.00846100	0.00000000	0.000000	0.0000000
Soledad Cemetery Dist		0.00661000	0%	0.00000000	0.00661000	0.312287	0.0045458
Soledad-Mission Recreation Dist		0.02987800	100%	-0.02987800	0.00000000	0.323573	0.0000000
Soledad Community Health Dist		0.01745100	0%	0.00000000	0.01745100	0.000000	0.0174510
MCWRA Zone 2		0.00581700	0%	0.00000000	0.00581700	0.252712	0.0043470
MCWRA Zone 2A		0.00158600	0%	0.00000000	0.00158600	0.000000	0.0015860
Subtotal		1.00000000			1.00000000		0.8718829
<b>ERAF Allocation</b>							0.1281171
<b>Total Post ERAF</b>							<b>1.0000000</b>

Property Tax Fund	TRA:	126-007		126-007	ERAF Rate	ERAF Shift <sup>2</sup>	Post ERAF %
		<u>Pre-Annexation</u>	<u>% To City</u>	<u>Allocated to City<sup>1</sup></u>	<u>Post-Annexation</u>		
City of Soledad		0.00000000		0.16875831	0.16875831	0.341314	0.1111588
Monterey County-Wide		0.28487100	48.60%	-0.13844731	0.14642369	0.402607	0.0874725
County Library		0.02628800	0.0%	0.00000000	0.02628800	0.243636	0.0198833
Monterey County Office of Education		0.03084800	0.0%	0.00000000	0.03084800	0.000000	0.0308480
Soledad Unified Sch Dist		0.50777900	0.0%	0.00000000	0.50777900	0.000000	0.5077790
Hartnell College		0.09227500	0.0%	0.00000000	0.09227500	0.000000	0.0922750
MCWRA Dist		0.00160900	0.0%	0.00000000	0.00160900	0.311757	0.0011074
MCWRA Zone 14		0.00000000	0.0%	0.00000000	0.00000000	0.204960	0.0000000
Fire Mission-Soledad Rural Dist		0.00000000	100%	0.00000000	0.00000000	0.000000	0.0000000
Soledad Cemetery Dist		0.00670600	0%	0.00000000	0.00670600	0.312287	0.0046118
Soledad-Mission Recreation Dist		0.03031100	100%	-0.03031100	0.00000000	0.323573	0.0000000
Soledad Community Health Dist		0.01770400	0%	0.00000000	0.01770400	0.000000	0.0177040
MCWRA Zone 2		0.00000000	0%	0.00000000	0.00000000	0.252712	0.0000000
MCWRA Zone 2A		0.00160900	0%	0.00000000	0.00160900	0.000000	0.0016090
Subtotal		1.00000000			1.00000000		0.8744487
<b>ERAF Allocation</b>							0.1255513
<b>Total Post ERAF</b>							<b>1.0000000</b>

**Footnotes:**

[1] Based upon the approved property tax transfer heard by the Monterey County Board of Supervisors on January 25, 2022.

[2] The reallocation of property taxes away from counties, cities, and other agencies to the Education Revenue Augmentation Fund (ERAF) is based on certain formulas; the allocation in this column reflects the net allocation to the General Fund after the ERAF allocation has been applied.

Source: Monterey County Auditor-Controller's Office

**Table A.7**  
**Miramonte**  
**Land Valuation and Secured Property Tax by TRA**

Land Use Assumption and Estimated Valuation - TRA 126-004			
Lot Size	Build Out Units/SF [1]	Price Per Unit/SF [2]	Total Valuation
<b>Residential</b>			
<b>Single Family</b>			
50x100	303	\$ 600,000	\$ 181,800,000
55x100	247	625,000	\$ 154,375,000
60x100	200	650,000	\$ 130,000,000
70x100	102	695,000	\$ 70,890,000
<b>Multi-Family</b>			
Market Rate	147	425,000	62,475,000
Market Rate (For Rent)	314	375,000	117,750,000
Senior	134	340,000	45,560,000
Affordable	479	-	-
<b>Total Residential</b>	<b>1,926</b>		<b>\$ 762,850,000</b>
<b>Nonresidential</b>			
Commercial	120,000	250	30,000,000
<b>Total Nonresidential</b>	<b>120,000</b>		<b>\$ 30,000,000</b>
<b>Total Residential &amp; Nonresidential Valuation</b>			<b>\$ 792,850,000</b>
<b>A. Estimated Annual Property Tax Case Study - TRA 126-004</b>			
Basic Rate			1.00%
Total Residential Secured Property Tax		\$	7,928,500
Percent Allocated to City [3]			11.5145%
<b>Annual Property Tax Allocated to City General Fund</b>		<b>\$</b>	<b>912,930</b>
<b>Land Use Assumption and Estimated Valuation - TRA 126-007</b>			
Lot Size	Build Out Units/SF [1]	Price Per Unit/SF [2]	Total Valuation
<b>Residential</b>			
<b>Single Family</b>			
50x100	72	\$ 600,000	\$ 43,200,000
55x100	-	625,000	\$ -
60x100	255	650,000	\$ 165,750,000
70x100	139	695,000	\$ 96,605,000
<b>Multi-Family</b>			
Market Rate	-	425,000	-
Market Rate (For Rent)	-	375,000	-
Senior	-	340,000	-
Affordable	-	150,000	-
<b>Total Residential</b>	<b>466</b>		<b>\$ 305,555,000</b>
<b>Nonresidential</b>			
Commercial	-	\$ 250	-
<b>Total Nonresidential</b>	<b>-</b>		<b>\$ -</b>
<b>Total Residential &amp; Nonresidential Valuation</b>			<b>\$ 305,555,000</b>
<b>A. Estimated Annual Property Tax Case Study - TRA 126-007</b>			
Basic Rate			1.00%
Total Residential Secured Property Tax		\$	3,055,550
Percent Allocated to City [3]			11.1159%
<b>Annual Property Tax Allocated to City General Fund</b>		<b>\$</b>	<b>339,651</b>
<b>A. Estimated Annual Property Tax Case Study - Combined TRA 126-004 &amp; 126-007</b>			
Basic Rate			1.00%
Total Residential Secured Property Tax		\$	10,984,050
Weighted Average Percent Allocated to City			11.4036%
<b>Annual Property Tax Allocated to City General Fund</b>		<b>\$</b>	<b>1,252,581</b>

Notes:

[1] Provided by Developer.

[2] Estimated home values provided by Developer. Assumes affordable housing units will be exempt from property taxes and therefore assumes \$0 value.

[3] See Table A.6.

## MEMORANDUM

To: Sally Rideout, EMC Planning Group

From: David Zehnder and Sean Fisher

Subject: Miramonte Specific Plan Fiscal Analysis Peer Review;  
EPS #222041

Date: April 30, 2022

*The Economics of Land Use*



EMC Planning Group (EMC) requested Economic & Planning Systems, Inc. (EPS) conduct a peer review of the fiscal impact analysis (Analysis) for the Miramonte Specific Plan (Project), located in the City of Soledad (City). The Analysis was prepared by the Project applicant's consultant, Development Planning and Financing Group (DPFG). This memorandum details EPS's review of the assumptions and methodologies presented in the Analysis, as well as any recommended adjustments.

The review included many of the key assumptions and methodologies used to estimate both revenues and expenditures:

- Estimated finished real estate values.
- Property tax allocation factors.
- Estimated sales tax revenue forecasts.
- City budget analysis (where revenue and expenditure multipliers are derived).
- Case-study methodologies for selected revenue and expenditure items.
- Calculations of revenues and expenditures and findings of net fiscal impacts.

## Key Assumptions

The Project is a mixed development comprising 2,392 resident units, including single-family, multifamily, senior, and affordable housing units, and approximately 120,000 square feet of commercial uses. Several key assumptions related to Project development inform both revenue and expenditure estimates.

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### Estimated Market Value per Unit/Square Foot

The analysis assumes an estimated market value per residential unit for single-family homes included in the Project ranging from \$600,000 to \$695,000 per unit. EPS reviewed data pertaining to recent home sales in the City and Monterey County (County) for both new and existing residential units. Based on information provided by Redfin, the average home sale price for single-family residential units in the City over the past year was \$580,000 per unit. The average home sale price in the County was \$840,000 per unit, as shown on **Table 1**. This estimate reflects all units in the City and not only newly constructed units of similar size to the Project.

**Table 1: Average Home Sale Prices  
(Apr 2021 through Mar 2022)**

Period	Average Home Sales Price	
	City of Soledad	Monterey County
<b>12-Month Average</b>	<b>\$581,979</b>	<b>\$836,625</b>
April 2021	\$540,000	\$800,500
May 2021	\$457,500	\$840,000
June 2021	\$575,000	\$834,500
July 2021	\$585,000	\$810,000
August 2021	\$587,000	\$820,000
September 2021	\$527,500	\$810,000
October 2021	\$665,000	\$845,000
November 2021	\$605,000	\$825,000
December 2021	\$582,500	\$849,000
January 2022	\$600,250	\$845,000
February 2022	\$626,500	\$861,500
March 2022	\$632,500	\$899,000

Source: Redfin; EPS.

In addition, EPS reviewed data specific to newly built residential units in the City, provided by The Gregory Group. Over the past year, there have not been many comparable products built in the City, and comparable sales data were only available for the Summerfield project, located in the City. The average sales price for newly built units in the Summerfield development with lot sizes consistent with the smallest units included in the Project is approximately \$463,000 per unit.

While residential units included in the Project are large lot units and their value may exceed City averages, the assumed market value per unit estimates exceed the expected values for development in the City. EPS would recommend additional supporting documentation be provided to validate the included market value assumptions for residential units.

Market value per square foot assumptions for the nonresidential square footage in the Project is consistent with standard assumptions and comparable data for similar uses in the City and surrounding region.

### **General Assumptions**

General Project assumptions, including property turnover rates, persons per dwelling unit, square feet per employee, vacancy rates, and total citywide population estimates, were derived from commonly used sources and reflect industry standard assumptions.

### **City Budget Analysis**

EPS has conducted a review of the City budget analysis included in the Analysis and found that the included budget assumptions are consistent with the City's Fiscal Year 2021/22 budget. In addition, the estimating procedures used for each analyzed revenue and expenditure source is consistent with industry standards.

## **Revenue-Estimating Methodologies**

EPS conducted a review of estimating methodologies and case studies for estimating revenues. The estimating procedures used to calculate each revenue category are consistent with industry standard methodologies.

### **Property Tax Revenue Case Study**

EPS reviewed the case study methodology for estimating property tax revenues and found the methodology to be accurate. In addition, EPS compared the property tax allocation assumptions to the final Miramonte Tax Transfer Resolution, dated January 5, 2022, and presented to the County Board of Supervisors on January 25, 2022. The property tax allocation assumptions are consistent with the information provided in the resolution.

Property tax revenues represent the largest source of revenue estimated for the Project. As noted previously, additional market data supporting the assumed Project assessed values would be needed to validate the assumed market values. If additional market data are not available, sensitivity analyses presenting the reduced property tax estimates may be warranted.

## Sales Tax Revenue Case Study

In reviewing the sales tax estimating case study methodology, EPS has identified an area in which additional information is required to fully assess the reliability of the presented analysis. The Analysis estimates total taxable sales generated by the spending of Project residents and generated by the onsite retail square footage. The methodology used to estimate taxable sales is based on reasonable assumptions. It is estimated that Project residents will generate \$18.7 million in taxable sales in the City, and Project Commercial uses will generate \$14.6 million in taxable sales.

The total taxable sales generated are used to estimate 3 sources of sales tax revenue: the general 1 percent Bradley Burns sales tax rate, the 1 percent Measure Y sales tax, and the 0.5 percent Measure S sales tax. The Bradley Burns sales tax revenues are estimated by applying the 1 percent sales tax rate to total taxable sales. As noted in footnote 6 on Table A-4 of the Analysis, Measure Y and Measure S revenues include additional revenues related to vehicle sales outside of the City. To estimate these revenues, the Analysis assumes that taxable expenditures resulting from resident spending would be increased by 100 percent. When estimating the Measure Y and Measure S sales tax revenues, the source of this assumption is not noted in the Analysis.

Based on data provided in the Bureau of Labor Statistics' Consumer Expenditure Survey for 2020, the most recent year available, motor vehicle purchases account for approximately 18 percent of consumer retail expenditures and are proportional to 25 percent of all taxable expenditures. EPS believes that increasing resident taxable sales potentially overestimates the annual sales tax revenues generated by the Project. As shown on **Table 2**, if resident taxable spending were increased by 25 percent as opposed to 100 percent to estimate Measure Y and Measure S revenues, estimated sales tax revenues would decrease by approximately \$180,000 annually.



**Table 2: Sales Tax Revenue Alternative**

Revenue Category	Rate	DPFG Analysis				Reduced Alternative				Difference
		Taxable Expenditures			Sales Tax Revenue	Taxable Expenditures			Sales Tax Revenue	
		Resident Spending	On Site Retail	Total		Resident Spending	On Site Retail	Total		
General Sales Tax	1.0%	\$18,688,978	\$14,580,000	\$33,268,978	\$332,690	\$18,688,978	\$14,580,000	\$33,268,978	\$332,690	\$0
Maeasure Y	1.0%	\$37,377,956	\$14,580,000	\$51,957,956	\$519,580	\$23,361,223	\$14,580,000	\$37,941,223	\$379,412	(\$140,167)
Measure S	0.5%	\$37,377,956	\$14,580,000	\$51,957,956	\$259,790	\$29,201,528	\$14,580,000	\$43,781,528	\$218,908	(\$40,882)
Total Sales Tax Revenues	0.0%	\$93,444,890	\$43,740,000	\$137,184,890	\$1,112,059	\$71,251,729	\$43,740,000	\$114,991,729	\$931,010	(\$181,049)

## **Expenditure-Estimating Methodologies**

Project expenditures are estimated using a per-persons-served multiplier method for all General Fund and Measure S revenues analyzed. The Analysis includes an adjustment factor for all General Fund expenditure categories with the exception of Police and Fire expenditures to account for fixed costs and expenditures not expected to grow proportionately with new development. The Analysis assumes an adjustment factor of 50 percent to City Council, City Manager, and City Attorney expenditures and 75 percent to all other General Fund expenditures. The adjustment factors applied to expenditure categories are reasonable and consistent with industry standards.

While an expenditure multiplier methodology is appropriate and reasonable, because of the large size of the Project, it would be recommended to conduct interviews with the City police and fire departments to estimate expenditures using a case-study methodology based on anticipated departmental needs and level of service standards. The Project has the potential to increase the population of the City by nearly 50 percent. The impact of such a sizable increase on public safety may outpace the anticipated revenues estimated via the multiplier method.

## **Conclusion**

The Analysis presents a reasonable estimation of potential fiscal impacts of the Project. EPS has identified a few areas where additional information may be required, or additional sensitivity analyses methodologies may be recommended:

1. The market value assumptions for residential units included in the Analysis are higher than the average sales prices for recent home sales in the City and are a key driver of property tax revenues. Additional market data supporting the assumed Project assessed values would be needed to validate the assumed values. If additional market data are not available, sensitivity analyses presenting the reduced property tax estimates related to decreased value assumptions may be warranted.
2. The estimates of Measure Y and Measure S revenues assume an increase in resident spending by 100 percent to account for vehicle purchases made outside the City. EPS believes this adjustment overestimates the average household vehicle spending and potentially overestimates annual sales tax revenues.
3. Project expenditures are estimated using a multiplier method for all expenditure categories, including police and fire expenditures. Because of the large size of the Project, EPS would recommend using a case-study methodology for public safety expenditures, accounting for departmental needs and anticipated levels of service.



## **MEMORANDUM**

To: Sally Rideout, EMC Planning Group

From: David Zehnder and Sean Fisher

Subject: Supplement to the Miramonte Specific Plan Fiscal Analysis Peer Review; EPS #222041

Date: June 16, 2022

In April 2022, at the request of EMC Planning Group (EMC), Economic & Planning Systems, Inc. (EPS) conducted a peer review of the fiscal impact analysis (Analysis) for the Miramonte Specific Plan (Project), located in the City of Soledad (City). The Analysis was prepared by the Project applicant's consultant, Development Planning and Financing Group (DPFG). The peer review found the Analysis to be a reasonable estimation of potential fiscal impacts of the Project but identified three areas in which EPS recommended additional action or supporting documentation be provided:

- A request for additional documentation regarding the assessed value assumptions included in the Analysis.
- A review of the methodology pertaining to the calculation of additional taxable sales resulting from vehicle purchases.
- A review of the methodology and findings as they pertained to public safety expenditures.

Following receipt of the peer review memorandum, the Project applicant and DPFG provided additional supporting documentation and took part in meetings with the City, EMC, and EPS to review the recommendations. The purposes of this supplement are to acknowledge the additional information provided and to revise the recommendations of the peer review accordingly.

## **Assessed Value Assumptions**

In response to the peer review, the Project applicant provided additional supporting data, including transaction records for similar developments in the City. Comparable sales records were provided for the Legacy Home Vintage Estates development, which indicated that recent sales prices for

comparable homes ranging from 1,550 square feet to 2,438 square feet per unit averaged from \$621,000 for new construction closing sales to \$643,000 for resales. These additional data provided the supporting documentation requested and support the assessed value assumptions included in the Analysis.

## **Public Safety Expenditures**

On May 25, 2022, DPFG, the City, EMC, and EPS met to discuss the recommendation related to public safety expenditures. In that meeting, EPS presented the reasoning for the public safety recommendations and acknowledged that the public safety methodology included in the Analysis would likely provide a conservative estimate of public safety expenditures. While a case study analysis for public safety expenditures could be an opportunity for further analysis, at this time, EPS has no concerns with the use of the per-person-served multiplier method used in the Analysis.

## **Conclusion**

The Analysis presents a reasonable estimation of the potential fiscal impacts of the Project. With the additional supporting documentation and meetings held, EPS acknowledges that the Project has adequately responded to EPS's concerns regarding the Analysis, and EPS recommends no further actions.

Infrastructure Phasing  
Public Facility Financing and Responsibilities

I

APPENDIX



# Miramonte Anticipated Infrastructure Phasing

June 23, 2022

					CIRCULATION		WATER		PARKS & OS				Public Safety	
Phase	Area	No. Units	Cum. Units	Cum. No. Persons	Onsite Circulation	Offsite Circulation <sup>(1, 2)</sup>	Sanitary Sewer	Non-Potable Water	Potable Water <sup>(4)</sup>	Storm Drainage	Park/OS Dedication	Supplied Park Acreage		Required Park Acreage (5 ac. per 1000)
1 (LDR)  Total Units This Phase:	1S	80	221	928	- BB Streets within the Phase  - Connect to Ex. West Street and Orchard Lane	- Pay City Traffic Impact Fee for project's fair share  - Offsite Traffic Monitoring with 200 <sup>th</sup> unit.	- BB Mains within the phase  - Upsize SS main in San Vicente Rd. between Gabilan Dr. & Goldenrod St.	- BB Mains within the phase	- BB Mains within the phase	- BB Mains within the phase  - Basin 1 (ptn.)	- Neighborhood trails and/or parks within the phase  - Recreational Park/Basin (ptn.)	5.39 Okay	4.64	
	2S	87												
	4S	54												
Cum. Park Area Check:														
2 (LDR)  (Sr. Living) Total Units This Phase:	1N	57	568	2,385	- BB Streets within the Phase	- Pay City Traffic Impact Fee for project's fair share  - Offsite Traffic Monitoring with 400 <sup>th</sup> unit.	- BB Mains within the phase  - No offsite SS improvement with this phase	- BB Mains within the phase	- BB Mains within the phase	- BB Mains within the phase  - Basin 1 (ptn.)	- Neighborhood trails and/or parks within the phase  - Recreational Park/Basin (ptn.)  - Linear Park (ptn.)	12.35 Okay	11.93	
	2N	97												
	4N	59												
Cum. Park Area Check:														
3  Total Units This Phase:	10E	95	663	967	- BB Streets within the Phase	- Pay City Traffic Impact Fee for project's fair share  - Construct San Vicente Realignment at SW corner of project  - Offsite Traffic Monitoring with 600 <sup>th</sup> unit.	- BB Mains within the phase  - Construction of the SS main within the San Vicente Realignment up to the first project entry (Ave. C)	- BB Mains within the phase	- BB Mains within the phase  - New main in San Vicente realignment	- BB Mains within the phase  - New main in San Vicente realignment  - Basin 1 (ptn.)	- Neighborhood trails and/or parks within the phase  - Recreational Park/Basin (ptn.)	17.02 Okay	4.84	
		95												
Cum. Park Area Check:														
4  Total Units This Phase:	10W	108 0	771	1,421	- BB Streets within the Phase	- Pay City Traffic Impact Fee for project's fair share  - Construct San Vicente along frontage of the phase	- BB Mains within the phase  - New SS Main in San Vicente from Ave. C to Orchard Ln.	- BB Mains within the phase	- BB Mains within the phase  - New Main in San Vicente from Ave. C to Orchard Ln.	- BB Mains within the phase  - New Main in San Vicente from Ave. C to Orchard Ln.  Basin 1 (ptn.)	- Neighborhood trails and/or parks within the phase  - Recreational Park/Basin (ptn.)	20.07 Okay	7.11	
		108												
Cum. Park Area Check:														

# Miramonte Anticipated Infrastructure Phasing

June 23, 2022

					CIRCULATION		WATER			PARKS & OS				
Phase	Area	No. Units	Cum. Units	Cum. No. Persons	Onsite Circulation	Offsite Circulation <sup>(1, 2)</sup>	Sanitary Sewer	Non-Potable Water	Potable Water <sup>(4)</sup>	Storm Drainage	Park/OS Dedication	Supplied Park Acreage	Required Park Acreage (5 ac. per 1000)	Public Safety
5 (LDR & MDR) Total Units This Phase:	11 9A	190	1,111	2,849	- BB Streets within the Phase	- Pay City Traffic Impact Fee for project's fair share	- New SS Main in San Vicente from Orchard Ln. to Ave. E	- BB Mains within the phase	- BB Mains within the phase	- BB Mains within the phase	-Neighborhood trails and/or parks within the phase	22.19 Okay	14.25	Police/Fire Facility with this phase
		- Construct San Vicente along frontage of the phase				- Upsize SS main in San Vicente Rd. in the following locations: - Saavedra to Gabilan - North of Ledesma 200' +/-		- New Main in San Vicente from Orchard Ln. to Ave. E	- Basins 2 & 3					
		340				- Offsite Traffic Monitoring with the 800 <sup>th</sup> & 1,000 <sup>th</sup> unit.								
Cum. Park Area Check:														
6 (LDR & MDR) Total Units This Phase:	15W 9B(1)	110	1,271	3,521	- BB Streets within the Phase	- Pay City Traffic Impact Fee for project's fair share	- BB Mains within the phase	- BB Mains within the phase	- BB Mains within the phase	- BB Mains within the phase	- Neighborhood trails and/or parks within the phase	32.68 Okay	17.61	
		- Offsite Traffic Monitoring with 1,200 <sup>th</sup> unit.				-No offsite SS improvement with this phase		- Zone D water storage tank		- Hillside Picnic Park				
		50							- Zone D pump station		- Linear Park (ptn.)			
Cum. Park Area Check:														
7 (LDR) Total Units This Phase:	15E 9C	114	1,521	4,571	No BB Streets are in this Phase.	- Pay City Traffic Impact Fee for project's fair share	- No BB mains are in this Phase	- BB Mains within the phase	- BB Mains within the phase	- BB Mains within the phase	- Neighborhood trails and/or parks within the phase	40.85 Okay	22.86	
		- Offsite Traffic Monitoring with 1,400 <sup>th</sup> unit.				- No offsite SS improvement with this Phase				- Village Park				
		136									- Linear Park (ptn.)			
Cum. Park Area Check:														
8 (MDR) Total Units This Phase:	17 9b(2)	314	1,885	6,100	No BB Streets are in this Phase.	- Pay City Traffic Impact Fee for project's fair share	- New SS Main in San Vicente - Orchard Ln. North of Ave. E	- New Main in San Vicente -Orchard Ln. North of Ave. E	- New Main in San Vicente -Orchard Ln. North of Ave. E	- BB Mains within the phase	-Neighborhood trails and/or parks within the phase	42.06 Okay	30.5	
		- Construct San Vicente along frontage of the phase				- Upsize SS main in San Vicente Rd. at the following locations: - Ledesma to Saavedra - Goldenrod St. to Front St.		- New Main in San Vicente -Orchard Ln. North of Ave. E	- Basins 2 & 3					
		50				- Offsite Traffic Monitoring with 1,600 <sup>th</sup> & 1,800 <sup>th</sup> unit.				- Basin 4				
Cum. Park Area Check:														



# Miramonte Anticipated Infrastructure Phasing

June 23, 2022

					CIRCULATION			WATER			PARKS & OS			
Phase	Area	No. Units	Cum. Units	Cum. No. Persons	Onsite Circulation	Offsite Circulation <sup>(1, 2)</sup>	Sanitary Sewer	Non-Potable Water	Potable Water <sup>(4)</sup>	Storm Drainage	Park/OS Dedication	Supplied Park Acreage	Required Park Acreage (5 ac. per 1000)	Public Safety
9 <i>(LDR &amp; MDR)</i>	12S	53			- BB Streets within the Phase	- Pay City Traffic Impact Fee for project's fair share  - Offsite Traffic Monitoring with 2,000 <sup>th</sup> unit.	- BB Mains within the phase  - No offsite SS improvement with this phase	- BB Mains within the phase	- BB Mains within the phase	- BB Mains within the phase	- Neighborhood trails and/or parks within the phase  - Sports Park (ptn.)			
	14S	49												
	15(ptn)	22												
	8	190												
	9B(3)	50												
Total Units This Phase:		364	2,249	7,628	Cum. Park Area Check:									
10 <i>(LDR)</i>	12N	100			No BB Streets are in this Phase.	- Pay City Traffic Impact Fee for project's fair share  - Offsite Traffic Monitoring with 2,200 <sup>th</sup> unit.	No BB mains are in this Phase	- BB Mains within the phase	- BB Mains within the phase	- No BB mains within the phase	- Neighborhood trails and/or parks within the phase  - Sports Park (ptn.)			
	14N	43												
	Total Units This Phase:													

NOTES:

1. Project mitigation measure 4.13-15 requires monitoring of specific intersections as follows: "Monitoring shall be conducted by a qualified transportation engineer retained by the applicant and shall commence at issuance of the first building permit and routinely thereafter in increments of 200 residential building permits until the intersection improvements identified in Mitigation Measures 4.13-2, 4.13-3, 4.13-6, and 4.13-10, or the Market Street and Gabilan Drive extensions are complete.
2. Offsite Traffic Monitoring will determine the timing for construction of the offsite traffic improvements required in the project mitigation measures.
3. The project will pay City impact fees with each building permit. Improvements constructed by the project that are part of the City's Impact Fee Program (Traffic, Parks & OS, Public Facilities, SS, SD, & water) are eligible for reimbursement or credit from the applicable fund.
4. A new City potable water well will be required. The payment of City water impact fees will be the project's fair share contribution. Timing to be determined.
5. Payment of a library impact fee is also required. Facilities, if any to be determined by City Council.



**MIRAMONTE**  
Soledad, CA

**PUBLIC FACILITY FINANCING & REPSONSIBILITIES**

June 22, 2022

ITEM	Fair-share	Financing Options	Construction Responsibility	Facility Maintenance	Anticipated Order-of-Magnitude Construction Cost <sup>(1)</sup>
<b>A. CIRCULATION :</b>					
Onsite:					
Backbone streets	No	Project Builder(s) <sup>2</sup>	Project Builder(s)	CFD	TBD
In-tract streets	No	Project Builder(s) <sup>2</sup>	Project Builder(s)	CFD	TBD
Offsite/Citywide:					
San Vicente Road project frontage (cost includes utilities & landscaping)	Yes	- City Fee Program - Eligible for Infrastructure CFD Financing	City or Developer with reimbursement from the Impact Fee funds	City	\$11,000,000
Offsite roadways and intersection upgrades	Yes	- City Fee Program - Eligible for Infrastructure CFD Financing	City or Developer with reimbursement from the Impact Fee funds	City	\$8,000,000
<b>B. SANITARY SEWER:</b>					
Onsite:					
Backbone mains and appurtenances	No	Project Builder(s) <sup>2</sup>	Project Builder(s)	City/Rate Payers	TBD
In-tract mains and appurtenances	No	Project Builder(s) <sup>2</sup>	Project Builder(s)	City/Rate Payers	TBD
Offsite/Citywide:					
San Vicente Road sewer main & appurtenances	Yes	- City Fee Program - Eligible for Infrastructure CFD Financing	City or Developer with reimbursement from the Impact Fee funds	City	Included above
Offsite main upgrades	Yes	- City Fee Program - Eligible for Infrastructure CFD Financing	City or Developer with reimbursement from the Impact Fee funds	City	\$2,694,300
<b>C. NON-POTABLE WATER:</b>					
Onsite:					
Backbone mains and appurtenances	No	Project Builder(s) <sup>2</sup>	Project Builder(s)	CFD	TBD
In-tract mains and appurtenances	No	Project Builder(s) <sup>2</sup>	Project Builder(s)	CFD	TBD
Storage and pumping facilities	No	Project Builder(s) <sup>2</sup>	Project Builder(s)	CFD	TBD
Offsite					
San Vicente Road main & appurtenances	Yes	- City Fee Program - Eligible for Infrastructure CFD Financing	City or Developer with reimbursement from the Impact Fee funds	City/CFD	Included above
<b>D. POTABLE WATER:</b>					
Onsite:					
Backbone mains and appurtenances	No	Project Builder(s) <sup>2</sup>	Project Builder(s)	City/Rate Payers	TBD
In-tract mains and appurtenances	No	Project Builder(s) <sup>2</sup>	Project Builder(s)	City/Rate Payers	TBD
Zone D water tank, pump station, and appurtenances	No	Project Builder(s) <sup>2</sup>	Project Builder(s)	City/Rate Payers	TBD
Offsite/Citywide:					
New potable water well		- City Fee Program - Eligible for Infrastructure CFD Financing	City or Developer with reimbursement from the Impact Fee funds	City/Rate Payers	\$2,500,000
San Vicente Road main & appurtenances	Yes	- City Fee Program - Eligible for Infrastructure CFD Financing	City or Developer with reimbursement from the Impact Fee funds	City/Rate Payers	Included above

**MIRAMONTE**  
Soledad, CA

**PUBLIC FACILITY FINANCING & REPSONSIBILITIES**

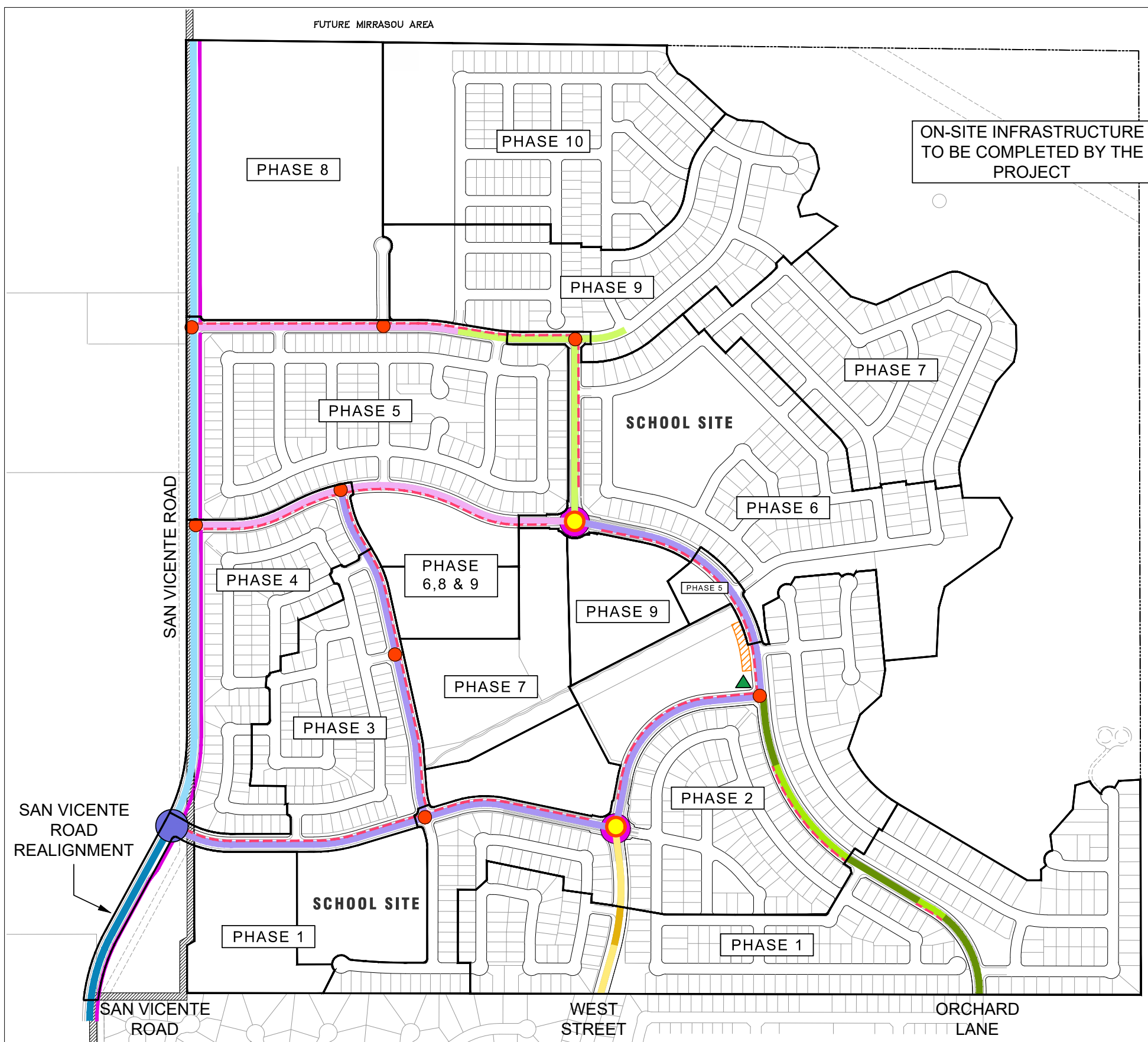
June 22, 2022

ITEM	Fair-share	Financing Options	Construction Responsibility	Facility Maintenance	Anticipated Order-of-Magnitude Construction Cost <sup>(1)</sup>
<b>E. STORM DRAINAGE:</b>					
Onsite:					
Backbone mains and appurtenances	No	Project Builder(s) <sup>2</sup>	Project Builder(s)	CFD	TBD
In-tract mains and appurtenances	No	Project Builder(s) <sup>2</sup>	Project Builder(s)	CFD	TBD
Offsite/Citywide:					
San Vicente Road storm drain main & appurtenances	Yes	- City Fee Program - Eligible for Infrastructure CFD Financing	City or Developer with reimbursement from the Impact Fee funds	City	Included above
Overland Drainage Structure @ San Vicente Road	Yes	- City Fee Program - Eligible for Infrastructure CFD Financing	City or Developer with reimbursement from the Impact Fee funds	City	\$750,000
<b>F. LANDSCAPING, PARKS, AND OPEN SPACE:</b>					
Onsite:					
Backbone street ROW and Median Landscaping	No	Project Builder(s) <sup>2</sup>	Project Builder(s)	CFD	TBD
In-tract street ROW landscaping	No	Project Builder(s) <sup>2</sup>	Project Builder(s)	CFD	TBD
In-tract neighborhood parks	No	Project Builder(s) <sup>2</sup>	Project Builder(s)	CFD	TBD
Developed Parks within Miramonte	Yes	- City Fee Program - Eligible for Infrastructure CFD Financing	City or Developer with reimbursement from the Impact Fee funds	CFD	\$10,000,000
Paseos & Trails	Yes	- City Fee Program - Eligible for Infrastructure CFD Financing	City or Developer with reimbursement from the Impact Fee funds	CFD	\$1,500,000
<b>G. PUBLIC SAFETY:</b>					
Onsite Fire/Police Facility	Yes	- City Fee Program - Eligible for Infrastructure CFD Financing	City or Developer with reimbursement from the Impact Fee funds	CFD	\$4,200,000
<b>H. LIBRARY:</b>					
Library Facility	Yes	- City Fee Program - Eligible for Infrastructure CFD Financing	City or Developer with reimbursement from the Impact Fee funds	CFD	\$300,000
<b>NOTES:</b> <sup>1</sup> Total Costs do not include project fair-share <sup>2</sup> Some Project builder(s) improvements are also potentially eligible for infrastructure CFD financing					

Circulation: On-site Connectivity Exhibits



FILE PATH: W:\JOBS 20\202015 - MIRAMONTE\DRAWINGS\PRELIM\EXHIBITS\PHASING EXHIBITS\C - CIRCULATION PHASING EXHIBIT\MM-CIRCULATION PHASING 2021-11-30.DWG



STREET CIRCULATION LEGEND

- ROUNDABOUT
- TRAFFIC SIGNAL
- ALL WAY STOP CONTROL
- ▲ RIGHT TURN LANE
- ▨ NO DRIVEWAYS/NO PARKING
- - - PARKING
- SECTION A
- SECTION A1
- SECTION B
- SECTION B1
- SECTION C
- SECTION C1
- SECTION C2
- SECTION D
- SECTION D1

- OFFSITE TRAFFIC IMPROVEMENTS:
1. REQUIRED OFFSITE TRAFFIC IMPROVEMENTS ARE IDENTIFIED IN THE PROJECT MITIGATION MEASURES.
  2. CONCEPTUAL PLANS, COSTS, AND PROJECT'S SHARE HAVE BEEN PREPARED TO ESTABLISH THE PROJECT TRAFFIC IMPACT FEE.
  2. THE PROJECT WILL PAY ITS FAIR SHARE OF OFFSITE TRAFFIC IMPROVEMENT UPGRADES THROUGH THE PAYMENT OF IMPACT FEES.
  3. OFFSITE TRAFFIC IMPROVEMENT UPGRADES WILL BE CONSTRUCTED IN PHASES BASED ON THE PROJECT BUILDOUT.
  4. THE VALUE OF ANY SUCH OFFSITE TRAFFIC IMPROVEMENTS CONSTRUCTED BY THE PROJECT WILL BE CREDITED TOWARDS THE PROJECT IMPACT FEES OR REIMBURSED TO THE OWNER.

SEE SHEET 2 FOR STREET SECTIONS

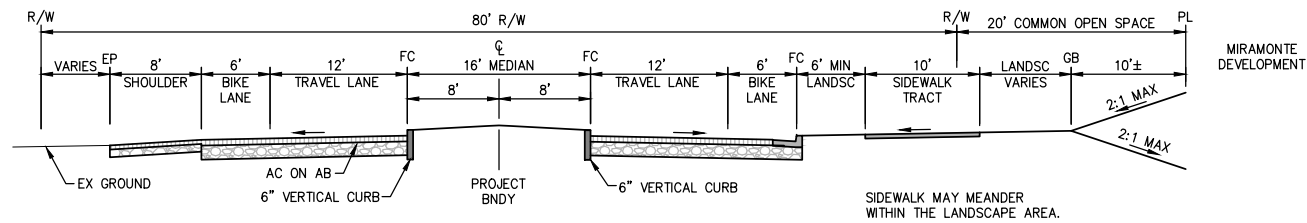
SHEET 1 OF 4

MIRAMONTE  
CIRCULATION

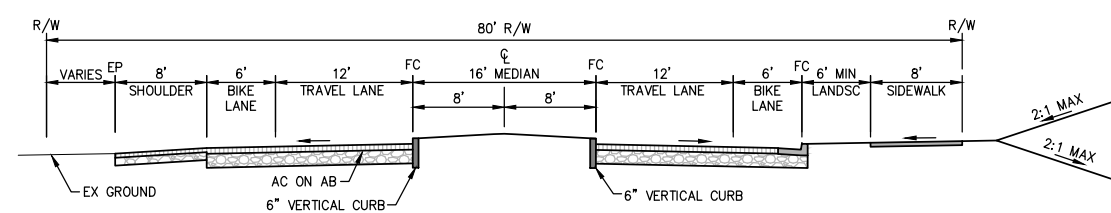
SOLEDAD, MONTEREY COUNTY, CALIFORNIA  
JUNE 22, 2022

**RUGGERI-JENSEN-AZAR**  
ENGINEERS • PLANNERS • SURVEYORS  
8055 CAMINO ARROYO GILROY, CA 95020  
PHONE: (408) 848-0300 FAX: (408) 848-0302

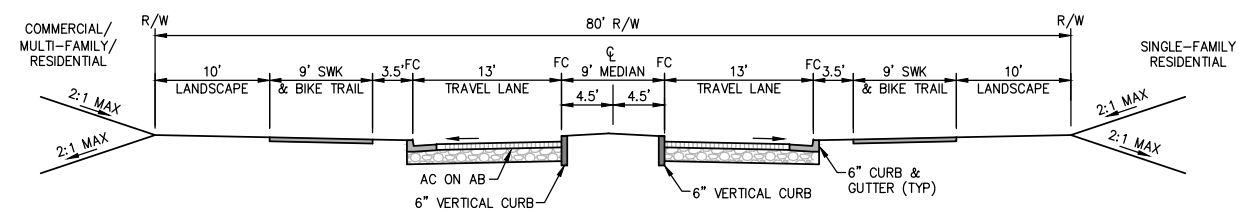
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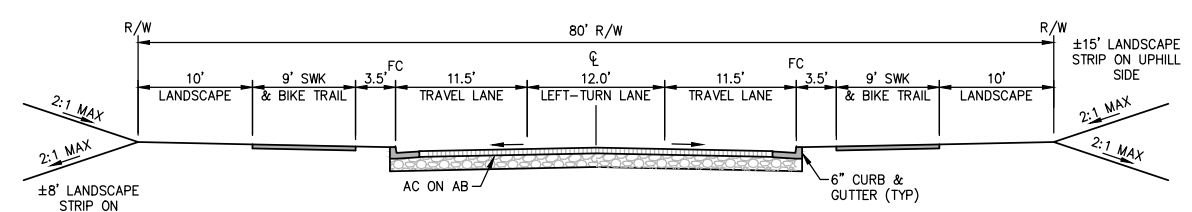
(A) **SAN VICENTE ROAD**  
NO SCALE



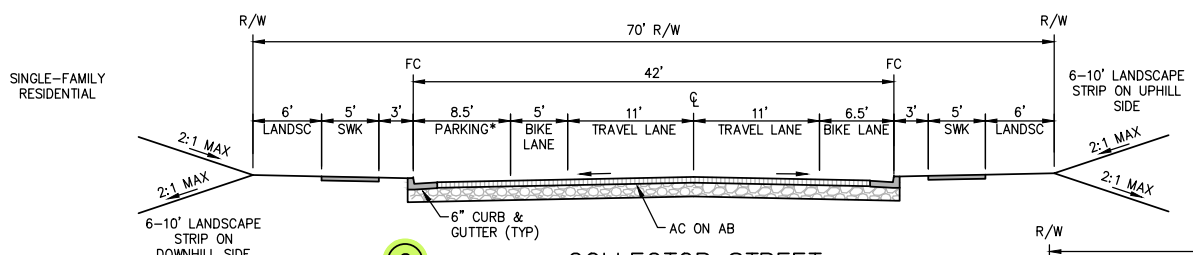
(A1) **SAN VICENTE ROAD CONNECTION**  
NO SCALE



(B) **WEST STREET (SOUTH OF AVE. C)**  
NO SCALE

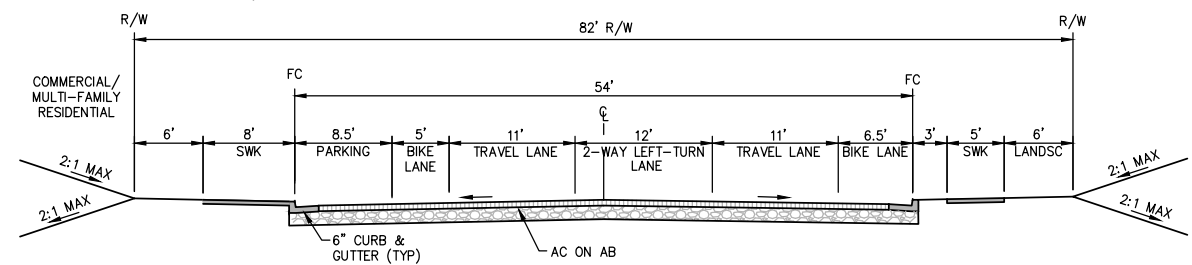


(B1) **WEST STREET AT STREET D4 INTERSECTION (NB)**  
NO SCALE



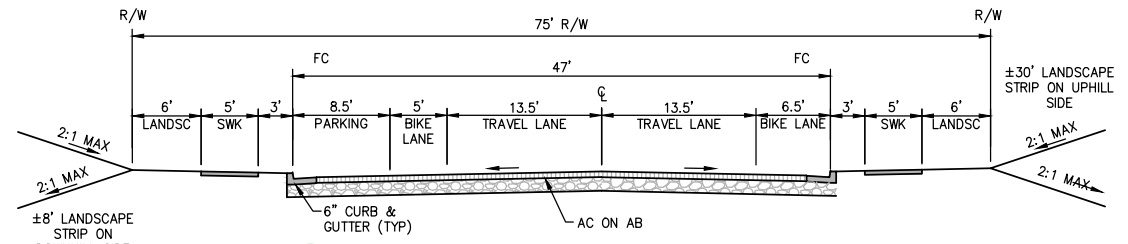
(C) **COLLECTOR STREET**  
NO SCALE

\* AT MAIN INTERSECTIONS, THE PARKING WILL BE REMOVED AND A LEFT-TURN LANE PROVIDED

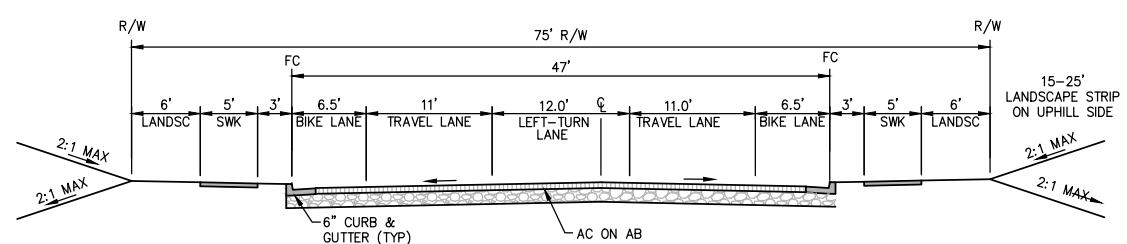


(D1) **COLLECTOR STREET**  
NO SCALE

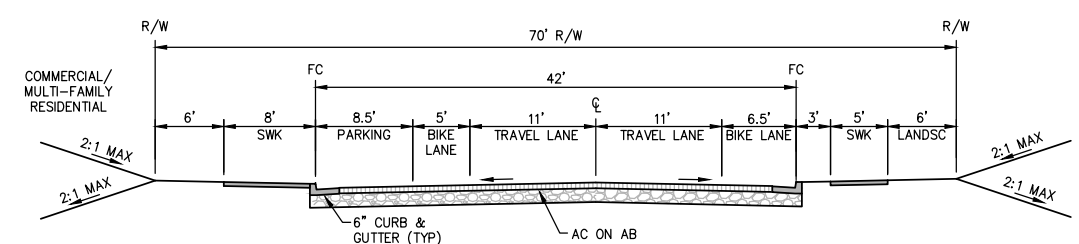
AVENUE C  
AVENUE B  
WEST STREET FROM AVENUE C TO ORCHARD  
ORCHARD FROM WEST STREET TO AVENUE A RBT.



(C1) **ORCHARD LANE SOUTH OF WEST STREET**  
NO SCALE



(C2) **ORCHARD LANE AT STREET B2 AND WEST STREET**  
NO SCALE



(D) **COLLECTOR STREET**  
NO SCALE

SEE SHEET 1 FOR LAYOUT

SHEET 2 OF 4

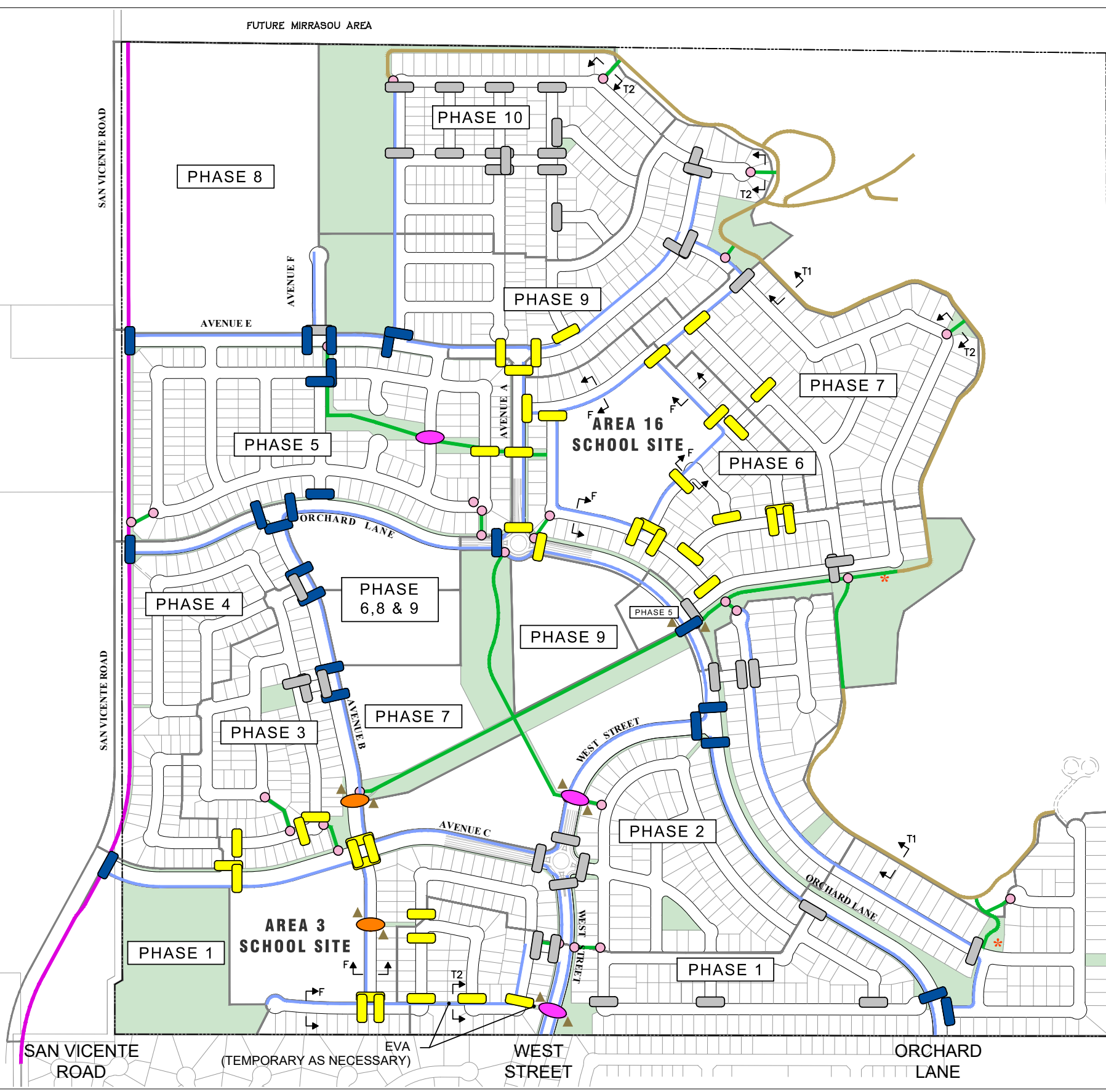
# MIRAMONTE CIRCULATION

SOLEDAD, MONTEREY COUNTY, CALIFORNIA  
JUNE 22, 2022

**RJA**  
**RUGGERI-JENSEN-AZAR**  
ENGINEERS • PLANNERS • SURVEYORS  
8055 CAMINO ARROYO GILROY, CA 95020  
PHONE: (408) 848-0300 FAX: (408) 848-0302

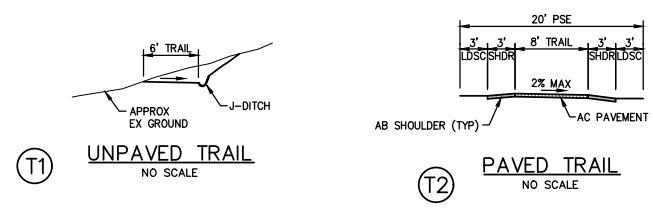
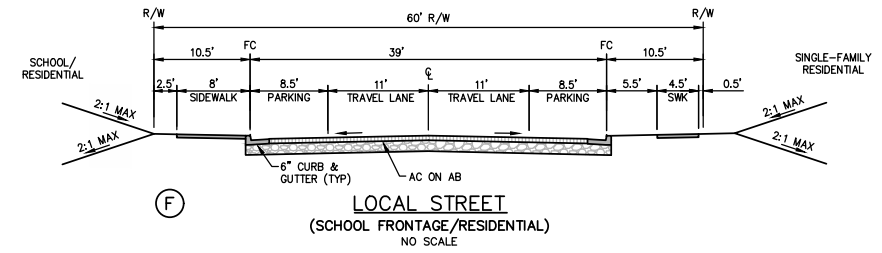


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LEGEND AND NOTES

- RAISED CROSSWALK - SCHOOL ADJACENT
- RAISED CROSSWALK - STANDARD
- CROSSWALK - SCHOOL ADJACENT
- CROSSWALK - STANDARD
- CROSSWALK - SPECIAL TEXTURED/PAVEMENT
- SOLAR-POWERED FLASHING BEACON
- EMERGENCY VEHICLE ACCESS TO OPEN SPACE
- TRAIL CONNECTION AT SIDEWALK
- UNPAVED TRAIL
- PAVED TRAIL
- 8' SIDEWALK (SCHOOL/COMMERCIAL/MULTI-FAMILY FRONTAGE/RESIDENTIAL)
- 10' SIDEWALK (SAN VICENTE STREET FRONTAGE)



SHEET 3 OF 4

# MIRAMONTE CROSSINGS/TRAILS

SOLEDAD, MONTEREY COUNTY, CALIFORNIA  
JUNE 22, 2022

**RJA**  
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ENGINEERS • PLANNERS • SURVEYORS  
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- TRAFFIC CONTROL**
- CURB-SIDE PARKING
  - RAISED CROSSWALK - SCHOOL ADJACENT
  - RAISED CROSSWALK - STANDARD
  - CROSSWALK - SCHOOL ADJACENT
  - CROSSWALK - STANDARD
  - CROSSWALK - SPECIAL TEXTURED/PAVEMENT
  - SOLAR-POWERED FLASHING BEACON
  - TRANSIT STOP
  - BULB-OUT INTERSECTION  
WALL-WAY STOP CONTROL
  - ROUND-A-BOUT
  - SCHOOL ATTENDANCE BOUNDARY (ASSUMED)
  - PATH TO SCHOOL

SHEET 4 OF 4

**MIRAMONTE  
PATHS TO SCHOOLS**

SOLEDAD, MONTEREY COUNTY, CALIFORNIA  
JUNE 22, 2022

**RUGGERI-JENSEN-AZAR**  
ENGINEERS • PLANNERS • SURVEYORS  
8055 CAMINO ARROYO GILROY, CA 95020  
PHONE: (408) 848-0300 FAX: (408) 848-0302

## GHG Emissions Reduction Guidance

K  
APPENDIX





**EMC PLANNING GROUP INC.**  
A LAND USE PLANNING & DESIGN FIRM

301 Lighthouse Avenue Suite C Monterey California 93940  
Tel 831-649-1799 Fax 831-649-8399 www.emcplanning.com

**To:** Brent Slama AICP, Interim City Manager, City of Soledad  
**From:** Sally Rideout EMPA, Principal Planner  
**Cc:** Nader Agha, Laith Agha, Arminta J. Jensen PE, PLS, LEED®AP, Jeff  
McMullen, Charles Hazelbaker  
**Date:** February 19, 2021

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**Re:** City of Soledad Planning Services: Greenhouse Gas (GHG) Emissions  
Reduction Plan Guidance Document – Miramonte Specific Plan

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Condition of project approval No. 48 (COA 48) and adopted mitigation measure 4.3-3 (MM 4.3-3) for the Miramonte Specific Plan require the preparation of an emissions reduction plan addressing project-generated GHG emissions and criteria air pollutant (CAP) emissions. The text of COA 48 and MM 4.3-3 are attached to this memorandum as Exhibit "A". This memo provides guidance for preparing a greenhouse gas (GHG) emissions reduction plan.

MM 4.4.3 requires that a GHG reduction plan be prepared for the "entire project", which equates to specific plan area. It also references that a certificate of occupancy for any phase of the specific plan buildout will not be granted until all of the measures included in the GHG reduction plan are implemented.

## **GHG Reduction Plan Content**

A GHG emissions reduction plan contains several basic components: 1) a projection of GHG emissions for an individual project; 2) a GHG volume target to which GHG emissions should be limited to be considered less than significant; and one or more GHG reduction measures for which GHG emissions reduction volumes can be quantified and which cumulatively reduce the projected emissions volume to or below the target. These basic components of a GHG reduction plan are summarized in the following paragraphs.

# **MEMORANDUM**

## GHG Emissions Inventory

The first component of a GHG reduction plan is a GHG emissions inventory. The inventory would show the volume of GHG emissions that are projected to be generated by various sources associated with land use development projects. Sources include transportation (mobile sources), electrical and natural gas energy consumption, solid waste disposal (creation of methane in a landfill), and water (water pumping and treatment).

### Gross Operational Emissions

The California Emissions Estimator Model (CalEEMod) is the most commonly used tool for projecting GHG emissions from land use projects based on the proposed land use types and development intensities. A range of other project-specific variables are also input to the model.

Solely for informational purposes, EMC Planning Group ran CalEEMod to generate a high-level projection of GHG emissions volume at buildout of the specific plan area. Model results are attached as Exhibit "B". Modeling results show projected gross project-specific GHG emissions volumes measured in metric tons per year. The results are shown in the table below.

#### Annual Unmitigated GHG Emissions by Source<sup>1,2</sup>

Source	CO <sub>2</sub> e
Area	3,334.99
Energy <sup>3</sup>	5,116.18
Mobile	22,423.83
Waste	1,384.42
Water <sup>4</sup>	386.16
Total Operational Emissions	32,645.59

Source: EMC Planning Group 2020

Notes:

1. Results may vary due to rounding.
2. Expressed in MT CO<sub>2</sub>e per year.
3. Results include emissions reductions from compliance with 2019 Title 24 building energy efficiency standards.
4. Results include emissions reductions from compliance with State thresholds for MWEL0.

## **Reductions from Gross GHG Emissions**

A range of GHG reductions from the gross volume calculated in CalEEMod may be available. These reductions are independent of those that may be required as mitigation measures in a CEQA document. Each is summarized below.

### ***CalEEMod “Mitigations”***

CalEEMod includes a range of “mitigations” which can be triggered. If the mitigations are applicable to the proposed project and the model is rerun with the applicable mitigations turned on, gross emissions decline. Some of the possible mitigations relate solely to the characteristics of the project (land use types, mix of uses, etc.). Others are related to the project location relative to other land use types.

### ***GHG Reductions from Applicant Proposed Measures***

GHG reductions can also be derived from measures proposed by the applicant as part of the project design/project description. Such measures must be explicitly identified in the project description and capable of being quantified. If any of the applicant-proposed measures are similar to mitigation measures identified in CalEEMod, CalEEMod can be used to quantify the resulting reductions. If not included in CalEEMod, the measures can often be quantified “out-of-model” using various reference sources.

### ***GHG Reductions from Baseline Activities***

Baseline emissions are created by any existing use of a site. For example, agricultural uses produce GHG emissions from electricity demand for irrigation water pumping – that electricity may be produced by fossil-fuel based power plants. If a site contains developed uses that would be eliminated with the proposed project, emissions from the developed uses can be quantified. The sum of baseline emissions can be subtracted from the gross project emissions, as they would be eliminated once the project site is developed and replace with other sources of GHGs.

### ***GHG Reductions from Statewide Regulations***

Though CalEEMod is calibrated to account for GHG reductions that accrue to some statewide regulations, it does not account for all regulations that may result in GHG reductions from sources that are beyond the control of a project developer. If such regulations are applicable to a proposed project, the GHG reductions can often be calculated out-of-model.

## **Net GHG Emissions Inventory**

The net project GHG emissions volume is derived by subtracting the sum of the emissions reductions from the sources listed above from the gross emissions inventory volume. The net emissions volumes are then compared to a threshold of significance to determine if additional GHG reductions must be implemented to meet the threshold.

## **GHG Emissions Reduction Target**

Neither MM 4.3-3, nor COA 48 require that the proposed project achieve a specified level of GHG emissions reduction. The Miravale III Specific Plan EIR, certified in 2010, did not include a quantified threshold of significance against which projected project emissions was compared. Had a threshold of significance been derived and project emissions were determined to exceed it, MM 4.3-3 would have been targeted to reduce project emissions by a specified volume to achieve a less than significant impact.

Since the project EIR was certified, expectations for climate change mitigation planning in the local land use planning and development process have grown exponentially. Today, CEQA documents that will be used by responsible agencies (Monterey County LAFCO) to meet their CEQA process requirements, must include detailed GHG analyses, and identify mitigation measures to reduce GHG emissions when such emissions exceed a threshold of significance.

In light of this current expectation, and considering that MM 4.3-3 does not identify a volume of GHG reduction to be achieved through implementing a GHG reduction plan, a quantified reduction target should be derived now for the project, consistent with applicable state reduction goals for the anticipated buildout of the specific plan area: 2050. Derivation of a target is required to provide a clear basis for identifying GHG reduction measures for inclusion in the GHG reduction plan and to enable LAFCO to meet their CEQA processing requirements and to enable City staff to determine if and how the required GHG reduction plan prepared under MM 4.3-3 meets the intent of the mitigation requirement.

In jurisdictions that have not adopted a qualified climate action plan, including the City of Soledad, the current professional practice for a project of this type is to derive an “efficiency-based” threshold. In short, this threshold constitutes the rate of emissions generated at buildout of the specific plan area; below which, those emissions would be consistent with the statewide GHG reduction target for the year 2050 as embedded in California legislation or Executive



Orders from the Governor's office. The threshold serves as a project's emissions reduction target and is equivalent to the projected statewide year 2050 GHG emissions volume for sectors related to land use development projects, divided by the sum of state population and employment projections for that same year.

## **GHG Reduction Plan – Reduction Measures**

If after all reductions from gross emissions are taken as described above, and the rate of projected project emissions exceeds the target, GHG reduction measures must be identified and included in the GHG reduction plan. The reductions that accrue from the measures must be sufficient to reduce the project rate of emissions to the statewide rate identified in the project's emissions reduction target.

### **Identifying and Selecting GHG Reduction Measures**

Based on state guidance included in the 2017 Scoping Plan prepared by the California Air Resources Board, the preferred hierarchy for selecting GHG reduction measures for land use projects is as follows: 1) select measures that can be implemented on-site and that are within the control of the project applicant; 2) contribute to GHG reduction programs that are being implemented at the local or regional level – these are typically programs designed and operated by local agencies (e.g., weatherstripping retrofit programs, building insulation programs, rooftop solar programs, etc.) or regional agencies such as the Monterey Bay Air Resources District (e.g., school bus engine replacement program); and 3) purchase carbon off-sets that are listed on a recognized registry/clearinghouse.

A good-faith effort at maximizing on-site reduction measures should be demonstrated before considering subsequent options. Purchasing carbon offsets should be considered for the balance of emissions reductions that cannot be met through on-site or local/regional programs.

The GHG reduction measures identified in Appendix F-1 of the Miravale III Specific Plan Final EIR (attached as Exhibit "C") are representative of a range of GHG reduction measures that can be considered for inclusion in a GHG reduction plan. Many of these are on-site measures that are within the control of the applicant. A second standard source for identifying potential GHG reduction measures is *Quantifying Greenhouse Gas Mitigation Measures* (California Air Pollution Control Officers Association 2010) (<http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf>). The "CAPCOA"

document includes numerous GHG reduction measures, many of which may not be applicable to the proposed project or within the applicant's control. However, many are site specific and constitute the type of priority on-site measures described above. Many of the measures in Appendix F-1 and the CAPCOA document are similar. Measures from the CAPCOA document are included in Exhibit "D".

## **Emissions Reduction Plan Content and Preparation**

A GHG emissions reduction that meets the intent of MM 4.3-3 should include a project description; background describing the requirements for the plan; a description of the reduction plan approach, a summary of modeling results and modeling methodology, an emissions reduction target and the rationale behind the target, quantified GHG reduction measures that when collectively implemented by all future phases of development reduce emissions to the emissions reduction target, and a GHG reduction measure implementation monitoring plan. The plan must also provide direction for how individual future development phases will demonstrate compliance with the GHG reduction plan, including options for substituting new GHG reductions measures that may be developed over time that prove as/or more effective than those included in the GHG reduction plan.

Many environmental consulting firms have the expertise and experience to prepare a project-specific GHG reduction plan with the content noted above. Such a firm should be retained to prepare the document and the supporting substantial evidence needed to demonstrate that the plan will achieve the intent of MM 4.3-3 and COA 48.

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## **EXHIBIT A**

MIRAMONTE SPECIFIC PLAN MITIGATION MEASURE 4.3-3 AND  
CONDITION OF PROJECT APPROVAL #48

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# Exhibit A

## **Mitigation Measure 4.3-3**

In order to reduce GHG and criteria air pollutants (CAP) emissions to the extent feasible, the project proponent/developer shall prepare and submit for Planning Director GHG and CAP Reduction Plan (Emissions Reduction Plan) for the entire project prior to submittal of the first final map.

The Emissions Reduction Plan shall include a description of the measures that are proposed to be implemented, including one or more of the measures contained in Appendix (F-1) of the Miravale III Specific Plan Final EIR. The Emissions Reduction Plan shall be approved by the city prior to construction of structures and site improvements, including but not limited to, determination of substantial conformance, building permits, and grading permits. For each of the measures not included, the applicant shall describe why the measure was not included. The Plan shall present estimated reductions in GHGs and criteria air pollutants based on available information sources.

No certificate of occupancy for any phase, or portion thereof, of the project shall be granted until all of the measures included in the approved Emissions Reduction Plan have been implemented by the applicant/project proponent. The proponent shall demonstrate that measures that must be implemented throughout the life of the project are included in all applicable CC&Rs, property deeds, commercial center rules and regulations, and draft tenant lease agreements.

## **COA 48. Greenhouse Gas and Criteria Air Pollutant Reduction Plan.**

- a. Prior to submittal of the first final map, the developer shall prepare an Emissions Reduction Plan in accordance with the requirements of mitigation measure 4.3-3. The Emissions Reduction Plan shall include a description and quantification of measures that are proposed to be implemented by the entire specific plan area, including one or more of the greenhouse gas (GHG) and criterial air pollutant reduction measures provided in Appendix F-1 of the certified Miravale III Specific Plan EIR. The recommended emissions model for land use emissions is CalEEMod, California Emissions Estimator Model.

- b. The Emissions Reduction Plan shall include quantified evidence that demonstrates the baseline GHG and criteria air pollutant emissions compared with reductions that will be achieved by implementation of the chosen emissions reduction measures, and other applicable mitigation measures and conditions of approval related to emissions sources.
- c. As part of the Emissions Reduction Plan, the following programs are required to be prepared by the developer and are subject to the review and approval of the Public Works Director prior to recordation of the final map for each phase of the project.
  - i. A Transportation Demand Management Program shall be prepared consistent with the requirements of the Transportation Agency of Monterey County. The Program shall demonstrate reductions in vehicle miles travelled and related mobile source criteria air pollutant emission that would be achieved through the implementation of measures that reduce traffic generated by the proposed project; and
  - ii. A Waste Diversion and Reduction Program identifying waste diversion measures consistent with state requirements and with the City Code Chapter 13.05 subject to the review and approval of the Community Development  

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Director prior to  
recordation of  
the final map for

each phase of the project.
- d. For each of the measures not included, the applicant shall describe why the measure was not included. The Emissions Reduction Plan shall present estimated reductions in GHG and CAP emissions based on best available information sources.
- e. No certificate of occupancy for any phase, or portion thereof, of the project shall be granted until all of the applicable measures have been implemented by the project proponent. The proponent shall demonstrate that measures that must be implemented throughout the life of the project are included in all applicable CC&Rs, commercial center rules and/or regulations, and draft tenant lease agreements.

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## **EXHIBIT B**

CALEEMOD RESULTS (INFORMATIONAL ONLY)

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## Miramonte Specific Plan Baseline Emissions - Monterey County, Annual

### Miramonte Specific Plan Baseline Emissions Monterey County, Annual

## 1.0 Project Characteristics

### 1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
Elementary School	1,000.00	Student	22.00	83,603.37	0
City Park	56.00	Acre	56.00	20,000.00	0
Apartments Low Rise	626.00	Dwelling Unit	31.30	626,000.00	1790
Retirement Community	134.00	Dwelling Unit	6.70	134,000.00	383
Single Family Housing	1,318.00	Dwelling Unit	296.10	2,372,400.00	3769
Strip Mall	120.00	1000sqft	8.60	120,000.00	0
Government Office Building	39.20	1000sqft	1.50	39,200.00	0
Other Asphalt Surfaces	34.70	Acre	34.70	1,511,532.00	0
Single Family Housing	314.00	Dwelling Unit	35.90	565,200.00	898

### 1.2 Other Project Characteristics

<b>Urbanization</b>	Urban	<b>Wind Speed (m/s)</b>	3.6	<b>Precipitation Freq (Days)</b>	55
<b>Climate Zone</b>	5			<b>Operational Year</b>	2050
<b>Utility Company</b>	Pacific Gas & Electric Company				
<b>CO2 Intensity (lb/MWhr)</b>	209	<b>CH4 Intensity (lb/MWhr)</b>	0.029	<b>N2O Intensity (lb/MWhr)</b>	0.006

### 1.3 User Entered Comments & Non-Default Data

Project Characteristics - Carbon Intensity Factor adjusted

Land Use - From Miramonte SP Table 1-1, Land Use Summary and Table 1-2 Land Use Data

FFA included in City Park category

Construction Phase - Adjusted per anticipated operational date

Land Use Change - Assumes active cultivation on all important farmland

Construction Off-road Equipment Mitigation -

Mobile Land Use Mitigation -

Energy Mitigation - Per 2019 BEES

Water Mitigation -

Waste Mitigation -

Energy Use -

Table Name	Column Name	Default Value	New Value
tblConstructionPhase	NumDays	7,750.00	4,700.00
tblConstructionPhase	NumDays	550.00	600.00
tblConstructionPhase	NumDays	550.00	600.00
tblConstructionPhase	PhaseEndDate	9/29/2056	1/20/2045
tblConstructionPhase	PhaseEndDate	11/8/2058	5/10/2047
tblConstructionPhase	PhaseEndDate	12/17/2060	8/27/2049
tblConstructionPhase	PhaseStartDate	9/30/2056	1/21/2045
tblConstructionPhase	PhaseStartDate	11/9/2058	5/11/2047
tblLandUse	LandUseSquareFeet	2,439,360.00	20,000.00
tblLandUse	LotAcreage	1.92	22.00
tblLandUse	LotAcreage	39.13	31.30
tblLandUse	LotAcreage	26.80	6.70
tblLandUse	LotAcreage	427.92	296.10
tblLandUse	LotAcreage	2.75	8.60
tblLandUse	LotAcreage	0.90	1.50
tblLandUse	LotAcreage	101.95	35.90
tblProjectCharacteristics	CO2IntensityFactor	641.35	209

## 2.0 Emissions Summary



## 2.1 Overall Construction

### Unmitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	tons/yr										MT/yr					
2021	0.4193	4.0944	2.8680	5.2000e-003	0.0155	0.2018	0.2173	4.1200e-003	0.1875	0.1916	0.0000	456.2552	456.2552	0.1250	0.0000	459.3795
2022	0.3558	3.4236	2.7280	5.1900e-003	0.1964	0.1654	0.3618	0.1035	0.1536	0.2571	0.0000	455.2773	455.2773	0.1259	0.0000	458.4247
2023	0.3539	3.5850	2.4360	5.1200e-003	2.3672	0.1647	2.5319	1.2959	0.1516	1.4475	0.0000	450.7405	450.7405	0.1412	0.0000	454.2701
2024	0.4244	4.1962	3.6033	8.0800e-003	1.9574	0.1740	2.1314	0.6163	0.1601	0.7764	0.0000	710.1104	710.1104	0.2247	0.0000	715.7283
2025	0.3865	3.6527	3.4967	8.2800e-003	1.8340	0.1477	1.9817	0.5484	0.1359	0.6844	0.0000	727.6639	727.6639	0.2305	0.0000	733.4273
2026	0.3861	3.6522	3.4918	8.2700e-003	1.8340	0.1477	1.9817	0.5484	0.1359	0.6843	0.0000	726.9880	726.9880	0.2305	0.0000	732.7502
2027	0.9592	7.7566	8.0342	0.0370	3.3630	0.0919	3.4550	0.7518	0.0862	0.8380	0.0000	3,421.1986	3,421.1986	0.1744	0.0000	3,425.5588
2028	0.9351	7.7825	7.8229	0.0375	2.3938	0.0879	2.4816	0.6474	0.0825	0.7299	0.0000	3,474.9378	3,474.9378	0.1671	0.0000	3,479.1140
2029	0.8912	7.6977	7.4897	0.0371	2.4030	0.0870	2.4900	0.6499	0.0817	0.7316	0.0000	3,442.7530	3,442.7530	0.1637	0.0000	3,446.8465
2030	0.8371	7.0047	7.1758	0.0372	2.4030	0.0364	2.4394	0.6499	0.0353	0.6852	0.0000	3,443.5070	3,443.5070	0.1027	0.0000	3,446.0732
2031	0.7882	6.9136	6.8645	0.0368	2.4030	0.0355	2.4385	0.6499	0.0344	0.6843	0.0000	3,409.1827	3,409.1827	0.0993	0.0000	3,411.6641
2032	0.7477	6.8603	6.6216	0.0367	2.4123	0.0347	2.4470	0.6524	0.0337	0.6861	0.0000	3,392.9543	3,392.9543	0.0966	0.0000	3,395.3700
2033	0.7052	6.7394	6.3453	0.0361	2.3938	0.0336	2.4275	0.6474	0.0327	0.6801	0.0000	3,342.3560	3,342.3560	0.0934	0.0000	3,344.6909
2034	0.6748	6.6816	6.1382	0.0359	2.3939	0.0329	2.4268	0.6474	0.0320	0.6794	0.0000	3,321.3479	3,321.3479	0.0911	0.0000	3,323.6257
2035	0.6384	6.5592	5.9760	0.0358	2.4031	0.0249	2.4279	0.6499	0.0240	0.6739	0.0000	3,316.2959	3,316.2959	0.0886	0.0000	3,318.5097
2036	0.6409	6.5843	5.9989	0.0359	2.4123	0.0250	2.4372	0.6524	0.0241	0.6765	0.0000	3,329.0020	3,329.0020	0.0889	0.0000	3,331.2243
2037	0.6384	6.5592	5.9760	0.0358	2.4031	0.0249	2.4279	0.6499	0.0240	0.6739	0.0000	3,316.2959	3,316.2959	0.0886	0.0000	3,318.5097
2038	0.6384	6.5592	5.9760	0.0358	2.4031	0.0249	2.4279	0.6499	0.0240	0.6739	0.0000	3,316.2959	3,316.2959	0.0886	0.0000	3,318.5097
2039	0.6360	6.5340	5.9531	0.0357	2.3939	0.0248	2.4186	0.6474	0.0239	0.6713	0.0000	3,303.5898	3,303.5898	0.0882	0.0000	3,305.7951

2040	0.5451	6.3820	5.4388	0.0353	2.4031	0.0205	2.4236	0.6499	0.0198	0.6697	0.0000	3,266.5561	3,266.5561	0.0825	0.0000	3,268.6180
2041	0.5451	6.3820	5.4388	0.0353	2.4031	0.0205	2.4236	0.6499	0.0198	0.6697	0.0000	3,266.5561	3,266.5561	0.0825	0.0000	3,268.6180
2042	0.5451	6.3820	5.4388	0.0353	2.4031	0.0205	2.4236	0.6499	0.0198	0.6697	0.0000	3,266.5561	3,266.5561	0.0825	0.0000	3,268.6180
2043	0.5451	6.3820	5.4388	0.0353	2.4031	0.0205	2.4236	0.6499	0.0198	0.6697	0.0000	3,266.5561	3,266.5561	0.0825	0.0000	3,268.6180
2044	0.5451	6.3820	5.4388	0.0353	2.4031	0.0205	2.4236	0.6499	0.0198	0.6697	0.0000	3,266.5561	3,266.5561	0.0825	0.0000	3,268.6180
2045	0.1735	0.8126	2.2545	5.5400e-003	0.1527	0.0154	0.1681	0.0412	0.0154	0.0566	0.0000	490.0551	490.0551	0.0147	0.0000	490.4215
2046	0.1536	0.4784	2.0805	3.7600e-003	0.0156	0.0152	0.0308	4.1400e-003	0.0152	0.0194	0.0000	323.2957	323.2957	0.0107	0.0000	323.5620
2047	7.1300	0.2527	1.1583	3.1500e-003	0.2531	6.7600e-003	0.2598	0.0673	6.7000e-003	0.0740	0.0000	277.7238	277.7238	5.8900e-003	0.0000	277.8711
2048	11.0992	0.1262	0.6417	2.8100e-003	0.3883	1.9900e-003	0.3903	0.1032	1.9100e-003	0.1052	0.0000	253.0384	253.0384	3.2300e-003	0.0000	253.1190
2049	7.2441	0.0824	0.4188	1.8300e-003	0.2534	1.3000e-003	0.2547	0.0674	1.2500e-003	0.0686	0.0000	165.1510	165.1510	2.1100e-003	0.0000	165.2036
Maximum	11.0992	7.7825	8.0342	0.0375	3.3630	0.2018	3.4550	1.2959	0.1875	1.4475	0.0000	3,474.9378	3,474.9378	0.2305	0.0000	3,479.1140

**Total Construction CO2e Emissions: 65,272.74 MTCO2e.**

**Average Annual CO2e Emissions: 2,175.76 MTCO2e per year**

## 2.2 Overall Operational

### Unmitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area	108.4100	2.9795	140.2560	0.2239		16.5037	16.5037		16.5037	16.5037	1,585.6772	1,659.9856	3,245.6628	1.9818	0.1335	3,334.9952
Energy	0.3398	2.9092	1.2778	0.0185		0.2348	0.2348		0.2348	0.2348	0.0000	5,075.6009	5,075.6009	0.3022	0.1108	5,116.1805
Mobile	3.7666	25.3563	43.1837	0.2420	26.5307	0.0894	26.6200	7.1168	0.0831	7.1999	0.0000	22,405.1548	22,405.1548	0.7470	0.0000	22,423.8300
Waste						0.0000	0.0000		0.0000	0.0000	558.8057	0.0000	558.8057	33.0245	0.0000	1,384.4175
Water						0.0000	0.0000		0.0000	0.0000	55.5032	146.2698	201.7730	5.7210	0.1388	386.1621
Total	112.5164	31.2450	184.7175	0.4845	26.5307	16.8278	43.3585	7.1168	16.8216	23.9383	2,199.9860	29,287.0111	31,486.9971	41.7765	0.3832	32,645.5853

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction	0.12	3.45	0.26	1.45	0.00	0.53	0.21	0.00	0.53	0.38	0.00	4.33	4.04	0.07	6.04	3.92

## 2.3 Vegetation

### Vegetation

	CO2e
Category	MT
Vegetation Land Change	- 3,032.4200
Total	- 3,032.4200

## 4.0 Operational Detail - Mobile

### 4.1 Mitigation Measures Mobile

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Unmitigated	3.7666	25.3563	43.1837	0.2420	26.5307	0.0894	26.6200	7.1168	0.0831	7.1999	0.0000	22,405.1548	22,405.1548	0.7470	0.0000	22,423.8300

### 4.2 Trip Summary Information

Land Use	Average Daily Trip Rate			Unmitigated	Mitigated
	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
Apartments Low Rise	4,125.34	4,482.16	3799.82	11,897,528	11,897,528

City Park	105.84	1,274.00	937.44	835,838	835,838
Elementary School	1,290.00	0.00	0.00	2,031,694	2,031,694
Retirement Community	321.60	272.02	261.30	881,272	881,272
Single Family Housing	12,547.36	13,061.38	11361.16	35,870,911	35,870,911
Single Family Housing	2,989.28	3,111.74	2706.68	8,545,877	8,545,877
Strip Mall	5,318.40	5,044.80	2451.60	7,499,609	7,499,609
Government Office Building	2,702.06	0.00	0.00	3,309,788	3,309,788
Other Asphalt Surfaces	0.00	0.00	0.00		
Total	29,399.88	27,246.10	21,518.00	70,872,516	70,872,516

### 4.3 Trip Type Information

Land Use	Miles			Trip %			Trip Purpose %		
	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
Apartments Low Rise	10.80	7.30	7.50	44.00	18.80	37.20	86	11	3
City Park	9.50	7.30	7.30	33.00	48.00	19.00	66	28	6
Elementary School	9.50	7.30	7.30	65.00	30.00	5.00	63	25	12
Retirement Community	10.80	7.30	7.50	44.00	18.80	37.20	86	11	3
Single Family Housing	10.80	7.30	7.50	44.00	18.80	37.20	86	11	3
Single Family Housing	10.80	7.30	7.50	44.00	18.80	37.20	86	11	3
Strip Mall	9.50	7.30	7.30	16.60	64.40	19.00	45	40	15
Government Office Building	9.50	7.30	7.30	33.00	62.00	5.00	50	34	16
Other Asphalt Surfaces	9.50	7.30	7.30	0.00	0.00	0.00	0	0	0

### 4.4 Fleet Mix

Land Use	LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
Apartments Low Rise	0.578370	0.024013	0.215962	0.099937	0.008884	0.003803	0.022117	0.032069	0.004411	0.001798	0.006991	0.001166	0.000479
City Park	0.578370	0.024013	0.215962	0.099937	0.008884	0.003803	0.022117	0.032069	0.004411	0.001798	0.006991	0.001166	0.000479
Elementary School	0.578370	0.024013	0.215962	0.099937	0.008884	0.003803	0.022117	0.032069	0.004411	0.001798	0.006991	0.001166	0.000479
Retirement Community	0.578370	0.024013	0.215962	0.099937	0.008884	0.003803	0.022117	0.032069	0.004411	0.001798	0.006991	0.001166	0.000479
Single Family Housing	0.578370	0.024013	0.215962	0.099937	0.008884	0.003803	0.022117	0.032069	0.004411	0.001798	0.006991	0.001166	0.000479
Strip Mall	0.578370	0.024013	0.215962	0.099937	0.008884	0.003803	0.022117	0.032069	0.004411	0.001798	0.006991	0.001166	0.000479
Government Office Building	0.578370	0.024013	0.215962	0.099937	0.008884	0.003803	0.022117	0.032069	0.004411	0.001798	0.006991	0.001166	0.000479
Other Asphalt Surfaces	0.578370	0.024013	0.215962	0.099937	0.008884	0.003803	0.022117	0.032069	0.004411	0.001798	0.006991	0.001166	0.000479

### 5.0 Energy Detail

## Historical Energy Use: N

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Electricity Unmitigated						0.0000	0.0000		0.0000	0.0000	0.0000	1,713.0668	1,713.0668	0.2377	0.0492	1,733.6646
NaturalGas Unmitigated	0.3398	2.9092	1.2778	0.0185		0.2348	0.2348		0.2348	0.2348	0.0000	3,362.5341	3,362.5341	0.0645	0.0617	3,382.5159

## 5.2 Energy by Land Use - NaturalGas

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
Apartments Low Rise	9.40825e+006	0.0507	0.4335	0.1845	2.7700e-003		0.0351	0.0351		0.0351	0.0351	0.0000	502.0599	502.0599	9.6200e-003	9.2000e-003	505.0434
City Park	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Elementary School	1.00449e+006	5.4200e-003	0.0492	0.0414	3.0000e-004		3.7400e-003	3.7400e-003		3.7400e-003	3.7400e-003	0.0000	53.6037	53.6037	1.0300e-003	9.8000e-004	53.9222
Government Office Building	542293	2.9200e-003	0.0266	0.0223	1.6000e-004		2.0200e-003	2.0200e-003		2.0200e-003	2.0200e-003	0.0000	28.9388	28.9388	5.5000e-004	5.3000e-004	29.1108
Other Asphalt Surfaces	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Retirement Community	2.01391e+006	0.0109	0.0928	0.0395	5.9000e-004		7.5000e-003	7.5000e-003		7.5000e-003	7.5000e-003	0.0000	107.4697	107.4697	2.0600e-003	1.9700e-003	108.1083
Single Family Housing	4.00819e+007	0.2161	1.8469	0.7859	0.0118		0.1493	0.1493		0.1493	0.1493	0.0000	2,138.9213	2,138.9213	0.0410	0.0392	2,151.6319
Single Family Housing	9.5491e+006	0.0515	0.4400	0.1872	2.8100e-003		0.0356	0.0356		0.0356	0.0356	0.0000	509.5761	509.5761	9.7700e-003	9.3400e-003	512.6043
Strip Mall	411600	2.2200e-003	0.0202	0.0170	1.2000e-004		1.5300e-003	1.5300e-003		1.5300e-003	1.5300e-003	0.0000	21.9645	21.9645	4.2000e-004	4.0000e-004	22.0951
<b>Total</b>		<b>0.3398</b>	<b>2.9092</b>	<b>1.2778</b>	<b>0.0185</b>		<b>0.2347</b>	<b>0.2347</b>		<b>0.2347</b>	<b>0.2347</b>	<b>0.0000</b>	<b>3,362.5341</b>	<b>3,362.5341</b>	<b>0.0645</b>	<b>0.0616</b>	<b>3,382.5159</b>

## 5.3 Energy by Land Use - Electricity

### Unmitigated



Consumer Products	15.5651					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Hearth	89.5810	2.6959	115.6806	0.2226		16.3668	16.3668		16.3668	16.3668	1,585.6772	1,619.6601	3,205.3372	1.9434	0.1335	3,293.7088
Landscaping	0.7360	0.2836	24.5754	1.3000e-003		0.1369	0.1369		0.1369	0.1369	0.0000	40.3256	40.3256	0.0384	0.0000	41.2864
<b>Total</b>	<b>108.4100</b>	<b>2.9795</b>	<b>140.2560</b>	<b>0.2239</b>		<b>16.5037</b>	<b>16.5037</b>		<b>16.5037</b>	<b>16.5037</b>	<b>1,585.6772</b>	<b>1,659.9856</b>	<b>3,245.6628</b>	<b>1.9818</b>	<b>0.1335</b>	<b>3,334.9952</b>

## 7.0 Water Detail

	Total CO2	CH4	N2O	CO2e
Category	MT/yr			
Unmitigated	201.7730	5.7210	0.1388	386.1621

## 7.2 Water by Land Use

### Unmitigated

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
Apartments Low Rise	40.7864 / 24.1447	41.8730	1.3330	0.0322	84.7982
City Park	0 / 62.6529	20.7884	2.8800e-003	6.0000e-004	21.0384
Elementary School	2.42424 / 5.8535	3.9549	0.0794	1.9600e-003	6.5239
Government Office Building	7.78746 / 4.48181	7.9524	0.2545	6.1500e-003	16.1477
Other Asphalt Surfaces	0 / 0	0.0000	0.0000	0.0000	0.0000
Retirement Community	8.73064 / 5.16835	8.9632	0.2854	6.9000e-003	18.1517
Single Family Housing	106.331 / 62.9459	109.1642	3.4753	0.0840	221.0712
Strip Mall	8.8887 / 5.11559	9.0770	0.2905	7.0200e-003	18.4312
<b>Total</b>		<b>201.7730</b>	<b>5.7210</b>	<b>0.1388</b>	<b>386.1621</b>

## 8.0 Waste Detail

	Total CO2	CH4	N2O	CO2e
	MT/yr			
Unmitigated	558.8057	33.0245	0.0000	1,384.4175

## 8.2 Waste by Land Use

### Unmitigated

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
Apartments Low Rise	287.96	58.4533	3.4545	0.0000	144.8155
City Park	4.82	0.9784	0.0578	0.0000	2.4240
Elementary School	182.5	37.0459	2.1894	0.0000	91.7795
Government Office Building	36.46	7.4011	0.4374	0.0000	18.3358
Other Asphalt Surfaces	0	0.0000	0.0000	0.0000	0.0000
Retirement Community	61.64	12.5124	0.7395	0.0000	30.9989
Single Family Housing	2053.48	416.8379	24.6344	0.0000	1,032.6982
Strip Mall	126	25.5769	1.5116	0.0000	63.3656
<b>Total</b>		<b>558.8057</b>	<b>33.0245</b>	<b>0.0000</b>	<b>1,384.4175</b>



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## **EXHIBIT C**

APPENDIX F-1 TO THE MIRAVALLE III SPECIFIC PLAN EIR

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**Final EIR  
Appendix F-1**

**Greenhouse Gas and Criteria Air Pollutant Reduction Plan  
Requirements**

**APPENDIX F-1 to the Final EIR**  
**GREENHOUSE GAS AND CRITERIA AIR POLLUTANT REDUCTION PLAN**  
**REQUIREMENTS AND EXAMPLE MEASURES**

In accordance with Mitigation Measure 4.3-3, in order to reduce greenhouse gas (GHG) and regional air pollutants and precursors (criteria air pollutants or CAPs) emissions, the applicant shall prepare and submit a GHG and CAP Reduction Plan (GCRP) prior to approval of the first tentative map that shall include a description of the measures that are proposed to be implemented by the entire Specific Plan project, including one or more of the following Example GHG and CAP Reduction Measures. The plan shall be approved by the City and implemented to the extent feasible prior to approval of all proposed construction of structures and site improvements, including but not limited to, determination of substantial conformance, building permits and grading permits. For each of the measures not included, the applicant shall describe why the measure was not included. The GCRP shall present estimated reductions in GHGs and CAPs based on available information source.

No certificate of occupancy for any phase, or portion thereof, of the project shall be granted until all of the applicable measures have been implemented by the project proponent. The proponent shall demonstrate that measures that must be implemented throughout the life of the project are included in all applicable CC&Rs, commercial center rules and regulations, and draft tenant lease agreements.

The measures below would reduce emissions of GHGs and CAPs; however, the effectiveness and adequacy of these measures for the entire Specific Plan or any future phase is unknown, precluding definitive quantitative analysis of emission reductions. For this reason, the regional air pollutants and precursors and the GHG emissions of the Specific Plan were considered to be significant and unavoidable. Following the example list of mitigation measures is a table from the BAAQMD's CEQA Guidelines showing the range of possible GHG and CAP reductions possible from similar measures.

Besides the on-site measures (or after implementation of all feasible on-site mitigation), another potentially feasible mitigation measure is an offsite mitigation program to assist lead agencies and project applicants in achieving emission reductions. A project applicant would enter into an agreement with the City or Air District and pay into a GHG reduction fund. The City or Air District would commit to reducing the type and amount of emission identified in the agreement. The City or Air District would identify, implement, and manage offsite mitigation projects. For guidance see the following website: [http://www.baaqmd.gov/~media/Files/Planning%20and%20Research/CEQA/baaqmd\\_offsite\\_guidance\\_5\\_3\\_10.ashx](http://www.baaqmd.gov/~media/Files/Planning%20and%20Research/CEQA/baaqmd_offsite_guidance_5_3_10.ashx).

**Example GHG and CAP Reduction Measures:**

Energy Efficiency and Non-Fossil Fuel Energy Measures

**NOTE: The project must comply with the most current State of California Building Code in effect at the time of building permit application submittal (see Mitigation Measure #4.3-6 in the Final EIR) and with the City of Soledad's Zoning Ordinance, Section 17.38.110 (Energy Conservation), that requires passive or natural heating or cooling opportunities and other measures to conserve nonrenewable energy resources in subdivision design.**

- Design buildings to be energy efficient. Specifically, require that buildings exceed Title 24 energy efficiency standards. Buildings shall take advantage of shade, prevailing winds, landscaping and sun screens to reduce energy use. Applicant shall consider pursuing Leadership in Energy and Environmental Design (LEED) Building Platinum Certification and LEED-ND certification.<sup>1</sup>

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<sup>1</sup> The LEED certification attempts to accomplish a whole building approach to sustainability by recognizing performance in five key areas of human and environmental health: sustainable site development, water savings, energy efficiency, materials selection, and indoor environmental quality. The process ensures that all building

- Install efficient lighting and lighting control systems. Use daylight as an integral part of lighting systems in buildings. A typical LEED requirement is that developments ensure that at least 75% of all regularly occupied spaces receive a minimum daylight illumination of 25 foot-candles.
- Install light colored cool pavements, and strategically placed shade trees. Plant shade trees within 40 feet of the south side or within 60 feet of the west side of buildings.
- Install energy efficient heating and cooling systems, appliances and equipment, and control systems. Including requiring:
  - smart meters and programmable thermostats.
  - tank-less water heaters.
  - Heating, Ventilation, and Air Condition (HVAC) ducts sealing.
  - increased roof/ceiling insulation.
- Install light emitting diodes (LEDs) for traffic, street and other outdoor lighting.
- Limit the hours of operation of outdoor lighting.
- Provide electrically powered landscape equipment and outdoor electrical outlets.
- Provide onsite renewable energy system(s) and solar water heaters. Nonpolluting and renewable energy potential includes solar, wind, geothermal, low-impact hydro, biomass and bio-gas strategies. When applying these strategies, projects may take advantage of net metering with the local utility.
- Project shall orient 75% or more of homes and/or buildings to face either north or south (within 30° of N/S). Building design includes roof overhangs that are sufficient to block the high summer sun, but not the lower winter sun, from penetrating south facing windows. Trees, other landscaping features and other buildings are sited in such a way as to maximize shade in the summer and maximize solar access to walls and windows in the winter.
- Install a vegetated/green roof that covers at least 50% of roof area, or alternatively, a “cool roof.” The reduction assumes that a vegetated roof is installed on a least 50% of the roof area or that a combination high albedo and vegetated roof surface is installed that meets the following standard:  $(\text{Area of SRI Roof}/0.75) + (\text{Area of vegetated roof}/0.5) \geq \text{Total Roof Area}$ . Design of the green roof shall incorporate water consumption reduction measures.

#### Water Conservation and Water Use Efficiency Measures <sup>2</sup>

**NOTE: The project must comply with the City of Soledad Municipal Code (SMC) Chapter 13.09 requiring ultra-low flow toilets, low-flow shower fixtures, water recirculating systems and xeriscape landscaping.**

- Install only high efficiency toilets and water fixtures, such as automatic timed faucets. **NOTE: This is a requirement of the SMC Chapter 13.09.**
- Create water-efficient landscapes by using landscape designs with drought tolerant local native, non-invasive plants only, including trees with low carbon emissions and high carbon sequestration potential.
- Install water-efficient irrigation systems and devices, such as soil moisture-based irrigation controls. Restrict watering methods (e.g., prohibit systems that apply water to non-vegetated surfaces) and control runoff.
- Use reclaimed water for landscape irrigation in new developments and on public property when such reclaimed water is made available. Install the infrastructure to deliver and use reclaimed water as part of required onsite and offsite improvements.
- Design buildings to be water-efficient. Design and install rainwater harvesting and storage systems for at least 50% of the project’s roof area for use as landscape irrigation.
- Restrict the use of water for cleaning outdoor surfaces and vehicles.

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systems perform interactively according to the contract documents, the design intent and the owner’s operational needs to optimize energy performance. LEED-ND is a similar certification program that applies to districts, areas or neighborhoods.

<sup>2</sup> Water conservation measures reduce energy consumption for production, treatment and conveyance of potable water, and therefore, reduce air pollutant emissions resulting from electricity generation.

- Implement low-impact development practices such as retaining storm water and using it onsite that maintain the existing hydrologic character of the site to manage storm water and protect the environment. **NOTE: This is a requirement of the SMC Chapter 13.52.**
- Coordinate the design of landscaped areas with the project's stormwater management plan to promote biofiltration, infiltration, reduce impervious surfaces and treat stormwater runoff from at least 90% of the average annual rainfall. **NOTE: This is a requirement of the SMC Chapter 13.52.**
- Develop a comprehensive water conservation strategy appropriate for the project and location. The strategy may include many of the specific items listed above, plus other innovative measures that are appropriate to the specific project.

#### Transportation and Traffic Demand Management Measures

- In compliance with Title 13, California Code of Regulations, Section 2485 (c) (1), all diesel-fueled commercial motor vehicles with gross vehicular weight ratings of greater than 10,000 pounds that are or must be licensed for operation on highways (1) shall not idle the vehicle's primary diesel engine for greater than 5.0 minutes at any location; and (2) shall not operate a diesel-fueled auxiliary power system (APS) to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5.0 minutes at any location when within 100 feet of a restricted area, except as noted in Title 13, California Code of Regulations, Section 2485 (d). **NOTE: This is a State requirement.**
- Provide shuttle service to public transit. The project shall be required to provide a shuttle to/from the airport and the public transit (i.e., train or light rail) stations.
- Provide public transit incentives such as free or low-cost monthly transit passes.
- Include pedestrian and bicycle-only streets and plazas within developments. Create travel routes that ensure that destinations may be reached conveniently by public transportation, bicycling or walking.
- Orient the project and provide access to existing transit, bicycle, or pedestrian corridors. Minimize or eliminate setback between project and existing or planned adjacent uses and sidewalks, and between different buildings on project site. Buildings shall be oriented towards existing or planned street frontage. Primary entrances to buildings shall be located along planned or existing public street frontage.
- Provide safe and convenient bicycle/pedestrian access to transit stop(s) and provide essential transit stop improvements (i.e., shelters, route information, benches, and lighting). **NOTE: This is a requirement of Mitigation Measure 4.3-5 of the Final EIR.**
- Include pedestrian/bicycle safety and traffic calming measures in excess of jurisdiction requirements. Design roadways to reduce motor vehicle speeds and encourage pedestrian and bicycle trips by featuring traffic calming features. Roadways that converge internally within the project shall be routed to avoid "skewed intersections;" which are intersections that meet at acute, rather than right, angles. Intersections internal and adjacent to the project shall feature one or more of the following pedestrian safety/traffic calming design techniques: marked crosswalks, count-down signal timers, curb extensions, speed tables, raised crosswalks, raised intersections, median islands, tight corner radii, and roundabouts or mini-circles. Streets internal and adjacent to the project shall feature pedestrian safety/traffic calming measures such as on-street parking, planter strips with street trees, and chicanes/chokers (variations in road width to discourage high-speed travel).
- If available at the time of issuance of the first certificate of occupancy for the project, the applicant shall provide for permanent Transportation Management Association (TMA) membership and funding requirement. Funding to be provided by Community Facilities District or County Service Area or other nonrevocable funding mechanism. Transportation Demand Management Measures (TDMs) have been shown to reduce employee vehicle trips up to 28% with the largest reductions achieved through parking pricing and transit passes. The transportation demand management measures will include one or more of the following:
  - Employee Telecommuting Program

- Compressed Work Schedule 3/36
- Compressed Work Schedule 4/40
- Compressed Work Schedule 9/80
- Guaranteed Ride Home Program
- Car-Sharing Services
- Information Provided on Transportation Alternatives
- Dedicated Employee Transportation Coordinator
- Carpool Matching Program
- Preferential Carpool/Vanpool Parking
- Provide on-site shops and services for employees.
- Provide adequate bicycle parking near building entrances to promote cyclist safety, security, and convenience. For large employers, provide facilities that encourage bicycle commuting, including locked bicycle storage or covered or indoor bicycle parking. (e.g., one bike rack space per 20 vehicle/employee parking spaces).
- Create bicycle lanes and walking paths directed to the location of schools, parks and other destination points.
- Provide “end-of-trip” facilities including showers, lockers, and changing space (e.g., four clothes lockers and one shower provided for every 80 employee parking spaces, separate facilities for each gender for projects with 160 or more employee parking spaces).
- Includes designated bicycle route connecting all units, onsite bicycle parking facilities, offsite bicycle facilities, site entrances, and primary building entrances to existing Class I or Class II bike lane(s) within one half mile. Bicycle route shall connect to all streets contiguous with project site. Bicycle route shall have minimum conflicts with automobile parking and circulation facilities.
- Provide a pedestrian access network that internally links all uses and connects to all existing/planned external streets and pedestrian facilities contiguous with the project site. Project design shall include a designated pedestrian route interconnecting all internal uses, site entrances, primary building entrances, public facilities, and adjacent uses to existing external pedestrian facilities and streets. Pedestrian routes shall have minimal conflict with parking and automobile circulation facilities. Streets (with the exception of alleys) within the project shall have sidewalks on both sides. All sidewalks internal and adjacent to project site shall be a minimum of five feet wide. All sidewalks shall feature vertical curbs. Pedestrian facilities and improvements such as grade separation, wider sidewalks, and traffic calming shall be implemented wherever feasible to minimize pedestrian barriers. All site entrances shall provide pedestrian access.
- Site design and building placement shall minimize barriers to pedestrian access and interconnectivity and shall eliminate physical barriers such as walls, berms, landscaping, and slopes between on- and off-site uses that impede bicycle or pedestrian circulation.
- Establish an employee and/or customer paid parking system, including a permanent and enforceable method of maintaining user fees for all parking facilities. To optimize the effectiveness, the facility shall not provide customer or employee validations, and daily charge for parking must be equal to or greater than the cost of a transit day/monthly pass plus 20%.
- Provide minimum amount of parking required. Once land uses are determined, the trip reduction factor associated with this measure can be determined by utilizing the Institute of Transportation Engineers (ITE) parking generation publication. The reduction in trips can be computed as shown below by the ratio of the difference of minimum parking required by code and ITE peak parking demand to ITE peak parking demand for the land uses multiplied by 50%. Percent Trip Reduction =  $50 * [(min\ parking\ required\ by\ code - ITE\ peak\ parking\ demand) / (ITE\ peak\ parking\ demand)]$
- Provide parking reduction less than code. This measure can be readily implemented through a shared parking strategy, wherein parking is utilized jointly among different land uses, buildings, and facilities in an area that experience peak parking needs at different times of day and day of the week.
- Locate parking facilities away from street frontage.
- Provide parking lot areas with 50% tree cover within 10 years of construction, in particular low emitting, low maintenance, native drought resistant trees. This measure reduces urban heat island

effect and requirement for air conditioning, effective when combined with other measures (e.g., electrical maintenance equipment and reflective paving material).

### **Waste Diversion and Reduction**

**NOTE: The project must comply with applicable State of California requirements for waste reduction, diversion, and recycling and with the City of Soledad's Municipal Code Chapter 13.05 that requires 100% diversion (i.e., reuse/ recycling) of inert solids (e.g., concrete, asphalt, brick) and a minimum diversion of 50% (by weight of non-inert materials) for certain projects.**

- Provide composting facilities at residential uses.
- Created food waste and green waste curb-side pickup service.
- Require the provision of storage areas for recyclables and green waste in new construction.

### **Miscellaneous**

- The fireplaces and stoves shall be gas-fired and meet U.S. Environmental Protection Agency certification requirements. The installation or operation of a wood-burning fireplace or a wood-burning stove shall be prohibited in perpetuity on all residential properties in the Miravale III Specific Plan Development. This restrictive covenant shall be recorded on the title of all parcels in the Miravale III Specific Plan area and shall run with the land. **NOTE: This measure is required by Mitigation Measure 4.3-4 in the Final EIR.**
- Use only low-volatile organic compound (low-VOC) paints (i.e., paints that contain the lowest feasible VOC content by volume). **NOTE: This measure reduces CAPs only and not GHGs. Specifically, it reduces reactive organic gases (an ozone precursor).**

The following tables are provided from the Bay Area Air Quality Management District's (BAAQMD) CEQA Guidelines (June 2010) in order to provide information regarding anticipated GHG and CAP reduction effectiveness relevant to the above mitigation measures. Measures are categorized as follows:

- **Operational Mobile Source (can be estimated using the Urbemis2007 modeling program)**
- **Area Source (can be estimated using the Urbemis2007 modeling program)**
- **Energy Efficiency**
- **Waste Reduction**

<b>Mitigation Measures for Operational Mobile Source Emissions</b>					
<b>Measure</b>	<b>Sector Reductions</b>	<b>Applicable Pollutants</b>	<b>Sector</b>	<b>Notes</b>	<b>Additional Comments</b>
Mix of Uses	-3% to 9%	CAPs, GHGs	Mobile sources	-3 when no housing or employment centers within ½ mile	Residential: % reduction is taken from base trips (9.57) and subtracted from ITE trip generation; Nonresidential: % reduction from ITE trip generation
Local serving retail within ½ mile of project	2%	CAPs, GHGs	Mobile sources	Uses lower end of reported research to avoid double counting with mix of uses measure	
Transit Service	0% to 15%	CAPs, GHGs	Mobile sources		
Bike & Pedestrian	0%-9%	CAPs, GHGs	Mobile sources	Credit is given based on intersection density, sidewalk completeness, and bike network completeness; No reduction if entire area within ½ mile is single use	

Affordable Housing	0% - 4%	CAPs, GHGs	Mobile sources	
Transportation Demand Management Parking, Transit Passes				
Daily Parking Charge	0%-25%	CAPs, GHGs	Only resident/ employee trips, no visitor/ shopper trips	
Parking Cash-Out	0%-12.5%	CAPs, GHGs		Shoup, Donald. 2005. Parking Cash Out. American Planning Association. Chicago, IL.
Free Transit Passes	25% of Transit Service Reduction	CAPs, GHGs		
Telecommuting				
Employee Telecommuting Program	1%-100%	CAPs, GHGs	Mobile sources, Worker Trips only	
Compressed Work Schedule 3/36	1%-40%	CAPs, GHGs		
Compressed Work Schedule 4/40	1%-20%	CAPs, GHGs		
Compressed Work Schedule 9/80	1%-10%	CAPs, GHGs		



Mitigation Measures for Operational Mobile Source Emissions					
Measure	Sector Reductions	Applicable Pollutants	Sector	Notes	Additional Comments
<b>Other Transportation Demand Measures</b>					
Secure Bike Parking (at least 1 space per 20 vehicle spaces)	At least 3 elements: 1% reduction, plus 5% of the reduction for transit and pedestrian/bike friendliness; At least 5 elements: 2% reduction, plus 10% of the reduction for transit and pedestrian/bike friendliness	CAPs, GHGs	Mobile sources, Worker Trips only		
Showers/Changing Facilities Provided					
Guaranteed Ride Home Program Provided					
Information Provided on Transportation Alternatives (Bike Schedules, Maps)					
Dedicated Employee Transportation Coordinator					
Carpool Matching Program					
Preferential Carpool/Vanpool Parking					
Parking Supply	0%-50%	CAPs, GHGs	Mobile sources		
On Road Trucks	As input by user in URBEMIS	CAPs, GHGs	Mobile sources		

Mitigation Measures for Operational Area-Source Emissions				
Measure	Sector Reductions	Applicable Pollutants	Sector	Notes
Increase Energy Efficiency Beyond Title 24	Same as % improvement over Title 24	Caps, GHGs	Natural gas sector in URBEMIS for applicable land use only	User should specify baseline year for the Title 24 standards
Electrically powered landscape equipment and outdoor electrical outlets	Same as % of landscape equipment emissions	Caps, GHGs	Landscape emissions: residential only	
Low VOC architectural coatings	Same as % VOC reduction in applicable coatings (Interior/Exterior)	ROG Only	Architectural coating	

Energy Efficiency Mitigation Measures					
Measure	Sector Reductions	Applicable Pollutants	Sector	Notes	Additional Comments
Plant shade trees within 40 feet of the south side or within 60 feet of the west sides of properties	30%	GHGs	R,C A/C Electricity	USDA Forest Service, Pacific Northwest Research Station. "California Study Shows Shade Trees Reduce Summertime Electricity Use." Science Daily 7 January 2009. 20 February 2009 < <a href="http://www.sciencedaily.com/releases/2009/01/090105150831.htm">http://www.sciencedaily.com/releases/2009/01/090105150831.htm</a> >	Electricity-related measures reduce CAPs off-site, but they are not typically quantified as part of a CEQA analysis.
Require cool roof materials (albedo $\geq 30$ )	34%	GHGs	C A/C Electricity	U.S. EPA Cool Roof Product Information, Available: < <a href="http://www.epa.gov/heatIsl and/resources/pdf/CoolRoofsCompendium.pdf">http://www.epa.gov/heatIsl and/resources/pdf/CoolRoofsCompendium.pdf</a> >	
	69%	GHGs	R A/C Electricity		
Install green roofs	1%	GHGs	R,C A/C Electricity	Reductions are based on the Energy & Atmosphere credits (EA Credit 2) documented in the Leadership in Energy & Environmental Design (LEED), Green Building Rating System for New Constructions and Major Renovations, Version 2.2, October 2005. The reduction assumes that a vegetated roof is installed on a least 50% of the roof area or that a combination high albedo and vegetated roof surface is installed that meets the following standard: (Area of SRI Roof/0.75)+(Area of vegetated roof/0.5) $\geq$ Total Roof Area.	
Require smart meters and programmable thermostats	10%	CAPs, GHGs	R, C Electricity and natural gas space heating	U. S. Environmental Protection Agency. 2009. Programmable Thermostat. <a href="http://www.energystar.gov/ia/new_homes/features/ProgThermostats1-17-01.pdf">http://www.energystar.gov/ia/new_homes/features/ProgThermostats1-17-01.pdf</a>	

Energy Efficiency Mitigation Measures (cont.)						
Measure	Sector Reductions	Applicable Pollutants	Sector	Notes	Additional Comments	
Meet GBC standards in all new construction	17%	GHGs	R electricity	California Energy Commission [CEC] 2007. Impact Analysis 2008 Update to the California Energy Efficiency Standards for Residential and Nonresidential Buildings		
	7%	GHGs	C electricity			
	9%	CAPs, GHGs	R natural gas			
	3%	CAPs, GHGs	C natural gas			
Retrofit existing buildings to meet CA GBC standards	38%	GHGs	R electricity	California Energy Commission [CEC] 2003. Impact Analysis 2005 Update to the California Energy Efficiency Standards for Residential and Nonresidential Buildings; California Energy Commission [CEC] 2007. Impact Analysis 2008 Update to the California Energy Efficiency Standards for Residential and Nonresidential Buildings		
	12%	GHGs	C electricity			
	18%	CAPs, GHGs	R natural gas			
	12%	CAPs, GHGs	C natural gas			
Install solar water heaters	70%	CAPs, GHGs	R natural gas water heating	Energy Star. 2009. Solar Water Heater. <a href="http://www.energystar.gov/ia/new_homes/features/WaterHtrs_062906.pdf">http://www.energystar.gov/ia/new_homes/features/WaterHtrs_062906.pdf</a> ; Department of Energy. California Energy Commission [CEC] 2007. Impact Analysis 2008 Update to the California Energy Efficiency Standards for Residential and Nonresidential Buildings	Cannot take credit for both solar and tank-less water heater measures	
	70%	CAPs, GHGs	C natural gas water heating			
Install Tank-less water heaters	35%	CAPs, GHGs	R natural gas water heating	Tankless Water Heater. 2008. Available: < <a href="http://www.eere.energy.gov/consumer/your_home/water_heating/index.cfm/mytopic=12820">http://www.eere.energy.gov/consumer/your_home/water_heating/index.cfm/mytopic=12820</a> >		
	35%	CAPs, GHGs	C natural gas water heating			
Install solar panels on residential and commercial buildings	100%	GHGs	R, C electricity			

Energy Efficiency Mitigation Measures (cont.)					
Measure	Sector Reductions	Applicable Pollutants	Sector	Notes	Additional Comments
100% increase in diversity of land use mix	5%	CAPs, GHGs	Mobile sources	Ewing, Reid, et al. 2001. <i>Travel and the Built Environment: A Synthesis</i> . Transportation Research Record 1780. Paper No. 01-3515 as cited in Urban Land Institute. 2008. <i>Growing Cooler</i> . ISBN: 978-0-87420-082-2. Washington, DC	
Jobs housing balance	$\text{Trip reduction} = (1 - (\text{ABS} (1.5 * \text{HH} - \text{E})) / (1.5 * \text{HH} + \text{E})) - 0.25) / 0.25 * 0.03;$ where ABS = absolute value; HH = study area households ; E = study area employment	CAPs, GHGs	Mobile sources	Nelson/Nygaard Consultants. 2005. <i>Crediting Low-Traffic Developments: Adjusting Site-Level Vehicle Trip Generation Using URBEMIS</i> . Pg 12, (adapted from Criterion and Fehr & Peers, 2001)	
100% increase in design (i.e., presence of design guidelines for transit oriented development, complete streets standards)	3%	CAPs, GHGs	Mobile sources	Ewing, Reid, et al. 2001. <i>Travel and the Built Environment: A Synthesis</i> . Transportation Research Record 1780. Paper No. 01-3515 as cited in Urban Land Institute. 2008. <i>Growing Cooler</i> . ISBN: 978-0-87420-082-2. Washington, DC	

Energy Efficiency Mitigation Measures (cont.)					
Measure	Sector Reductions	Applicable Pollutants	Sector	Notes	Additional Comments
100% increase in density	5%	CAPs, GHGs	Mobile Sources	Ewing, Reid, et al. 2001. <i>Travel and the Built Environment: A Synthesis</i> . Transportation Research Record 1780. Paper No. 01-3515 as cited in Urban Land Institute. 2008. <i>Growing Cooler</i> . ISBN: 978-0-87420-082-2. Washington, DC	
HVAC duct sealing	30%	GHGs	R,C A/C electricity	Sacramento Metropolitan Utilities District. 2008. Duct Sealing. Available: < <a href="http://www.pge.com/myhome/saveenergymoney/rebates/coolheat/duct/index.shtml">http://www.pge.com/myhome/saveenergymoney/rebates/coolheat/duct/index.shtml</a> >.	
Provide necessary infrastructure and treatment to allow use of 50% greywater/ recycled water in residential and commercial uses for outdoor irrigation	SFR: 74%*50% =37.5%	GHGs	R electricity (water consumption)	Department of Water Resources. 2001. Statewide Indoor/Outdoor Split. Accessed December 2, 2008. Available at: < <a href="http://www.landwateruse.water.ca.gov/annualdata/urbanwateruse/2001/landuselvels.cfm?use=8">http://www.landwateruse.water.ca.gov/annualdata/urbanwateruse/2001/landuselvels.cfm?use=8</a> >.	
	MFR: 58% * 50% = 29%				
	Commercial: 12% * 50% = 6%		C electricity (water consumption)		
Complete streets (i.e., bike lanes and pedestrian sidewalks on both sides of streets, traffic calming features such as pedestrian bulbouts, cross-walks, traffic circles, and elimination of physical and psychological barriers (e.g., sound walls and large arterial roadways, respectively).)	1-5%	CAPs, GHGs	Mobile sources	Dierkers, G., E. Silsbe, S. Stott, S. Winkelman, and M. Wubben. 2007. <i>CCAP Transportation Emissions Guidebook</i> . Center for Clean Air Policy. Washington, D.C. Available: < <a href="http://www.ccap.org/safe/guidebook.php">http://www.ccap.org/safe/guidebook.php</a> >. as cited in California Air Pollution Control Officers Association (CAPCOA) 2008. <i>CEQA and Climate Change</i> .	

<b>Energy Efficiency Mitigation Measures (cont.)</b>					
<b>Measure</b>	<b>Sector Reductions</b>	<b>Applicable Pollutants</b>	<b>Sector</b>	<b>Notes</b>	<b>Additional Comments</b>
Maximize interior day light		GHGs	R, C, M		
Increase roof/ceiling insulation		CAPs, GHGs	R, C, M		
Create program to encourage efficiency improvements in rental units		CAPs, GHGs	R		
Install rainwater collection systems in residential and Commercial Buildings		GHGs	R, C, M		
Install low-water use appliances and fixtures		GHGs	R, C, M	California Air Pollution Control Officers Association (CAPCOA) 2008. CEQA and Climate Change.	
Restrict the use of water for cleaning outdoor surfaces/Prohibit systems that apply water to non-vegetated surfaces		GHGs	R, C, M	California Attorney General's Office GHG Reduction Measures	
Implement water-sensitive urban design practices in new construction		GHGs	R, C, M		
<b>Waste Reduction Mitigation Measures</b>					
Provide composting facilities at residential uses		GHGs	R		
Create food waste and green waste curb-side pickup service		GHGs	R, C, M		
Require the provision of storage areas for recyclables and green waste in new construction		GHGs	R, C, M		
Notes: CAPs = Criteria Air Pollutants; GHGs = Greenhouse Gases; ROG = Reactive Organic Gases; R = Residential Development; SFR = Single Family Residential; MFR = Multi-Family Residential; C = Commercial Development; M = Mixed Use Development; A/C = Air Conditioning; GBC = Green Building Code; and VOC = Volatile Organic Compounds. Source: Information compiled by EDAW 2009 for the Bay Area Air Quality Management District CEQA Guidelines (approved June 2010) found at <a href="http://www.baaqmd.gov/~media/Files/Planning%20and%20Research/CEQA/BAAQMD%20CEQA%20Guidelines_June%202010.ashx">http://www.baaqmd.gov/~media/Files/Planning%20and%20Research/CEQA/BAAQMD%20CEQA%20Guidelines_June%202010.ashx</a> .					

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## **EXHIBIT D**

### CAPCOA REDUCTION MEASURES

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**Greenhouse Gas Reduction Measures**

<b>Representative GHG Reduction Measures<sup>1</sup></b>	<b>Measure Description</b>	<b>Range of Effectiveness</b>	<b>Quantifiable in CalEEMod (Y/N)</b>
<b>Transportation</b>			
Locate Project near Bike Path/Bike Lane (LUT-8)	A Project that is designed around an existing or planned bicycle facility encourages alternative mode use. The project design should include a comparable network that connects the project uses to the existing offsite facilities.	Grouped Strategy. See LUT-4.	N
Neighborhood/Site Enhancements (SDT-1)	Providing a pedestrian access network to link areas of the Project site encourages people to walk instead of drive. This mode shift results in people driving less and thus a reduction in VMT. The project will provide a pedestrian access network that internally links all uses and connects to all existing or planned external streets and pedestrian facilities contiguous with the project site. The project will minimize barriers to pedestrian access and interconnectivity. Physical barriers such as walls, landscaping, and slopes that impede pedestrian circulation will be eliminated.	0 - 2% VMT reduction and therefore 0 - 2% reduction in GHG emissions.	Y
Provide Traffic Calming Measures (SDT-2)	Providing traffic calming measures encourages people to walk or bike instead of using a vehicle. This mode shift will result in a decrease in VMT. Project design will include pedestrian/bicycle safety and traffic calming measures in excess of jurisdiction requirements. Roadways will be designed to	0.25 – 1.00% VMT reduction and therefore 0.25 – 1.00% reduction in GHG emissions.	Y



## EXHIBIT “D” GHG REDUCTION MEASURES

Representative GHG Reduction Measures <sup>1</sup>	Measure Description	Range of Effectiveness	Quantifiable in CalEEMod (Y/N)
	reduce motor vehicle speeds and encourage pedestrian and bicycle trips with traffic calming features. Traffic calming features may include: marked crosswalks, count-down signal timers, curb extensions, speed tables, raised crosswalks, raised intersections, median islands, tight corner radii, roundabouts or mini-circles, on-street parking, planter strips with street trees, chicanes/chokers, and others.		
Implement a Neighborhood Electric Vehicle (NEV) Network (SDT-3)	NEVs offer an alternative to traditional vehicle trips and can legally be used on roadways with speed limits of 35 MPH or less (unless specifically restricted). They are ideal for short trips up to 30 miles in length. To create an NEV network, the project will implement the necessary infrastructure, including NEV parking, charging facilities, striping, signage, and educational tools. NEV routes will be implemented throughout the project and will double as bicycle routes.	0.5-12.7% VMT reduction since NEVs would result in a mode shift and therefore reduce the traditional vehicle VMT and GHG emissions. Range depends on the available NEV network and support facilities, NEV ownership levels, and the degree of shift from traditional	Y
Create Urban Non-Motorized Zones (SDT-4)	The project, if located in a central business district (CBD) or major activity center, will convert a percentage of its roadway	Grouped strategy. See SDT-1.	N

Representative GHG Reduction Measures <sup>1</sup>	Measure Description	Range of Effectiveness	Quantifiable in CalEEMod (Y/N)
	miles to transit malls, linear parks, or other non-motorized zones. These features encourage non-motorized travel and thus a reduction in VMT.		
Incorporate Bike Lane Street Design (on-site) (SDT-5)	The project will incorporate bicycle lanes, routes, and shared-use paths into street systems, new subdivisions, and large developments. These on-street bike accommodations will be created to provide a continuous network of routes, facilitated with markings and signage. These improvements can help reduce peak-hour vehicle trips by making commuting by bike easier and more convenient for more people. In addition, improved bicycle facilities can increase access to and from transit hubs, thereby expanding the “catchment area” of the transit stop or station and increasing ridership. Bicycle access can also reduce parking pressure on heavily-used and/or heavily-subsidized feeder bus lines and auto-oriented park-and-ride facilities.	Grouped strategy. See LUT-9	N
Provide Bike Parking in Non-Residential Projects (SDT-6)	A non-residential project will provide short-term and long-term bicycle parking facilities to meet peak season maximum demand.	Grouped strategy. See LUT-9	N
Provide Bike Parking with Multi-Unit Residential Projects (SDT-7)	Long-term bicycle parking will be provided at apartment complexes or condominiums without garages.	Grouped strategy. See LUT-9	N
Provide Electric Vehicle	This project will implement accessible electric vehicle parking.	Grouped strategy.	N

Representative GHG Reduction Measures <sup>1</sup>	Measure Description	Range of Effectiveness	Quantifiable in CalEEMod (Y/N)
Parking (SDT-8)	The project will provide conductive/inductive electric vehicle charging stations and signage prohibiting parking for non-electric vehicles.	See SDT-3	
Dedicate Land for Bike Trails (SDT-9)	Larger projects may be required to provide for, contribute to, or dedicate land for the provision of off-site bicycle trails linking the project to designated bicycle commuting routes in accordance with an adopted citywide or countywide bikeway plan.	Grouped strategy. See LUT-9	N
Limit Parking Supply (PDT-1)	<p>The project will change parking requirements and types of supply within the project site to encourage “smart growth” development and alternative transportation choices by project residents and employees. This will be accomplished in a multi-faceted strategy:</p> <ul style="list-style-type: none"> <li>• Elimination (or reduction) of minimum parking requirements</li> <li>• Creation of maximum parking requirements</li> <li>• Provision of shared parking</li> </ul>	5 – 12.5% VMT reduction and therefore 5 – 12.5% reduction in GHG emissions.	Y
Unbundle Parking Costs from Property Cost (PDT-2)	This project will unbundle parking costs from property costs. Unbundling separates parking from property costs, requiring those who wish to purchase parking spaces to do so at an additional cost from the property cost. This removes the burden from those who do not wish to utilize a parking space. Parking will be priced separately from home rents/purchase prices or	2.6 – 13% VMT reduction and therefore 2.6 – 13% reduction in GHG emissions.	Y

Representative GHG Reduction Measures <sup>1</sup>	Measure Description	Range of Effectiveness	Quantifiable in CalEEMod (Y/N)
	office leases. An assumption is made that the parking costs are passed through to the vehicle owners/drivers utilizing the parking spaces.		
Implement Market Price Public Parking (On-Street) (PDT-3)	This project and city in which it is located will implement a pricing strategy for parking by pricing all central business district/employment center/retail center on-street parking. It will be priced to encourage “park once” behavior. The benefit of this measure above that of paid parking at the project only is that it deters parking spillover from project-supplied parking to other public parking nearby, which undermine the VMT benefits of project pricing. It may also generate sufficient area-wide mode shifts to justify increased transit service to the area.	2.8 – 5.5% VMT reduction and therefore 2.8 – 5.5% reduction in GHG emissions.	Y
Require Residential Area Parking Permits (PDT-4)	This project will require the purchase of residential parking permits for long-term use of on-street parking in residential areas. Permits reduce the impact of spillover parking in residential areas adjacent to commercial areas, transit stations, or other locations where parking may be limited and/or priced.	Grouped strategy. See PDT-1, PDT-2 and PDT-3	N
Implement Commute Trip Reduction Program – Voluntary (TRT-1)	<p>The project will implement a voluntary Commute Trip Reduction (CTR) program with employers to discourage single-occupancy vehicle trips and encourage alternative modes of transportation such as carpooling, taking transit, walking, and biking.</p> <p>The CTR program will provide employees with assistance in</p>	1.0 – 6.2% commute VMT reduction and therefore 1.0 – 6.2% reduction in commute trip GHG emissions.	Y. Input is % of employees eligible and program type (required or

Representative GHG Reduction Measures <sup>1</sup>	Measure Description	Range of Effectiveness	Quantifiable in CalEEMod (Y/N)
	<p>using alternative modes of travel, and provide both “carrots” and “sticks” to encourage employees. The CTR program should include all of the following to apply the effectiveness reported by the literature:</p> <ul style="list-style-type: none"> <li>• Carpooling encouragement</li> <li>• Ride-matching assistance</li> <li>• Preferential carpool parking</li> <li>• Flexible work schedules for carpools</li> <li>• Half time transportation coordinator</li> <li>• Vanpool assistance</li> <li>• Bicycle end-trip facilities (parking, showers and lockers)</li> </ul>		voluntary).
Implement Commute Trip Reduction Program – Required Implementation/Monitoring (TRT-2)	<p>The jurisdiction will implement a CTR ordinance. The intent of the ordinance will be to reduce drive-alone travel mode share and encourage alternative modes of travel. The critical components of this strategy are:</p> <ul style="list-style-type: none"> <li>• Established performance standards (e.g. trip reduction requirements)</li> <li>• Required implementation</li> <li>• Regular monitoring and reporting</li> </ul>	4.2 – 21.0% commute VMT reduction and therefore 4.2 – 21.0% reduction in commute trip GHG emissions.	Y
Provide Ride-Sharing Programs (TRT-3)	Increasing the vehicle occupancy by ride sharing will result in fewer cars driving the same trip, and thus a decrease in VMT.	1 – 15% commute VMT reduction and	Y

Representative GHG Reduction Measures <sup>1</sup>	Measure Description	Range of Effectiveness	Quantifiable in CalEEMod (Y/N)
	<p>The project will include a ride-sharing program as well as a permanent transportation management association membership and funding requirement. Funding may be provided by Community Facilities, District, or County Service Area, or other non-revocable funding mechanism. The project will promote ride-sharing programs through a multi-faceted approach such as:</p> <ul style="list-style-type: none"> <li>• Designating a certain percentage of parking spaces for ride sharing vehicles</li> <li>• Designating adequate passenger loading and unloading and waiting areas for ride-sharing vehicles</li> <li>• Providing a web site or message board for coordinating rides</li> </ul>	therefore 1 - 15% reduction in commute trip GHG emissions.	
Implement Subsidized or Discounted Transit Program (TRT-4)	This project will provide subsidized/ discounted daily or monthly public transit passes. The project may also provide free transfers between all shuttles and transit to participants. These passes can be partially or wholly subsidized by the employer, school, or development. Many entities use revenue from parking to offset the cost of such a project.	0.3 – 20.0% commute VMT reduction and therefore a 0.3 – 20.0% reduction in commute trip GHG emissions.	Y. Input is % employees eligible and daily transit subsidy amount.
Provide End of Trip Facilities (TRT-5)	Non-residential projects will provide "end-of-trip" facilities for bicycle riders including showers, secure bicycle lockers, and changing spaces. End-of-trip facilities encourage the use of	Grouped strategy. See TRT-1 through TRT-3	N

Representative GHG Reduction Measures <sup>1</sup>	Measure Description	Range of Effectiveness	Quantifiable in CalEEMod (Y/N)
	bicycling as a viable form of travel to destinations, especially to work. End of trip facilities provide the added convenience and security needed to encourage bicycle commuting.		
Encourage Telecommuting and Alternative Work Schedules (TRT-6)	Encouraging telecommuting and alternative work schedules reduces the number of commute trips and therefore VMT traveled by employees. Alternative work schedules could take the form of staggered starting times, flexible schedules, or compressed work weeks.	0.07 – 5.50% commute VMT reduction and therefore 0.07 – 5.50% reduction in commute trip GHG emissions.	Y
Implement Commute Trip Reduction Marketing (TRT-7)	<p>The project will implement marketing strategies to reduce commute trips. Information sharing and marketing are important components to successful commute trip reduction strategies. Implementing commute trip reduction strategies without a complementary marketing strategy will result in lower VMT reductions. Marketing strategies may include:</p> <ul style="list-style-type: none"> <li>• New employee orientation of trip reduction and alternative mode options</li> <li>• Event promotions</li> <li>• Publications</li> </ul>	0.8 – 4.0% commute VMT reduction and therefore 0.8 – 4.0% reduction in commute trip GHG emissions.	Y
Implement Preferential Parking Permit Program (TRT-8)	The project will provide preferential parking in convenient locations (such as near public transportation or building front doors) in terms of free or reduced parking fees, priority parking,	Grouped strategy. See TRT-1 through TRT-3	N

Representative GHG Reduction Measures <sup>1</sup>	Measure Description	Range of Effectiveness	Quantifiable in CalEEMod (Y/N)
	or reserved parking for commuters who carpool, vanpool, ride-share or use alternatively fueled vehicles. The project will provide wide parking spaces to accommodate vanpool vehicles.		
Implement Car-Sharing Program (TRT-9)	This project will implement a car-sharing project to allow people to have on-demand access to a shared fleet of vehicles on an as-needed basis. User costs are typically determined through mileage or hourly rates, with deposits and/or annual membership fees. The car-sharing program could be created through a local partnership or through one of many existing car-share companies. Car-sharing programs may be grouped into three general categories: residential- or citywide-based, employer-based, and transit station-based. Transit station-based programs focus on providing the “last-mile” solution and link transit with commuters’ final destinations. Residential-based programs work to substitute entire household based trips. Employer-based programs provide a means for business/day trips for alternative mode commuters and provide a guaranteed ride home option.	0.4 – 0.7% VMT reduction and therefore 0.4 – 0.7% reduction in GHG emissions.	N
Implement a School Pool Program (TRT-10)	This project will create a ridesharing program for school children. Most school districts provide bussing services to public schools only. School Pool helps match parents to transport students to private schools, or to schools where students cannot walk or bike but do not meet the requirements for bussing.	7.2 – 15.8% school VMT Reduction and therefore 7.2 – 15.8% reduction in school trip GHG emissions.	N



Representative GHG Reduction Measures <sup>1</sup>	Measure Description	Range of Effectiveness	Quantifiable in CalEEMod (Y/N)
Provide Employer-Sponsored Vanpool/Shuttle (TRT-11)	This project will implement an employer-sponsored vanpool or shuttle. A vanpool will usually service employees’ commute to work while a shuttle will service nearby transit stations and surrounding commercial centers. Employer-sponsored vanpool programs entail an employer purchasing or leasing vans for employee use, and often subsidizing the cost of at least program administration, if not more. The driver usually receives personal use of the van, often for a mileage fee. Scheduling is within the employer’s purview, and rider charges are normally set on the basis of vehicle and operating cost.	0.3 – 13.4% commute VMT reduction and therefore 0.3 – 13.4% reduction in commute trip GHG emissions.	Y. Input is % employees eligible and % vanpool mode share.
Implement Bike-Sharing Programs (TRT-12)	This project will establish a bike sharing program. Stations should be at regular intervals throughout the project site. The number of bike-share kiosks throughout the project area should vary depending on the density of the project and surrounding area.	Grouped strategy. See SDT-5 and LUT-9	N
Implement School Bus Program (TRT-13)	The project will work with the school district to restore or expand school bus services in the project area and local community.	38 – 63% School VMT Reduction and therefore 38 – 63% reduction in school trip GHG emissions	Y
Price Workplace Parking (TRT-14)	The project will implement workplace parking pricing at its employment centers. This may include: explicitly charging for parking for its employees, implementing above market rate	0.1 – 19.7% commute (VMT) reduction and	Y

Representative GHG Reduction Measures <sup>1</sup>	Measure Description	Range of Effectiveness	Quantifiable in CalEEMod (Y/N)
	<p>pricing, validating parking only for invited guests, not providing employee parking and transportation allowances, and educating employees about available alternatives.</p> <p>Though similar to the Employee Parking “Cash-Out” strategy, this strategy focuses on implementing market rate and above market rate pricing to provide a price signal for employees to consider alternative modes for their work commute.</p>	therefore 0.1 -19.7% reduction in commute trip GHG emissions.	
Implement Employee Parking “Cash-Out” (TRT-15)	The project will require employers to offer employee parking “cash-out.” The term “cashout” is used to describe the employer providing employees with a choice of forgoing their current subsidized/free parking for a cash payment equivalent to the cost of the parking space to the employer.	0.6 – 7.7% commute VMT reduction and therefore 0.6 – 7.7% reduction in commute trip GHG emissions	Y.
Provide a Bus Rapid Transit System (TST-1)	<p>The project will provide a Bus Rapid Transit (BRT) system with design features for high quality and cost-effective transit service. These include:</p> <ul style="list-style-type: none"> <li>• Grade-separated right-of-way, including bus only lanes (for buses, emergency vehicles, and sometimes taxis), and other Transit Priority measures. Some systems use guideways which automatically steer the bus on portions of the route.</li> <li>• Frequent, high-capacity service</li> <li>• High-quality vehicles that are easy to board, quiet,</li> </ul>	0.02 – 3.2% VMT reduction and therefore 0.02 – 3% reduction in GHG emissions.	Y

Representative GHG Reduction Measures <sup>1</sup>	Measure Description	Range of Effectiveness	Quantifiable in CalEEMod (Y/N)
	<p>clean, and comfortable to ride.</p> <ul style="list-style-type: none"> <li>• Pre-paid fare collection to minimize boarding delays.</li> <li>• Integrated fare systems, allowing free or discounted transfers between routes and modes.</li> <li>• Convenient user information and marketing programs.</li> <li>• High quality bus stations with Transit Oriented Development in nearby areas.</li> <li>• Modal integration, with BRT service coordinated with walking and cycling facilities, taxi services, intercity bus, rail transit, and other transportation services.</li> </ul> <p>BRT systems vary significantly in the level of travel efficiency offered above and beyond “identity” features and BRT branding. The following effectiveness ranges represent general guidelines. Each proposed BRT should be evaluated specifically based on its characteristics in terms of time savings, cost, efficiency, and way-finding advantages. These types of features encourage people to use public transit and therefore reduce VMT.</p>		
Implement Transit Access Improvements (TST-2)	This project will improve access to transit facilities through sidewalk/ crosswalk safety enhancements and bus shelter improvements.	Grouped strategy. See TST-3 and TST-4	N
Expand Transit Network	The project will expand the local transit network by adding or	0.1 – 8.2% VMT	Y

<b>Representative GHG Reduction Measures<sup>1</sup></b>	<b>Measure Description</b>	<b>Range of Effectiveness</b>	<b>Quantifiable in CalEEMod (Y/N)</b>
(TST-3)	modifying existing transit service to enhance the service near the project site. This will encourage the use of transit and therefore reduce VMT.	reduction and therefore 0.1 – 8.2% reduction in GHG emissions	
Increase Transit Service Frequency/Speed (TST-4)	This project will reduce transit-passenger travel time through more reduced headways and increased speed and reliability. This makes transit service more attractive and may result in a mode shift from auto to transit which reduces VMT.	0.02 – 2.5% VMT reduction and therefore 0.02 – 2.5% reduction in GHG emissions	Y
Provide Bike Parking Near Transit (TST-5)	Provide short-term and long-term bicycle parking near rail stations, transit stops, and freeway access points.	Grouped strategy. See TST-3 and TST-4	N
Provide Local Shuttles (TST-6)	The project will provide local shuttle service through coordination with the local transit operator or private contractor. The local shuttles will provide service to transit hubs, commercial centers, and residential areas.	Grouped strategy. See TST-4 and TST-5	N
Implement Area or Cordon Pricing (RPT-1)	This project will implement a cordon pricing scheme. The pricing scheme will set a cordon (boundary) around a specified area to charge a toll to enter the area by vehicle. The cordon location is usually the boundary of a central business district (CBD) or urban center, but could also apply to substantial development projects with limited points of access, such as the proposed Treasure Island development in San Francisco. The cordon toll may be static/constant, applied only during peak	7.9 – 22.0% VMT reduction and therefore 7.9 – 22.0% reduction in GHG emissions.	N

Representative GHG Reduction Measures <sup>1</sup>	Measure Description	Range of Effectiveness	Quantifiable in CalEEMod (Y/N)
	<p>periods, or be variable, with higher prices during congested peak periods. The toll price can be based on a fixed schedule or be dynamic, responding to real-time congestion levels. It is critical to have an existing, high quality transit infrastructure for the implementation of this strategy to reach a significant level of effectiveness. The pricing signals will only cause mode shifts if alternative modes of travel are available and reliable.</p>		
Improve Traffic Flow (RPT-2)	<p>The project will implement improvements to smooth traffic flow, reduce idling, eliminate bottlenecks, and management speed. Strategies may include signalization improvements to reduce delay, incident management to increase response time to breakdowns and collisions, Intelligent Transportation Systems (ITS) to provide real-time information regarding road conditions and directions, and speed management to reduce high free-flow speeds.</p> <p>This measure does not take credit for any reduction in GHG emissions associated with changes to non-project traffic VMT. If Project Applicant wants to take credit for this benefit, the non-project traffic VMT would also need to be covered in the baseline conditions.</p>	0- 45% reduction in GHG emissions	N
Required Project Contributions to Transportation Infrastructure Improvement	<p>The project should contribute to traffic-flow improvements or other multi-modal infrastructure projects that reduce emissions and are not considered as substantially growth inducing. The local transportation agency should be consulted for specific</p>	Grouped strategy. See RPT-2 and TST-1 through TST-7	N

Representative GHG Reduction Measures <sup>1</sup>	Measure Description	Range of Effectiveness	Quantifiable in CalEEMod (Y/N)
Projects (RPT-3)	<p>needs.</p> <p>Larger projects may be required to contribute a proportionate share to the development and/or continuation of a regional transit system. Contributions may consist of dedicated right-of-way, capital improvements, easements, etc. The local transportation agency should be consulted for specific needs.</p>		
Install Park-and-Ride Lots (RPT-4)	This project will install park-and-ride lots near transit stops and High Occupancy Vehicle lanes. Park-and-ride lots also facilitate car- and vanpooling.	Grouped strategy. See RPT-1, TRT-11, TRT-3 and TST-1	N
Electrify Loading Docks and/or Require Idling-Reduction Systems (VT-1)	<p>Heavy-duty trucks transporting produce or other refrigerated goods will idle at truck loading docks and during layovers or rest periods so that the truck engine can continue to power the cab cooling elements. Idling requires fuel use and results in GHG emissions.</p> <p>The Project Applicant should implement an enforcement and education program that will ensure compliance with this measure. This includes posting signs regarding idling restrictions as well as recording engine meter times upon entering and exiting the Facility.</p>	26-71% reduction in TRU idling GHG emissions	N
Utilize Alternative Fueled Vehicles (VT-2)	When construction equipment is powered by alternative fuels such as biodiesel (B20), liquefied natural gas (LNG), or compressed natural gas (CNG) rather than conventional petroleum diesel or gasoline, GHG emissions from fuel	Reduction in GHG emissions varies depending on vehicle type, year, and	N

## EXHIBIT “D” GHG REDUCTION MEASURES

Representative GHG Reduction Measures <sup>1</sup>	Measure Description	Range of Effectiveness	Quantifiable in CalEEMod (Y/N)
	combustion may be reduced.	associated fuel economy.	
Utilize Electric or Hybrid Vehicles (VT-3)	When vehicles are powered by grid electricity rather than fossil fuel, direct GHG emissions from fuel combustion are replaced with indirect GHG emissions associated with the electricity used to power the vehicles. When vehicles are powered by hybrid-electric drives, GHG emissions from fuel combustion are reduced.	0.4 - 20.3% reduction in GHG emissions	N
<b>Water</b>			
Use Reclaimed Water (WSW-1)	Reclaimed water is water reused after wastewater treatment for non-potable uses instead of returning the water to the environment. This is different than gray water, which has not been through wastewater treatment. Reclaimed non-potable water requires significantly less energy to collect, treat, and redistribute water to the point of local areas of non-potable water consumption. Since less energy is required to provide reclaimed water, fewer GHGs will be associated with reclaimed water use compared to the average California water supply use.	Up to 40% in Northern California and up to 81% in Southern California	Y
Use Gray Water (WSW-2)	Untreated wastewater generated from bathtubs, showers, bathroom wash basins, and clothes washing machines is known as graywater and is collected and distributed onsite for irrigation of landscape and mulch. Since graywater does not require treatment or energy to redistribute it onsite, there are	Up to 100% of outdoor water GHG emissions if outdoor water use is replaced completely with	Y

<b>Representative GHG Reduction Measures<sup>1</sup></b>	<b>Measure Description</b>	<b>Range of Effectiveness</b>	<b>Quantifiable in CalEEMod (Y/N)</b>
	negligible GHG emissions associated with the use of graywater.	graywater	
Use Locally Sourced Water Supply (WSW-3)	Transporting water can require a significant amount of electricity. Using locally-sourced water or water from less energy-intensive sources reduces the electricity and indirect CO2 emissions associated with water supply and transport.	0 – 60% for Northern and Central California, 11 – 75% for Southern California	N
Install Low-Flow Water Fixtures (WUW-1)	Water use contributes to GHG emissions indirectly, via the production of the electricity that is used to pump, treat, and distribute the water. Installing low-flow or high-efficiency water fixtures in buildings reduces water demand, energy demand, and associated indirect GHG emissions.	20% of GHG emissions associated with indoor Residential water use; 17-31% of GHG emissions associated with Non-Residential indoor water use.	Y
Adopt a Water Conservation Strategy (WUW-2)	Water use contributes to GHG emissions indirectly, via the production of the electricity that is used to pump, treat, and distribute the water. Reducing water use reduces energy demand and associated indirect GHG emissions. In order to take credit for this mitigation measure, the Project Applicant would need to provide detailed and substantial evidence supporting the percent reduction in water use.	Varies depending on Project Applicant and strategies selected. It is equal to the Percent Reduction in water commitment.	Y
Design Water-Efficient Landscapes (WUW-3)	Designing water-efficient landscapes for a project site reduces water consumption and the associated indirect GHG	0 – 70% reduction in GHG emissions from	Y



Representative GHG Reduction Measures <sup>1</sup>	Measure Description	Range of Effectiveness	Quantifiable in CalEEMod (Y/N)
	<p>emissions.</p> <p>By January 1, 2010, all local water agencies were required to adopt the CDWR Model Water Efficient Landscape Ordinance or develop their own local ordinance which is at least as effective at conserving water as the Model Ordinance. Some local agencies have published or are in the process of developing local ordinances. A Project Applicant may choose to use the methodology presented in a local ordinance to demonstrate a percent reduction in water use and GHG emissions; however, the Calculations will be similar to the methodology presented in the CDWR Model Ordinance and re-described here.</p>	outdoor water use	
Use Water-Efficient Landscape Irrigation Systems (WUW-4)	Water use contributes to GHG emissions indirectly, via the production of the electricity that is used to pump, treat, and distribute the water. Using water-efficient landscape irrigation techniques such as “smart” irrigation technology reduces outdoor water demand, energy demand, and the associated GHG emissions	6.1% reduction in GHG emissions from outdoor water	Y
Reduce Turf in Landscapes and Lawns (WUW-5)	Turf grass (i.e. lawn grass) has relatively high water needs compared to most other types of vegetation. Reducing the turf size of landscapes and lawns reduces water consumption and the associated indirect GHG emissions.	Varies and is equal to the percent commitment to turf reduction, assuming no other outdoor water uses	Y

Representative GHG Reduction Measures <sup>1</sup>	Measure Description	Range of Effectiveness	Quantifiable in CalEEMod (Y/N)
Plant Native or Drought-Resistant Trees and Vegetation (WUW-6)	California native plants within their natural climate zone and ecotype need minimal watering beyond normal rainfall, so less water is needed for irrigating native plants than non-native species. Drought-resistant vegetation needs even less watering. Water use contributes to GHG emissions indirectly, via the production of the electricity that is used to pump, treat, and distribute the water. Thus, planting native and drought-resistant vegetation reduces water use and the associated GHGs.	Best Management Practice; may be quantified if substantial evidence is available.	N
<b>Area Landscaping</b>			
Prohibit Gas Powered Landscape Equipment (A-1)	Electric lawn equipment including lawn mowers, leaf blowers and vacuums, shredders, trimmers, and chain saws are available. When electric landscape equipment is used in place of a conventional gas-powered equipment, direct GHG emissions from natural gas combustion are replaced with indirect GHG emissions associated with the electricity used to power the equipment.	NA	Y
Implement Lawnmower Exchange Program (A-2)	When electric and rechargeable battery-powered lawnmowers are used in place of conventional gas-powered lawnmowers, direct GHG emissions from fuel combustion are displaced by indirect GHG emissions associated with the electricity used to power the equipment. The indirect GHG emissions from electricity generation are expected to be significantly less than the direct GHG emissions from gasoline or diesel fuel	Best Management Practice, influences Area GHG emissions from landscape equipment	N

Representative GHG Reduction Measures <sup>1</sup>	Measure Description	Range of Effectiveness	Quantifiable in CalEEMod (Y/N)
	<p>combustion. Since the magnitude of the GHG emissions reduction depends on the equipment model (including electric power efficiency and battery recharge time), hours of operation, fuel displaced, and number of lawnmowers replaced, the exact GHG emissions reduction is not quantifiable at this time.</p> <p>Therefore, this mitigation measure should be incorporated as a Best Management Practice to allow for educated residents and commercial tenants to reduce their contribution to GHG emissions from landscaping.</p>		
Electric Yard Equipment Compatibility (A-3)	<p>This measure is required to be grouped with measures A-1 “Prohibit Gas Powered Landscape Equipment” and A-2 “Implement a Lawnmower Exchange Program.” In order for measures A-1 and A-2 to be feasible, electrical outlets on the exterior of buildings must be accessible so that the electric landscaping equipment can be charged. In this mitigation measure, the Project Applicant commits to providing electrical outlets on the exterior of Project buildings as necessary for sufficient powering of electric lawnmowers and other landscaping equipment.</p>	<p>Best Management Practice, influences Area GHG emissions from landscape equipment. Not applicable on its own. This measure enhances effectiveness of A-1 and A-2.</p>	N
<b>Solid Waste</b>			
Institute or Extend Recycling and Composting Services (SW-1)	<p>The transport and decomposition of landfill waste and the flaring of landfill gas all produce GHG emissions. Decomposition of waste produces methane, a GHG which has a global warming potential over 20 times that of CO<sub>2</sub>. The</p>	<p>Varies depending on Project Applicant and strategies selected. Best</p>	Y

Representative GHG Reduction Measures <sup>1</sup>	Measure Description	Range of Effectiveness	Quantifiable in CalEEMod (Y/N)
	transport of waste from the site of generation to the landfill produces GHG emissions from the combustion of the fuel used to power the vehicle. Choosing waste management practices which reduce the amount of waste sent to landfills will reduce GHG emissions. Strategies to reduce landfill waste include increasing recycling, reuse, and composting, and encouraging lifestyle choices and office practices which reduce waste generation.	Management Practice.	
Recycle Demolished Construction Material (SW-2)	Recycling demolished construction material can contribute to GHG reductions in multiple ways. First, it displaces new construction materials, thereby reducing the need for new raw material acquisition and manufacturing of those new construction materials. Harvesting of raw materials and manufacturing new materials requires energy in the form of fuel combustion and electricity, both of which are associated with GHG emissions. If the process of recycling construction materials is less carbon-intensive than the processes required to harvest and produce new construction materials, recycling these construction materials results in a net reduction in GHG emissions. Second, using local recycled construction material reduces the emissions associated with the transportation of new construction materials, which are typically manufactured farther away from a project site. Third, recycling construction material avoids sending this material to landfills. Wood-based	Varies depending on Project Applicant and strategies selected. Best Management Practice.	N

Representative GHG Reduction Measures <sup>1</sup>	Measure Description	Range of Effectiveness	Quantifiable in CalEEMod (Y/N)
	materials decompose in landfills and contribute to methane emissions.		
<b>Vegetation</b>			
Urban Tree Planting (V-1)	Planting trees sequesters CO <sub>2</sub> while the trees are actively growing. The amount of CO <sub>2</sub> sequestered depends on the type of tree. IPCC indicates that in most cases, the active growing period of a tree is 20 years and after this time the amount of carbon in biomass slows and will be completely offset by losses from clipping, pruning, and occasional death. Therefore, the emissions only occur for a 20 year period and are summed over all years to give a net one-time GHG benefit.	CO <sub>2</sub> reduction varies by the number of trees. VOC emissions may increase.	Y.  Input is number of net new trees planted.
Create New Vegetated Open Space (V-2)	A development which re-vegetates or creates vegetated land from previously settled land sequesters CO <sub>2</sub> from the atmosphere which would not have been captured had there been no land-type change. There is no reduction in GHG emissions associated with preservation of a land.	Varies based on amount and type of land vegetated	Y
<b>Construction</b>			
Use Alternative Fuels for Construction Equipment (C-1)	When construction equipment is powered by alternative fuels such as compressed natural gas rather than conventional petroleum diesel or gasoline, GHG emissions from fuel combustion may be reduced.	0 – 22% reduction in GHG emissions	Y
Use Electric and Hybrid Construction Equipment (C-	When construction equipment is powered by grid electricity rather than fossil fuel, direct GHG emissions from fuel	2.5 – 80% of GHG emissions from	N

Representative GHG Reduction Measures <sup>1</sup>	Measure Description	Range of Effectiveness	Quantifiable in CalEEMod (Y/N)
2)	combustion are replaced with indirect GHG emissions associated with the electricity used to power the equipment. When construction equipment is powered by hybrid-electric drives, GHG emissions from fuel combustion are reduced.	equipment that is electric or hybrid if used 100% of the time	
Limit Construction Equipment Idling beyond Regulation Requirements (C-3)	Heavy duty vehicles will idle during loading/unloading and during layovers or rest periods with the engine still on. Idling requires fuel use and results in emissions. The California Air Resources Board Heavy-Duty Vehicle Idling Emission Reduction Program limits diesel-fueled commercial motor vehicles idling time to 5 minutes. There are some exceptions to the regulation such as positioning or providing a power source for equipment or operations such as lift, crane, pump, drill, hoist or other auxiliary equipment. Reduction in idling time beyond required under the regulation would further reduce fuel consumption and thus emissions. The project applicant should develop an enforceable mechanism that monitors the idling time to ensure compliance with this mitigation measure.	Varies with the amount of Project Idling occurring and the amount reduced.	N
Institute a Heavy-Duty Off-Road Vehicle Plan (C-4)	The Project Applicant should provide a detailed plan that discusses a construction vehicle inventory tracking system to ensure compliances with construction mitigation measures. The system should include strategies such as requiring hour meters on equipment, documenting the serial number, horsepower, manufacture age, fuel, etc. of all onsite equipment and daily logging of the operating hours of the equipment.	Not applicable on its own. This measure ensures compliances with other mitigation measures.	N

## EXHIBIT “D” GHG REDUCTION MEASURES

Representative GHG Reduction Measures <sup>1</sup>	Measure Description	Range of Effectiveness	Quantifiable in CalEEMod (Y/N)
Implement a Construction Vehicle Inventory Tracking System (C-5)	The Project Applicant should provide a detailed plan that discusses a construction vehicle inventory tracking system to ensure compliances with construction mitigation measures. The system should include strategies such as requiring engine run time meters on equipment, documenting the serial number, horsepower, manufacture age, fuel, etc. of all onsite equipment and daily logging of the operating hours of the equipment.	Not applicable on its own. This measure ensures compliances with other mitigation measures.	N
<b>Energy</b>			
Buildings Exceed Title 24 Building Envelope Energy Efficiency Standards By X% (BE-1)	Greenhouse gases (GHGs) are emitted as a result of activities in residential and commercial buildings when electricity and natural gas are used as energy sources. New California buildings must be designed to meet the building energy efficiency standards of Title 24, also known as the California Building Standards Code. Title 24 Part 6 regulates energy uses including space heating and cooling, hot water heating, and ventilation. By committing to a percent improvement over Title 24, a development reduces its energy use and resulting GHG emissions.	For a 10% improvement beyond Title 24 the range of effectiveness is:  Non-residential: Electricity – 0.2 – 5.5%  Natural Gas – 0.7 – 10%  Residential: Electricity – 0.3 – 2.6%  Natural Gas – 7.5 – 9.1%	Y.  Input is % improvement over 2019 Title 24.

Representative GHG Reduction Measures <sup>1</sup>	Measure Description	Range of Effectiveness	Quantifiable in CalEEMod (Y/N)
Install Programmable Thermostat Timers (BE-2)	<p>Programmable thermostat timers allow users to easily control when the HVAC system will heat or cool a certain space, thereby saving energy. Because most commercial buildings already have timed HVAC systems, this mitigation measure focuses on residential programmable thermostats.</p> <p>In order to take quantitative credit for this mitigation measure, the Project Applicant would need to provide detailed and substantial evidence supporting a reduction in energy use and associated GHG emissions.</p>	Best Management Practice influences building energy use for heating and cooling.	N
Obtain Third-party HVAC Commissioning and Verification of Energy Savings (BE-3)	Ensuring the proper installation and construction of energy reduction features is essential to achieving high thermal efficiency in a house. In practice, HVAC systems commonly do not operate at the designed efficiency due to errors in installation or adjustments. A Project Applicant can obtain HVAC commissioning and third-party verification of energy savings in thermal efficiency components including HVAC systems, insulation, windows, and water heating.	Not applicable on its own. This measure enhances effectiveness of BE-1.	N
Install Energy Efficient Appliances (BE-4)	Using energy-efficient appliances reduces a building’s energy consumption as well as the associated GHG emissions from natural gas combustion and electricity production. To take credit for this mitigation measure, the Project Applicant (or contracted builder) would need to ensure that energy efficient appliances are installed. For residential dwellings, typical	Residential 2-4% GHG emissions from electricity use. Grocery Stores: 17-22% of GHG emissions from	Y



## EXHIBIT "D" GHG REDUCTION MEASURES

Representative GHG Reduction Measures <sup>1</sup>	Measure Description	Range of Effectiveness	Quantifiable in CalEEMod (Y/N)
	builder-supplied appliances include refrigerators and dishwashers. Clothes washers and ceiling fans would be applicable if the builder supplied them. For commercial land uses, energy-efficient refrigerators have been evaluated for grocery stores.	electricity use.	
Install Energy Efficient Boilers (BE-5)	Boilers combust natural gas to produce steam which can be used directly or as a method to heat a building space. Improving boiler efficiency decreases natural gas consumption for the same amount of energy output, thus reducing GHG emissions.	1.2-18.4% of boiler GHG emissions	N
Install Higher Efficacy Public Street and Area Lighting (LE-1)	Lighting sources contribute to GHG emissions indirectly, via the production of the electricity that powers these lights. Public street and area lighting includes streetlights, pedestrian pathway lights, area lighting for parks and parking lots, and outdoor lighting around public buildings. Lighting design should consider the amount of light required for the area intended to be lit. Lumens are the measure of the amount of light perceived by the human eye. Different light fixtures have different efficacies or the amount of lumens produced per watt of power supplied. This is different than efficiency, and it is important that lighting improvements are based on maintaining the appropriate lumens per area when applying this measure. Installing more efficacious lamps will use less electricity while producing the same amount of light, and therefore reduces the	16-40% of outdoor lighting	Y

Representative GHG Reduction Measures <sup>1</sup>	Measure Description	Range of Effectiveness	Quantifiable in CalEEMod (Y/N)
	associated indirect GHG emissions.		
Limit Outdoor Lighting Requirements (LE-2)	Lighting sources contribute to GHG emissions indirectly, via the production of the electricity that powers these lights. When the operational hours of a light are reduced, GHG emissions are reduced. Strategies for reducing the operational hours of lights include programming lights in public facilities (parks, swimming pools, or recreational centers) to turn off after-hours, or installing motion sensors on pedestrian pathways. Since literature guidance for quantifying these reductions does not exist, this mitigation measure would be employed as a Best Management Practice. In order to take credit for this mitigation measure, the Project Applicant would need to provide detailed and substantial documentation of the reduction in operational hours of lights.	Best Management Practice, but may be quantified.	N
Replace Traffic Lights with LED Traffic Lights (LE-3)	Lighting sources contribute to GHG emissions indirectly, via the production of the electricity that powers these lights. Installing higher efficiency traffic lights reduces energy demand and associated GHG emissions. As high efficiency light-emitting diodes (LEDs), which consume about 90% less energy than traditional incandescent traffic lights while still providing adequate light or lumens when viewed, are currently required to meet minimum federal efficiency standards for new traffic lights. Project Applicants may take credit only if they are retrofitting existing incandescent traffic lights.	90% of emissions associated with existing traffic lights.	N

Representative GHG Reduction Measures <sup>1</sup>	Measure Description	Range of Effectiveness	Quantifiable in CalEEMod (Y/N)
Establish Onsite Renewable or Carbon-Neutral Energy Systems-Generic (AE-1)	Using electricity generated from renewable or carbon-neutral power systems displaces electricity demand which would ordinarily be supplied by the local utility. Different sources of electricity generation that local utilities use have varying carbon intensities. Renewable energy systems such as fuel cells may have GHG emissions associated with them. Carbon-neutral power systems, such as photovoltaic panels, do not emit GHGs and will be less carbon intense than the local utility. This mitigation measure describes a method to calculate GHG emission reductions from displacing utility electricity with electricity generated from an on-site power system, which may incorporate technology which has not yet been established at the time this document was written.	0-100% of emissions associated with electricity use. Note some systems could increase energy use.	Y
Establish Onsite Renewable Energy Systems-Solar Power (AE-2)	Using electricity generated from photovoltaic (PV) systems displaces electricity demand which would ordinarily be supplied by the local utility. Since zero GHG emissions are associated with electricity generation from PV systems, the GHG emissions reductions from this mitigation measure are equivalent to the emissions that would have been produced had electricity been supplied by the local utility.	0-100% of GHG emissions associated with electricity use.	Y. Input is kWh generated or % of electricity use generated.
Establish Onsite Renewable Energy Systems-Wind Power (AE-3)	Using electricity generated from wind power systems displaces electricity demand which would ordinarily be supplied by the local utility. Since zero GHG emissions are associated with electricity generation from wind turbines, the GHG emissions	0-100% of GHG emissions associated with electricity use.	Y

Representative GHG Reduction Measures <sup>1</sup>	Measure Description	Range of Effectiveness	Quantifiable in CalEEMod (Y/N)
	reductions from this mitigation measure are equivalent to the emissions that would have been produced had electricity been supplied by the local utility.		
Utilize a Combined Heat and Power System (AE-4)	For the same level of power output, combined heat and power (CHP) systems utilize less input energy than traditional separate heat and power (SHP) generation, resulting in fewer CO <sub>2</sub> emissions. In traditional SHP systems, heat created as a by-product is wasted by being released into the environment. In contrast, CHP systems harvest the thermal energy and use it to heat onsite or nearby processes, thus reducing the amount of natural gas or other fuel that would otherwise need to be combusted to heat those processes. In addition CHP systems lower the demand for grid electricity, thereby displacing the CO <sub>2</sub> emissions associated with the production of grid electricity.	0-46% of GHG emissions associated with electricity use.	N
Establish Methane Recovery in Landfills (AE-5)	One of the U.S.’s largest sources of methane emissions is from the decomposition of waste in landfills. Methane is a potent GHG and has a global warming potential over 20 times that of CO <sub>2</sub> . Capturing methane in landfills and combusting it to generate electricity for on-site energy needs reduces GHG emissions in two ways: it reduces direct methane emissions, and it displaces electricity demand and the associated indirect GHG emissions from electricity production.	73-77% reduction in GHG emissions from landfills without methane recovery	N
Establish Methane Recovery	Methane is a potent GHG and has a global warming potential	95-97% reduction in	N

## EXHIBIT "D" GHG REDUCTION MEASURES

Representative GHG Reduction Measures <sup>1</sup>	Measure Description	Range of Effectiveness	Quantifiable in CalEEMod (Y/N)
in Wastewater Treatment Plants (AE-6)	over 20 times that of CO <sub>2</sub> . Capturing methane from wastewater treatment plants and combusting it to generate electricity for on-site energy needs reduces GHG emissions in two ways: it reduces direct methane emissions, and it displaces electricity demand and the associated indirect GHG emissions from electricity production.	GHG emissions from wastewater treatment plants without recovery.	

*Source:* California Air Pollution Control Officers Association 2010

*Notes:*

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## SVGBSA Compatibility

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APPENDIX







**EMC PLANNING GROUP INC.**  
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**To:** Bryan Swanson, Community and Economic Development Department  
Director

**From:** Rachel Hawkins ESQ, Associate Planner

**Cc:** Sally Rideout EMPA, Project Manager; File

**Date:** June 8, 2022

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**Re:** Groundwater Compatibility Analysis for the City of Soledad LAFCO  
SOI/Reorganization Application - Miramonte

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This memorandum includes a description of the groundwater basin that will supply the development of land uses consistent with the Miramonte Specific Plan, which is the subject area within the City of Soledad application for SOI Amendment and Reorganization – Miramonte. Included in this memorandum is whether the Department of Water Resources (DWR) has identified the basin as being subject to critical conditions of overdraft; and whether the development that would occur within the SOI/Reorganization area, once annexed, is compatible with the adopted groundwater sustainability plan. This memorandum supplements the SB 610 Water Supply Assessment and Verification Letter adopted and issued by the City of Soledad City Council for the Miravale III Specific Plan project and subsequent water supply analysis prepared for the Miramonte Specific Plan, (AKEL Engineering 2017) to meet the new requirements of SB 1262.

## **Background**

### **Sustainable Groundwater Management Act**

On September 16, 2014, Governor Brown signed into law Assembly Bill 1739, Senate Bill 1168, and Senate Bill 1319 (AB-1739, SB-1168, and SB-1319). This three-bill legislative package is

MEMORANDUM

known collectively as the Sustainable Groundwater Management Act (SGMA). The act was amended in the later part of 2015 by SB 13, SB 226 and AB 1390 to provide clarity to the original law and guidance on groundwater adjudications. SGMA defines sustainable groundwater management as the “management and use of groundwater in a manner that can be maintained during the planning and implementation horizon without causing undesirable results.” The legislation defines “undesirable results” to be any of the following effects caused by groundwater conditions occurring throughout the basin:

- Chronic lowering of groundwater levels indicating a significant and unreasonable depletion of supply;
- Significant and unreasonable reduction of groundwater storage;
- Significant and unreasonable seawater intrusion;
- Significant and unreasonable degraded water quality;
- Significant and unreasonable land subsidence; and
- Surface water depletions that have significant and unreasonable adverse impacts on beneficial uses of the surface water.

SGMA provides financial and enforcement tools to carry out effective local sustainable groundwater management through formation of groundwater sustainability agencies consisting of local public agencies, water companies regulated by the California Public Utilities Commission, and mutual water companies. Groundwater sustainability agencies within high- and medium- priority basins under the California Statewide Groundwater Elevation Monitoring Program subject to critical conditions of overdraft prepare and submit groundwater sustainability plans for the basin by January 31, 2020, and requires groundwater sustainability agencies in all other groundwater basins designated as high- or medium-priority basins to prepare and submit a groundwater sustainability plan by January 31, 2022. Following state approval, the basin would thereafter be managed under the groundwater sustainability plan.

The key intended outcomes and benefits of the Sustainable Groundwater Management Act are numerous, and include:

- Advancement in understanding and knowledge of the state’s groundwater basins and their issues and challenges;
- Establishment of effective local governance to protect and manage groundwater basins;

- Management of regional water resources for regional self-sufficiency and drought resilience;
- Sustainable management of groundwater basins through the actions of Groundwater Sustainability Agencies, utilizing state assistance and intervention only when necessary;
- All groundwater basins in California are operated to maintain adequate protection to support the beneficial uses for the resource;
- Surface water and groundwater are managed as a single resource to sustain their interconnectivity, provide dry season base flow to interconnected streams, and support and promote long-term aquatic ecosystem health and vitality;
- A statewide framework for local groundwater management planning, including development of sustainable groundwater management best management practices and plans;
- Development of comprehensive and uniform water budgets, groundwater models, and engineering tools for effective management of groundwater basins;
- Improved coordination between land use and groundwater planning; and
- Enforcement actions as needed by the State Water Resources Control Board to achieve region-by-region sustainable groundwater management in accordance with the 2014 legislation.

The benefits of these outcomes include:

- A reliable, safe and sustainable water supply to protect communities, farms, and the environment, and support a stable and growing economy; and
- Elimination of long-term groundwater overdraft, an increase in groundwater storage, avoidance or minimization of subsidence, enhancement of water flows in stream systems, and prevention of future groundwater quality degradation.

SGMA is landmark legislation that, for the first time in the history of California, requires comprehensive groundwater management, with the mandatory goal of bringing all currently over-drafted basins into sustainable conditions by no later than 2040 or 2042, with five-year increments of progress starting in 2025 and 2027.

## Senate Bill 1262

Gov. Jerry Brown has signed Senate Bill 1262 into law, representing an initial attempt to incorporate groundwater management requirements under SGMA into two of California's water supply planning laws. SB 1262 amends Water Code section 10910 of the Water Supply Assessment statute (commonly referred to as "SB 610") and Government Code section 66473.7 of the Written Verification statute (commonly referred to as "SB 221").

Both Water Supply Assessments (WSA) and Written Verifications (WV) apply to certain types of development projects. Each requires a specific analysis of whether sufficient water supplies will be available to serve a proposed project in addition to existing and planned future uses. Among other things, SB 1262 amends the WSA and WV statutes to require those water supply analyses to consider the most recently adopted Groundwater Sustainability Plan prepared under SGMA if the water supply for a proposed project includes groundwater from a basin designated as medium- or high-priority.

Under the statute as revised, in addition to all the previously existing requirements for WSAs, if the proposed project's water supply includes groundwater from an unadjudicated medium or high priority basin, the WSA must now also include as part of its informational content:

- a description of the groundwater basin(s) that will supply the project
- whether DWR has identified the basin as being subject to critical conditions of overdraft; and,
- whether a groundwater sustainability agency has adopted a GSP or approved alternative, and, if so, a copy of the same (Wat. Code, § 10910(f)(2)(A)-(C).)

## SALINAS VALLEY FOREBAY AQUIFER SUBBASIN

The proposed project is within the Salinas Valley—Forebay Aquifer Subbasin (Subbasin, or Forebay Subbasin), which is an unadjudicated groundwater subbasin designated by the DWR as medium priority.

The Forebay Subbasin is located in the middle of Monterey County and is bounded by the Gabilan Range to the east, the 180/400-Foot Aquifer and Eastside Subbasins to the north, the Sierra de Salinas to the west, and the Upper Valley Subbasin to the south. The Salinas River

runs through the Forebay Subbasin and its main tributary, the Arroyo Seco, joins it in the middle of the Subbasin. Historical flows in the Arroyo Seco formed a significant alluvial fan in the Subbasin, known as the Arroyo Seco Cone. The Subbasin contains portions of the municipalities of Greenfield and Soledad. U.S. Highway 101 runs generally north-south along the middle of the Subbasin (Salinas Valley Basin Groundwater Sustainability Agency 2022, p. ES-3).

The majority of land in the Subbasin is used for agriculture, and accordingly, agriculture uses a majority of water in the Subbasin. Groundwater is the main water source in the Subbasin, although some surface water is diverted, such as the water for Clark Colony Water Company within the Arroyo Seco Groundwater Sustainability Agency. The Forebay Subbasin falls partially within the jurisdiction of the Salinas Valley Basin Groundwater Sustainability Agency (SVBGSA) and partially within the jurisdiction of the Arroyo Seco Groundwater Sustainability Agency (Salinas Valley Basin Groundwater Sustainability Agency 2022, p. ES-3).

## **OVERDRAFT STATUS**

According the *Salinas Valley Groundwater Basin Forebay Aquifer Subbasin Groundwater Sustainability Plan* (GSP), the Subbasin has historically not been considered in overdraft. Soledad is located near the confluence of the Salinas and Arroyo Seco rivers and overdraft conditions have not been identified in this area by the Monterey County Water Resources Agency. It is expected that groundwater will continue to be a reliable supply for the City of Soledad (Salinas Valley Basin Groundwater Sustainability Agency 2022, p. ES-6).

## **GROUNDWATER SUSTAINABILITY PLAN COMPATIBILITY**

The GSP was adopted by the SVBGSA on January 12, 2022. The GSP covers the entire 94,000 acres of the Forebay Subbasin and describes current groundwater conditions, develops a hydrogeologic conceptual model, establishes the water budget, outlines locally defined sustainable management criteria, and provides management actions and projects that can be used to maintain sustainability until 2042.

The proposed project would connect to the municipal water distribution system, which, based on the city's 2015 *Urban Water Management Plan* (UWMP), has a total reliable supply of 148,000

acre feet per year for the year 2035 and is equal to the sustainable yield of the Forebay Subarea (City of Soledad 2015, page 6-16). According to the water supply analysis prepared for the development consistent with the Miramonte Specific Plan within the SOI/Reorganization area, the projected water demands of the in the SOI/Reorganization area are expected to increase by 99 acre feet per year from that anticipated for the site in the *2005 Water Supply Master Plan*, due to adjustments in demand calculation methodology and assumptions. However, the water uses will decrease by 587 acre feet per year due to the conversion of agricultural lands to the proposed land uses. Therefore, the net offset to the groundwater aquifer would be 587 acre feet per year.

Additionally, development within the SOI/Reorganization area is subject to compliance with the Miramonte Specific Plan policies and the performance thresholds identified in the related plan for the provision of services (PFS) for the water supply consistent with the UWMP and the city's water system master plan. The Miramonte Specific Plan includes policies that reduce potable water consumption through the use of recycled water or non-potable ground water for irrigation, emphasis on drought-tolerant plant materials for landscaping, and the incorporation of state-of-the-art low water/high efficiency use fixtures and appliances in all new private development and public facility construction, including schools (Miravalle III Specific Plan EIR Addendum 2022).

The UWMP contains sections on water conservation, demand management, and water shortage and emergency supply contingencies. A drought risk assessment is also included in the UWMP to determine the impact of a five-year drought on the City's water supply (Salinas Valley Basin Groundwater Sustainability Agency 2022, p 3-22). As noted in the UWMP (page 6-15) the city of Soledad's groundwater supply has been adequate to meet the City's historical demands.

The proposed project would not conflict with the GSP as it would result in a net reduction of demand from the aquifer and would implement policies for water conservation and demand management consistent with the GSP.

## Indemnification Agreement







# INDEMNIFICATION AGREEMENT

for

City of Soledad: Miramonte Sphere of Influence and Reorganization Application

LAFCO File# 20-01

As part of this Application, the City of Soledad ("City") and its successors and assigns, shall indemnify, defend, and hold harmless the Local Agency Formation Commission of Monterey County ("LAFCO"), its officials, officers, employees, agents, representatives, contractors, and assigns from and against any and all claims, demands, liability, judgments, damages (including consequential damages), awards, interest, attorney fees, costs, and expenses of whatsoever kind or nature, at any time arising out of, or in any way connected with any legal challenges to or appeals associated with LAFCO's review and/or approval of the Application (collectively, "Indemnification Costs"). The City's obligation to indemnify, defend and hold harmless LAFCO, its officials, officers, employees, agents, representatives, contractors and assigns under this Indemnification Agreement shall apply regardless of fault, to any acts or omissions, or negligent conduct, whether active or passive, on the part of the City, LAFCO, its officials, officers, employees, agents, representatives, contractors, or assigns. The City's obligation to defend LAFCO, its officials, officers, employees, agents, representatives, contractors, and assigns under this Agreement shall be at the City's sole expense and using counsel selected or approved by LAFCO. LAFCO may, at its sole discretion, participate in the defense of such action, but such participation shall not relieve the City of its obligations under this Indemnification Agreement.

In the event of a lawsuit, the City will be notified by LAFCO within three business days of being served. An invoice will be submitted to the City by LAFCO for an amount between \$10,000 and \$25,000 to cover a portion of the Indemnification Costs ("Reserve"), which shall depend upon the estimated cost to resolve the matter and shall be determined in LAFCO's sole discretion. The City shall pay the Reserve to LAFCO within seven calendar days of LAFCO's request. The Reserve shall be applied against LAFCO's final bill for the Indemnification Costs, with any unused portion to be returned to the City. LAFCO shall bill the City monthly for the Indemnification Costs, which shall be paid to LAFCO no later than fifteen calendar days after receipt of LAFCO's bill.

It is agreed and understood by the Parties hereto, that this Agreement has been arrived at through negotiations and that neither party is to be deemed the party which prepared this Indemnification Agreement within the meaning of Civil Code section 1654.

By City of Soledad:

SIGNATURE: 

Date: 6/9/2022

PRINT NAME: Brent Slone

Title: City Manager

By LAFCO of Monterey County:

SIGNATURE: \_\_\_\_\_

Date: \_\_\_\_\_

PRINT NAME: \_\_\_\_\_

Title: \_\_\_\_\_