

## Soapbox: Salinas pushes limits of redevelopment

Written by

**Bob Perkins**

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The city of Salinas is pushing the envelope of California redevelopment law with plans that could expand the city's redevelopment area from six percent of city area to almost a third, raising questions about the purpose of redevelopment and possibly fueling debate about proposals to eliminate redevelopment in California entirely.

City leaders understandably want to use redevelopment to improve the local economy, increase tax revenues and fund infrastructure. However, it appears they are mixing development and redevelopment, as they study areas that might be added to the redevelopment area.

Redevelopment law is intended to offer remedies for urban areas that are blighted or suffer infrastructure problems that inhibit improvements. Suitable locations must be urban and meet definitions of blight or infrastructure needs in the law. These requirements rule out using the law to encourage new development in areas that weren't previously urban, aren't suffering real decay, or simply haven't received infrastructure yet.

Carr Lake presents the most obvious question. This large open, agricultural area in the middle of Salinas has served a vital flood control function. Community leaders have proposed acquiring this private farm land so they can convert it to recreation or other uses. It fails to meet any of the requirements for designation as redevelopment. Its only virtue is that conversion to some kind of city park would enhance the value of surrounding lands. That kind of justification could be used to acquire and convert almost any open or farm land to benefit neighbors, but California has a history of legal decisions in other places that have foreclosed this option.

Expanding west along the city's Market Street corridor might also bring some benefits to the city, but this corridor may not meet redevelopment criteria. Though it has a mix of occupied and vacant properties and newer and older businesses, development seems to be inhibited by the poor economy or other factors but not by urban blight or lack of

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infrastructure. Designating this area as redevelopment seems to stretch application of state law.

Remaining areas proposed to be added to the redevelopment area, such as certain stretches of Main Street and parts of Alisal, appear more suited for redevelopment remedies. These places show signs of decay or have problems with aging and neglected infrastructure that restrict improvement. The case may be reasonably made that these places deserve the benefits of redevelopment law.

Eminent domain brings one more twist to the city discussion. An existing redevelopment area in Alisal lost its power of eminent domain a few years back, and the city wants to restore it. That brings renewed attention to this troublesome power of government.

Eminent domain can allow local government to acquire and assemble unsuitable parcels into a larger piece to support viable development, such as a shopping center or residential complex. It can also benefit willing sellers by offering favorable tax treatment.

Unfortunately, eminent domain has been often abused, to force property owners and small businesses out, in order to benefit large developers. State law provides limited protection only to owners living in single-family homes.

Current city leadership promises it would use this authority with discretion. However, there's no promise that can bind future city

councils.

While arguments can be made for and against the power of eminent domain, protection of individual property rights should rule the day. Salinas should reject eminent domain as an option.

Redevelopment expansion seems to fall into three areas:

<sup>a</sup> where it is entirely inappropriate (Carr Lake)

<sup>a</sup> where it seems questionable (Market Street,)

<sup>a</sup> where it appears appropriate (Main Street and Alisal.)

As Mayor Dennis Donohue has said, there is a public process that allows all viewpoints to be heard. In the end, we can hope that the city chooses appropriate expansion, eliminates the most questionable areas and rejects eminent domain.

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<sup>a</sup> Bob Perkins is an observer of politics and issues based on California's Central Coast, as well as a photographer and writer. Contact him at [www.bobperkins.us/bobperkins/bob\\_perkins.htm](http://www.bobperkins.us/bobperkins/bob_perkins.htm).

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