

**RESOLUTION NO. 22075 (N.C.S.)**

**A RESOLUTION OF THE CITY OF SALINAS CITY COUNCIL APPROVING A MITIGATED NEGATIVE DECLARATION AND A PLANNED UNIT DEVELOPMENT PERMIT AUTHORIZING DEVELOPMENT OF 37 DETACHED SINGLE-FAMILY DWELLING UNITS WITH ALTERNATIVE DEVELOPMENT STANDARDS, AND TENTATIVE MAP SUBDIVIDING A 7.74-ACRE LOT INTO 37 LOTS WITH ALTERNATIVE STREET SECTIONS AND STREET FRONTAGE DESIGN FOR INTERIOR ROADWAYS LOCATED AT 11 HILL CIRCLE IN THE RESIDENTIAL – LOW DENSITY - AIRPORT OVERLAY – FLOOD OVERLAY (R-L-5.5–AR-F) ZONING DISTRICT (PUD 2019-001 AND TM 2019-002)**

**WHEREAS**, William H. Coffey, Applicant and U4RIC Investments, LLC and The Thoeny Family Limited Partnership, Property Owners, submitted an application that was deemed complete on November 22, 2020 requesting to develop 37 detached single-family dwelling units with alternative development standards including, but not limited to: reduced lot size, setbacks, off-street parking, usable open space with 18,500 square-feet of usable open space, 38 off-street parking spaces (including two (2) accessible spaces), and three (3) affordable units and subdivide the 7.74-acre lot into 37 lots with one (1) common lot with alternative street sections and street frontage design for interior roadways located at 11 Hill Circle in the Residential – Low Density - Airport Overlay – Flood Overlay (R-L-5.5–AR-F) Zoning District and which is known as Planned Unit Development Permit 2019-001 and Tentative Map 2019-002; and

**WHEREAS**, on March 17, 2022, the Salinas Planning Commission, held a duly noticed public hearing to consider the proposed Planned Unit Development Permit 2019-001 and Tentative Map 2019-002; and

**WHEREAS**, the Planning Commission weighed the evidence presented at said public hearing, considered the staff report and determined that positive findings could be made for approval of the project and adopted Resolution No. 2021-08 recommending that the City Council 1) adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (Exhibit 1) and 2) approve both the Planned Unit Development Permit 2019-001 and Tentative Map 2019-002 with modifications; and

**WHEREAS**, on April 13, 2021, the City Council held a duly noticed public hearing and weighed the evidence presented including the Staff Report which is on file at the Community Development Department together with the record of environmental review.

**NOW, THEREFORE, BE IT RESOLVED** that the Salinas City Council adopts the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and approves Planned Unit Development Permit 2019-001 and Tentative Map 2019-002, subject to the following modifications:

1. Condition No 23 shall be revised to reflect a one car garage and an uncovered tandem space in addition to the 38 on-site spaces.

2. Condition No. 42 shall be revised to reflect the following: The property owner shall comply with the Engineer's Report dated November 19, 2020 (Exhibit "B-1").
3. Page 5 of the Engineer's Report Item 6h shall reference an 8-foot high wall rather than a 6-foot wall for consistency with the noise mitigation.
4. The expiration date of the Tentative Map and PUD shall both be 2 years.
5. If there is a need to desire a condition with specificity for a concrete or hard surface, DG compacted base rock, can be added for the trails.

**BE IT FURTHER RESOLVED** that the Salinas City Council adopts the following findings as the basis for its determination, and that the foregoing recitations are true and correct, and are included herein by reference as findings subject to the conditions stated in the Planned Unit Development Permit and the Tentative Map:

Mitigated Negative Declaration:

1. *The City Council hereby finds that a Mitigated Negative Declaration (MND) has been prepared with respect to the project in compliance with the California Environmental Quality Act (CEQA) of 1970, as amended, and the guidelines promulgated thereunder. Further, this Commission has independently reviewed and considered the information contained in the Initial Study and related environmental documents, together with the comments received during the public review process. On the basis of the whole record before it, the Commission finds that, with the conditions of approval and the proposed mitigation measures, there is no substantial evidence that the project will have a significant effect on the environment and that the MND reflects the Commission's independent judgment and analysis. On this basis, the Commission adopts the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program.*

The environmental impacts of the project have been analyzed in accordance with the California Environmental Quality Act (CEQA). An Initial Study was prepared to evaluate the potential impacts associated with the project. Based upon review of the Initial Study, the proposed project will not have a significant effect on the environment because the mitigation measures outlined in the proposed Mitigation Monitoring and Reporting Program have been included in the project (see Exhibit "1"). The Initial Study and Mitigated Negative Declaration were routed to responsible agencies and posted at the County Clerk's Office on February 10, 2021; the deadline for comments was March 12, 2021. The State Clearinghouse received the Initial Study and Mitigated Negative Declaration (SCH# 2021020281) on February 16, 2021; the deadline for comments was March 17, 2021.

Correspondence was received from public agencies. Paraphrased comments from the agencies are shown below:

1. The following comments were received from the Monterey County Agricultural Commissioner's Office on March 3, 2021.

Staff received an e-mailed response regarding the Initial Study from Nadia Garcia, Agricultural Resources and Policy Manager of the Monterey County Agricultural Commissioner's Office. The e-mailed indicates that the Monterey County Agricultural Commissioner's Office reviewed the Initial Study and that they agree with its analysis and conclusions and the proposed project would not pose a conflict with agricultural operations.

2. The following comments were received from the Transportation Agency for Monterey County (TAMC) dated March 8, 2021.

- a. TAMC supports the integration of bicycle and pedestrian elements into the project and encourages the development of comfortable and safe pedestrian access.

Staff Response: The project proposes a trail system to allow pedestrian access throughout the site.

- b. TAMC encourages the developer to consider installing bicycle racks and secure bicycle parking on-site.

Staff Response: Zoning Code Section 37-50.400 does not require residential developments to provide bicycle parking. However, staff encourages the Applicant or successor-in-interest to provide on-site bicycle parking as a part of the project.

- c. TAMC recommends that Mitigation Measure TR-2 of the Mitigation Monitoring and Reporting Program be modified to state (in underline): "pay a "fair share" contribution toward the East Laurel Drive – Saint Edwards Drive traffic signal or alternative intersection control device if determined to be more appropriate for the location following the completion of an Intersection Control Evaluation Study".

Staff Response: Staff has revised Mitigation Measure TR-2 of the Mitigation Monitoring and Reporting Program to reflect TAMC's request.

- d. Install electric vehicle charging stations on-site.

Staff Response: Unless it is required pursuant to State law, staff cannot require the Applicant or successor-in-interest to provide electric charging stations on-site. However, staff encourages the provision of electric vehicle charging stations on-site.

- e. TAMC encourages coordination with Monterey Salinas Transit (MST) to accommodate existing and planned transit connections to the project.

Staff Response: Staff encourages the Applicant or successor-in-interest to work with MST to provide access to transit from the project site.

3. The following comments were received from Pacific Gas and Electric (PG&E) dated March 25, 2021.

Staff received a written response from the PG&E Plan Review Team Land Management stating that per their review the proposed project does not appear to directly interfere with existing PG&E facilities or impact their easement rights. The response states that if any subsequent modifications are made to the design, that resubmitted plans need to be reviewed by PG&E.

In addition, prior to the February 17, 2021 Planning Commission hearing, staff received an anonymous e-mail indicating opposition to the proposed project due to an increase in crime. The proposed design of the site addresses CPTED (Crime Prevention Through Environmental Design) principals by providing front yard porches and primary entrances and windows on each side of the proposed residences. Per Condition No. 17 of the draft approval document, the Applicant, or successor-in-interest, shall consult with the Salinas Police Department regarding crime prevention and security prior to the issuance of any building permits.

For Planned Unit Development Permit 2019-001:

1. ***That the proposed location of the Planned Unit Development is in accord with the objectives of the Zoning Code and the purposes of the district in which the site is located;***

The subject site is located on a currently vacant in-fill site in the R-L-5.5-AR-F Zoning District. This district is intended for development of single-family dwelling such as the proposed residential use. The subject proposal would create a 37-unit small lot detached single-family residential subdivision ranging from 2,282.5 to 5,500.8 square-feet each, one (1) common lot, 38 off-street parking spaces, three (3) affordable units, and 18,500 square-feet of usable open space. The project proposes reduced front yard, side yard, rear yard, and corner side yard setbacks consisting of a minimum of three (3) in lieu of the minimum required in the Residential Low Density (R-L-5.5) District. The project includes single car garages with tandem uncovered parking and reduced usable open space. Development will be compatible with adjacent residential uses that currently exist to the north, east, and south of the subject property. The proposed project complies with General Plan Policy H-1.6, which encourages new residential development to be compatible

with surrounding neighborhoods. Moreover, the proposed residences will be located away from any adjacent residential properties, which will further ensure compatibility with adjacent residential uses.

2. ***The Planned Unit Development and the proposed conditions under which it would be developed or maintained are consistent with the Salinas General Plan, applicable Specific Plan, and other plans and policies adopted by the Salinas City Council and will not be detrimental to the public health, safety, or welfare of persons residing or working in or adjacent to the Planned Unit Development, nor detrimental to properties or improvements in the vicinity or to the general welfare of the city; and***

The 2002 General Plan designates the site as *Residential Low Density*. The project is consistent with General Plan Policies which encourages additional residential development in the City of Salinas, especially affordable housing. Moreover, the proposed development will convert 7.74 acres of land, currently surrounded by development into 37 detached single-family detached dwelling units with a common area, which is consistent with General Plan Policies LU-2.1 by maintaining a compact City form, LU-2.4, encouraging additional in-fill development. The proposed single-family residential project will be consistent with General Plan Policy CD-2.3, which requires infill development to be consistent with the scale and character of existing neighborhoods.

3. ***The Planned Unit Development does not represent an exception to the standards of this Chapter but rather an alternative resulting in equal or superior design in comparison to development, which strictly complies with base district property development regulations.***

While the project will deviate from many of the minimum required development standards for the R-L-5.5 Zoning District, including but not limited to: lot size, setbacks, off-street parking, and usable open space, it represents an alternative that provides an overall design for the site that will provide additional residential units for expanded home ownership opportunities. The proposed reduction in usable open space per dwelling unit from 1,000 square-feet to 500 square-foot can be supported because the project includes Parcel A, a 4.95-acre common lot along with trails and a waterway known as the Sanborn Creek/Madeira Ditch.

For Tentative Map 2019-002:

4. ***The proposed map is consistent with the General Plan or any applicable Specific Plan, the Zoning Code, the Subdivision Ordinance, the Subdivision Map Act, and other applicable provisions of this Code.***

The proposed Tentative Map is a request to subdivide a 7.74-acre lot into 37 detached single-family dwelling units with alternative development standards and one approximately 4.95-acre square foot common area lot. The proposed reduced

lot size would range from 2,282.5 to 5,500.9 square-feet in lieu of the minimum required 5,500 square-foot in the R-L-5.5. District. The proposed project also includes alternative street sections and street frontage design for interior roadways.

The proposed Tentative Map is consistent with the Salinas General Plan and Zoning Code. The site is designated as Residential Low Density by the Salinas General Plan and R-L-5.5 – AR - F (Residential Low Density – Airport Overlay – Flood Overlay) by the Salinas Zoning Map. The proposed density of one (1) detached single family dwelling unit per proposed lot complies with the maximum allowed density of both the General Plan and the Zoning Code. The varied topography and the waterway known as the Sanborn Creek/Madeira Ditch, which runs through the project site as well as existing various easement does not provide for additional detached single-family dwelling units on the project site. No Specific Plans or Precise Plans are applicable to the site.

**5. *The design or improvement of the proposed subdivision is consistent with the General Plan, standard specifications, design standards, standard plans, development regulations, and any applicable Specific Plan.***

There are no Specific Plans that regulate the site. The design and improvement of the proposed Map is consistent with the General Plan. The site is designated Residential Low Density by the 2002 Salinas General Plan. Per the General Plan, Residential Low Density provides for the development of single-family detached and attached homes. The proposed 37 detached single-family dwelling units is consistent with General Plan Goals and Policies. Located on an in-fill site, the proposed Map would help maintain a compact City form, consistent with Land Use Goal LU-2 and Policy LU-2.4. Located on an in-fill site, the proposed Map is compatible with the scale and character of the existing neighborhood, consistent with Community Design Goal CD-2 and Policy CD-2.3. With 37 detached single-family dwelling units, the proposed Map would contribute to providing a range of housing opportunities and a variety of housing types, designs, and prices throughout the City, consistent with Land Use Goal LU-1 and Policy LU-1.1 and Housing Goal H-1 and Policy H-1.1. No Specific Plans or Precise Plans are applicable to the site.

**6. *The site is physically suitable for the proposed type of development.***

The site is topographically varied and includes a waterway known as the Sanborn Creek/Madeira Ditch and is encumbered by various easements. The project is proposing 18,500 square-feet of usable open space (500 square-feet x 37 units). In addition to the usable open space areas, there would be a common lot which is located through the project site. Each proposed detached single-family dwelling unit would include a one-car garage, with one (1) tandem uncovered stall located in front. The building setbacks will a minimum of three (3) feet. The project includes alterative street sections and street frontage design for interior roadways including curbs, gutters, sidewalks, driveway approaches pedestrian curb ramps,

streetlights, street trees, and street intersections. The project will also include the construction of a trail in lieu of street frontage sidewalks, and reduction of roadway and cul-da-sac widths. Vehicular access to the project will be provided from Hill Circle and Madeira Drive. Therefore, the site is physical suitable for the proposed type of development.

**7. *The site is physically suitable for the proposed density of development.***

The site is designated as Residential Low Density by the Salinas General Plan and R-L-5.5 – AR – F (Residential Low Density – Airport Overlay – Flood Overlay) by the Salinas Zoning Map. The proposed density one (1) detached single-family dwelling unit for each of the proposed 37 lots complies with maximum allowed density of one (1) such unit per lot. Therefore, the site is physically suitable for the proposed density of development.

**8. *The design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. However, the City Council may approve a Tentative Map even it is usable to make this finding if an Environmental Impact Report was prepared for the project, and a finding was made that specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the Environmental Impact Report that would mitigate damage to the environment or to fish and wildlife and their habitat.***

Located on an in-fill site in an urbanized area surrounded by existing residential development. Sanborn Creek/Madeira Ditch runs through the project site. Per the Initial Study for the project, there are no sensitive plant or animal species located on the project site. The proposed project is not expected to degrade scenic resources nor degrade the visual character of the area. Although 0.28 acres of the existing 0.47 acres of the riparian habitat would be removed, 0.19 acres would remain undisturbed and 0.87 acres would be restored. Approximately 55 percent (i.e., 4.02 acres of 7.19 net acres) of the site would be landscaped at project completion, which includes the existing riparian habitat to remain and the additional riparian habitat to be added.

**9. *The design of the subdivision or the type of improvements is not likely to cause serious public health problems.***

The site is currently vacant, is proposed to be developed with 37 detached single-family dwelling units, is surrounded by residential uses, and is served by existing infrastructure. Conditions of approval will ensure compliance with requirements of the City's Public Works Department. The project is not likely to cause public health problems.

**10. *The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property***

*within the proposed subdivision. In this connection, the City Council may approve the map if it finds that alternative easements for access through, or for use of, the property will be provided, and that these will be substantially equivalent to ones previously acquired by the public. The subsection shall apply only to easements established by judgment of a court of competent jurisdiction.*

The site is surrounded by residential uses and is served by existing infrastructure. There are various easements on site, but they will not be adversely impacted by the proposed development. The proposed Tentative Map includes new public utility and common area easements and access easements.

- 11. *The waste discharge from the proposed subdivision into a municipal separated sewer system will not result in or add to violations of existing requirements prescribed by the Regional Water Quality Control Board. Sanitary sewers must meet acceptance by Monterey Regional Water Pollution Control Agency (MRWPCA).***

The site is surrounded by residential uses and is served by existing infrastructure. As conditions of approval will ensure compliance with requirements of the City's Public Works Department and waste discharge into the sewer system would not result in violations of Regional Water Quality Control Board requirements.

- 12. *Storm drainage system meets the City's NPDES permit and SWDS at the time of Council consideration.***

The storm drainage system of the project site meets with the City's NPDES and SWDS permit.

- 13. *If the land is subject to any of the development restrictions included in Section 66474.4(a) of the Subdivision Map Act (including, but not limited to, Williamson Act contracts, open-space easements, and conservation easements), then the findings required by Section 66474.4 must be made to approve or conditionally approve the Tentative Map.***

The site is not in agricultural use, and no Williamson Act contracts exist on the site.

- 14. *If the Tentative Map is subject to the water supply requirements included in Section 66473.7 of the Subdivision Map Act, then the findings required by Section 66473.7 must be made to approve or conditionally approve the Tentative Map.***

The project site is not subject to the water supply requirements of Section 66473.7 of the Subdivision Map Act because the proposed project consists of less than 500 units.

**PASSED AND APPROVED** this 13th day of April 2021 by the following vote:



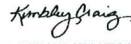
**AYES:** Councilmembers: Barrera, Cromeenes, Gonzalez, McShane, Osornio, Rocha and Mayor Craig

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

**APPROVED:**

DocuSigned by:  
  
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Kimbley Craig, Mayor

**ATTEST:**

DocuSigned by:  
  
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Patricia M. Barajas, City Clerk

**Attachment:**

Exhibit 1: Revised Mitigation Monitoring and Reporting Program for PUD 2019-001 and TM 2019-002 dated March 9, 2021

2022001149

Stephen L. Vagnini  
Monterey County Clerk-Recorder

01/07/2022 03:16 PM

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CITY OF SALINAS  
Community Development Department  
65 West Alisal Street, Salinas, CA 93901  
Attn: Thomas Wiles, Senior Planner



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## PLANNED UNIT DEVELOPMENT PERMIT 2019-001 AND TENTATIVE MAP 2019-002

### City of Salinas Community Development Department

**WHEREAS**, the Salinas City Council, at a public hearing duly noticed and held on April 13, 2021, found that the location of the Planned Unit Development is in accord with the objectives of the Zoning Code and the purposes of the district in which the site is located; the Planned Unit Development and the proposed conditions under which it would be developed or maintained are consistent with the Salinas General Plan and will not be detrimental to the public health, safety, or welfare of persons residing or working in or adjacent to the Planned Unit Development, nor detrimental to properties or improvements in the vicinity or to the general welfare of the City; and the Planned Unit Development does not represent an exception to the standards of the Zoning Code but rather an alternative resulting in an equal or superior design in comparison to development which strictly complies with base property development regulations; and pursuant to Salinas City Code Sections 31-401.8 and 31-401.9, the Salinas City Council has also determined that the proposed subdivision, together with its provisions for design and improvements, is consistent with applicable general, specific, or precise plans and zoning ordinances adopted by the City of Salinas, that both the Planned Unit Development Permit and Tentative Map have been granted in combination pursuant to Zoning Code Section 37-60.970(b), and both have been evaluated in accordance with the California Environmental Quality Act, as amended; and that the Salinas City Council has reviewed and considered a Mitigated Negative Declaration.

**NOW, THEREFORE**, the Salinas City Council hereby grants and issues Planned Unit Development Permit 2019-001 pursuant to *Division 26: Planned Unit Development Permits*, of Chapter 37 of the Salinas City Code and Tentative Map 2019-002 pursuant to Chapter 31 of the Salinas City Code and upon the following terms and conditions and not otherwise, to wit:

**ISSUED TO:** William H. Coffey

**PROPERTY OWNERS:** U4RIC Investments, LLC and The Thoeny Family Limited Partnership

**FOR:** Develop 37 detached single-family dwelling units with alternative development standards and subdivide a 7.74-acre lot into 37 lots with alternative street sections and street frontage design for interior roadways.

**ON PROPERTY LOCATED AT:** 11 Hill Circle

**ASSESSOR'S PARCEL NOs.:** 004-601-066-000 and 004-601-067-000

**ZONING DISTRICT:** Residential Low Density – Airport Overlay – Flood Overlay (R-L-5.5 – AR – F)

**ENVIRONMENTAL REVIEW ACTION & DATE:** Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program: April 13, 2021

**EXPIRATION DATE:** None, once properly established.

**RIGHT TO OPERATE/DEVELOP**

1. The Permittee shall be authorized to develop 37 detached single-family dwelling units with alternative development standards and subdivide a 7.74-acre lot into 37 lots with alternative street sections and street frontage design for interior roadways on the above-described property in accordance with the following exhibits incorporated herein by reference and made a part of this Permit as described below:
  - a. Planned Unit Development Permit 2019-001 (PUD 2019-001); Request to develop 37 detached single-family dwelling units with alternative development standards including, but not limited to the following:
    - i. Reduced lot sizes ranging from 2,282.5 to 5,500.8 square-feet in lieu of the minimum 5,500 square-foot standard;
    - ii. Reduced front yard, side yard, rear yard, and corner side yard setbacks consisting of three (3) feet in lieu of the minimum required in the Residential Low Density (R-L-5.5) District as per Zoning Code Section 37-30.070 (see table below);
    - iii. Single car garages with tandem uncovered parking stalls located within the minimum required 20-foot front yard setback in lieu of minimum required two car garages as per Zoning Code Section 37-50.360; and
    - iv. Reduced Usable Open Space of 18,500 square-feet (500 s.f. per unit) in lieu of 1,000 square-feet for interior lots, and 650 square-feet for corner lots as per Zoning Code Section 37-30.070.; and
  - b. Tentative Map 2019-002 (TM 2019-002): Request to subdivide a 7.74-acre lot into 37 lots with alternative street sections and street frontage design for interior roadways including curbs, gutters, sidewalks, driveway approaches pedestrian curb ramps, street lights, street trees, and street intersections; construction of a trail in lieu of street frontage sidewalks, and reduction of roadway and cul-da-sac widths. The trail system shall be constructed in compliance with all applicable American with Disabilities Act (ADA) requirements.

on the above-described property in accordance with the following exhibits incorporated herein by reference and made a part of this Permit:

Exhibit "A" - Vicinity Map  
 Exhibit "B" - Architectural and Site Plan and Tentative Map dated March 2021 (Sheet 1 of 10)  
 Exhibit "C" - Tentative Map dated March 2021 (Sheet 2 of 10)  
 Exhibit "D" - Open Space and Biological Areas dated March 2021 (Sheet 3 of 10)  
 Exhibit "E" - Grading and Drainage Plan dated March 2021 (Sheet 4 of 10)  
 Exhibit "F" - Grading and Drainage Plan dated March 2021 (Sheet 5 of 10)  
 Exhibit "G" - Grading and Drainage Plan dated March 2021 (Sheet 6 of 10)  
 Exhibit "H" - Utility Plan dated March 2021 (Sheet 7 of 10)  
 Exhibit "I" - Erosion Control Plan dated March 2021 (Sheet 8 of 10)  
 Exhibit "J" - Erosion Control Details dated March 2021 (Sheet 9 of 10)  
 Exhibit "K" - Stormwater Control Plan dated March 2021 (Sheet 10 of 10)  
 Exhibit "L" - Site Plan Sheet for K530-G dated November 25, 2020 (Sheet 1 of 5)  
 Exhibit "M" - First Floor Plan Sheet for K530-G dated November 25, 2020 (Sheet 2 of 5)  
 Exhibit "N" - All Elevations Sheet for K530-G dated November 25, 2020 (Sheet 3 of 5)  
 Exhibit "O" - Building Section for K530-G dated November 25, 2020 (Sheet 4 of 5)  
 Exhibit "P" - Schedules/Standards Sheet for K530-G dated November 25, 2020 (Sheet 5 of 5)  
 Exhibit "Q" - Site Plan Sheet for K600-CT-03 dated November 25, 2020 (Sheet 1 of 5)  
 Exhibit "R" - First Floor Plan Sheet for K600-CT-03 dated November 25, 2020 (Sheet 2 of 5)  
 Exhibit "S" - All Elevations Sheet for K600-CT-03 dated November 25, 2020 (Sheet 3 of 5)  
 Exhibit "T" - Building Section for K600-CT-03 dated November 25, 2020 (Sheet 4 of 5)  
 Exhibit "U" - Schedules/Standards Sheet for K600-CT-03 dated November 25, 2020 (Sheet 5 of 5)  
 Exhibit "V" - Site Plan Sheet for K605-CT-03 dated November 25, 2020 (Sheet 1 of 5)  
 Exhibit "W" - First Floor Plan Sheet for K605-CT-03 dated November 25, 2020 (Sheet 2 of 5)  
 Exhibit "X" - All Elevations Sheet for K605-CT-03 dated November 25, 2020 (Sheet 3 of 5)  
 Exhibit "Y" - Building Section for K605-CT-03 dated November 25, 2020 (Sheet 4 of 5)  
 Exhibit "Z" - Schedules/Standards Sheet for K605-CT-03 dated November 25, 2020 (Sheet 5 of 5)  
 Exhibit "A-1" - Affordable Housing and Marketing Plan dated September 10, 2020  
 Exhibit "B-1" - Engineer's Report dated November 19, 2020  
 Exhibit "C-1" - Airport comments for PUD 2019-001 and TM 2019-002 (11 Hill Circle) dated June 12, 2019  
 Exhibit "D-1" - Revised Mitigation Monitoring and Reporting Program for PUD 2019-001 and TM 2019-002 dated March 9, 2021

2. The City Planner may conduct a review of this Permit after inauguration, and may require modifications, if appropriate. The City Planner may also schedule a review by the Salinas City Council, at a public hearing, if considered necessary. In the event that a public hearing is necessary, the Permittee shall reimburse the City of Salinas for all costs and expenses required to prepare for and conduct said hearing.

3. Because the Project exceeds ten residential units, it is subject to the City's Inclusionary Housing Ordinance (Salinas Municipal Code Chapter 17). Based on the Option One selection of the Applicant/Permittee pursuant to Municipal Code Section 17-11(e)(1), the Project shall provide a minimum of three (3) medium income inclusionary units for ownership pursuant to the Affordable Housing and Marketing Plan dated September 10, 2020 (Exhibit "A-1").
4. The Applicant/Permittee shall execute an Affordable Housing Agreement prepared by the City pursuant to Municipal Code Chapter 17 and to the City's Inclusionary Housing Guidelines. The Affordable Housing and Marketing Plan dated, September 10, 2020, is incorporated herein as Exhibit "A-1" of this Planned Unit Development Permit. The required Affordable Housing Agreement shall be based upon the Affordable Housing Plan. However, if there is any discrepancy in the requirements contained in either document, the terms of the Affordable Housing Agreement shall prevail. The Affordable Housing Agreement shall be executed by the Applicant/Permittee and the City, and recorded at the Monterey County Recorder's Office, prior to issuance of any Building Permit for the construction of any of the Dwelling Units within the Project, including a deed restriction per Zoning Code Section 37-50.270(g).
5. No outdoor storage, display, or sale of merchandise of any kind will be permitted, except in accordance with a valid Yard Sale/Garage Sale Permit issued by the City.
6. Prior to issuance of any building permit, a draft of Covenants, Codes, and Restrictions (CC&Rs) will need to be submitted to the City of Salinas for review. The CC&Rs need to provide for maintenance and operation responsibilities, development restrictions, liability, and any other obligations for the proposed project. A recorded copy of the approved CC&Rs shall be provided to the City of Salinas prior to issuance of any building permit.
7. The permittee or successor-in-interest shall provide a copy of this Planned Unit Development Permit 2019-001 to all initial homebuyers in this subdivision.
8. Accessory Dwelling Units (ADU) shall be permitted on each lot pursuant to all applicable City of Salinas and/or State of California regulations.
9. This Planned Unit Development Permit authorizes the following Development Standards:

**Development Summary Table (Per Zoning Code Section 37-30.070,  
Table 37-30.40)**

Development Regulations	R-L-5.5 District	Proposed
Lot size sq. ft. min	5,500 s.f	2,282.5 to 5,500.8 s.f.
Lot width ft. min	50 ft.	41.5 to 46 ft.
Corner Lots ft. min	60 ft.	41.5 to 46 ft.
Lot depth ft min	75 ft.	54 to 60 ft.
Lot frontage ft min	35 ft.	41.5 to 46 ft.

Yards		
Front ft min	20 ft.	3 ft.
Side ft min	5 ft.	3 ft.
Corner Side ft min	15 ft	3 ft.
Rear ft min	10 ft	3 ft.
Distance Between Buildings min.	6 ft	6ft
Driveway length ft min	20 ft	27 ft
Height ft max	30 ft.	14'-4"
Usable open space s.f. min. per dwelling unit (650 s.f. corner lot)	1,000 s.f. per unit	500 s.f. per unit

10. The Applicant or successor-in-interest shall file with the Federal Aviation Administration (FAA) Form 7460-1, "Notice of Proposed Construction or Alteration". The aeronautical study must have a Determination of No Hazard to Air Navigation and the structure(s) would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Further, the application must comply with any conditions imposed by the FAA (<http://www.faa.gov/forms/index.cfm/go/document.information/documentID/18673>) (see attached Exhibit "C-1").
11. The Airport recommends a Grant of Aviation Easement Agreement for the associated parcel be secured and recorded (see attached Exhibit "C-1").
12. The parcel is located on the extended centerline for Runway 13/31 and will experience noise exposure from over-flight aircraft. A portion of the parcel is located within the 55 CNEL (Community Noise Equivalent Level) contour as depicted in the Year 2000 CNEL Noise Contour exhibit in the Salinas Municipal Airport Land Use Plan. The development should be developed to accommodate and be resilient to over-flight noise exposure. The developer should engineer the development to accommodate 55 Community Noise Equivalent Level (CNEL) as per the Salinas Municipal Airport Land Use Plan or the General Plan, whichever provides greater protection (see attached Exhibit "C-1").
13. Prior to issuance of any building permit and/or recordation of a Final Map, the Applicant or successor-in-interest shall revise the plans and provide a centrally located minimum 900 square-foot children's play area with construction details and other amenities including but not limited to benches, barbecues, and trash cans on the project site, subject to review and approval by the City Planner.

## NPDES REQUIREMENTS

14. The development shall conform to all National Pollutant Discharge Elimination System (NPDES) and Low Impact Development (LID) requirements and standards in effect and required by the City Engineer when building permits are issued. The project will require a Storm Water Pollution Prevention Plan (SWPPP) that identifies Best Management Practices (BMPs) to be incorporated into the project (see attached Exhibit "B-1").

## **ENVIRONMENTAL MITIGATIONS**

15. All mitigation measures listed in the Mitigation Monitoring and Reporting Program shall be conditions of approval as incorporated herein by reference as Exhibit "D-1".

## **FINAL MAP REFERENCE AND CONDITIONS**

16. The following language shall appear prominently in the Owners Certificate of the Final Map: "The development and use of this property is subject to the terms and conditions of Planned Unit Development Permit No. 2009-001 issued by the Council of the City of Salinas on April 13, 2021 and filed for record in the Official Records of Monterey County and to all conditions and standards contained therein".
17. The permittee shall also request that the preceding language be included in the final subdivision public report of the California Department of Real Estate and shall provide verification to the Community Development Department that each subsequent purchaser has been informed of the PUD permit and its conditions prior to the close of each escrow.
18. A Final Map providing for the subdivision of the subject property pursuant to Municipal Code Section 31-402 shall be approved by the City Council and recorded by the County Recorder prior to issuance of any building permits.

## **AVIGATION EASEMENT**

19. Prior to issuance of a building permit, the Applicant or successor in interest, shall record an Avigation Easement (Exhibit "C-1") on the property. Recordation of the Avigation Easement shall be coordinated with the City's Property Analyst (200 Lincoln Avenue, 831-758-7241). File Nos. PUD 2019-001 and TM 2019-002 shall be referenced on the Avigation Easement document.

## **FIRE PROTECTION REQUIREMENTS**

20. All applicable requirements of the Salinas Fire Department including those items identified in Titles 19, 24 and 25 of the California Administrative Code must be met and may include, but not be limited to, provisions for fire alarm systems, fire extinguishers, sprinkler systems, emergency vehicle access and installation of fire hydrants.
21. All fire sprinkler apparatus shall be incorporated into the overall site plan and building design. Such apparatus shall be located within building interiors, garages, stairwells, utility areas, trash areas and/or other areas substantially out of the public view. Fire Department connection pipes shall be painted to match the adjacent building.

## **CRIME PREVENTION REQUIREMENTS**

22. Prior to the issuance of any building permit, the applicant or successor-in-interest shall consult with the Police Department regarding crime prevention and security. Written confirmation from the Police Department demonstrating compliance with this condition shall be submitted to the Community Development Department prior to issuance of a



building permit.

## **PARKING REQUIREMENTS**

23. A minimum of a one (1) car garage and one (1) uncovered tandem space for each of the 37 proposed detached single-family dwelling units and 38 on-site parking spaces shall be provided including two (2) on-site parking spaces designated for people with disabilities shall be provided in accordance with *Division 18: Off-Street Parking and Loading Regulations*. Bicycle parking (rack) shall be provided in accordance with Zoning Code Section 37-50.400.
24. All off-street parking and loading areas shall be graded, paved, drained, landscaped, striped, and maintained in accordance with *Division 18: Off-Street Parking and Loading Regulations*, of the Salinas City Code.

## **SIGNS**

25. Sign Permits issued in accordance with *Article 5, Division 3: Signs*, of the Salinas City Code, shall be required for all signs.
26. No canvas signs, banners, pennants, flags, streamers, balloons or other temporary or wind signs; no mobile, A-frame, or portable signs; no roof or canopy signs extending above a building roof; no signs that resemble any official marker erected by the city, state or any governmental agency, or that by reason of position, shape, color or illumination would conflict with the proper functioning of any traffic sign or signal or would be a hazard to vehicular or pedestrian traffic; no signs which produce odor, sound, smoke, fire or other such emissions; and no animated, flashing, moving or rotating signs shall be permitted unless permitted in accordance with Article 5, Division 3: Signs of the Salinas Zoning Code, as may be amended from time to time.

## **OUTDOOR LIGHTING**

27. Exterior lighting may be installed in accordance with Zoning Code Section 37-50.480 under the following limitations:
  - a. No floodlighting will be allowed.
  - b. Outdoor lighting shall employ cutoff optics that allows no light emitted above a horizontal plane running through the bottom of the fixture. No portion of the lamp (including the lens and reflectors) shall extend below the bottom edge of the lighting fixture nor be visible from an adjacent property or public rights of way.
  - c. Lighting adjacent to other property or streets shall be shielded to reduce light trespass.
  - d. All building-mounted and freestanding parking lot lights (including the fixture, base, and pole) shall not exceed twenty-five feet in height.
  - e. Illumination shall not exceed an average maintained 2.4 foot-candles at ground level with uniform lighting levels and shall not exceed a maximum of 0.5 foot-candles at an R (residential) district property line.
  - f. Prior to Building Permit the issuance, a detailed lighting plan (including details of



all exterior lights and a point-to-point photometric lighting plan showing horizontal illuminance in foot-candles) that demonstrates compliance with the requirements herein shall be submitted for review and approval by the Community Development Department.

#### **PLACEMENT OF DWELLING UNITS – BUILDING SETBACKS**

28. Subject to verification on building plans prior to issuance of any Grading and/or Building Permit and subject to verification by the City Planner prior to occupancy inspections, the placement of the Dwelling Units and building setbacks shall be as shown on the site plan and grading plan (Exhibits “B” and “C”), including but not necessarily limited to:
  - a. Minimum setbacks of the Dwelling Units from the creek (as measured from the top of the bank and/or retaining wall) shall be as shown on site plan and grading plan (Exhibits “B” and “C”).
  - b. Minimum front yard setbacks adjacent to Hill Circle (as measured from the property line at Hill Circle and from the face of the curb in the on-site cul-de-sac) shall be 20 feet.
  - c. Minimum setbacks shall be four (4) feet (as measured from all property lines).
  - d. Minimum setbacks between the Dwelling Units shall be six feet (as measured from the exterior of the building walls).

#### **MANUFACTURED HOMES – ARCHITECTURAL DESIGN**

29. The design of the Manufactured Homes shall conform to the Residential Design Guidelines pursuant to Zoning Code Sections 37-30.080 (Residential Low Density), and be consistent with Exhibits “L”, “M”, “N”, “O”, “P”, “Q”, “R”, “S”, “T”, “U”, “V”, “W”, “X”, “Y”, and “Z”. The final selection of materials for each of the dwelling units shall be subject to review and approval by the City Planner prior to the issuance of a building permit for that particular unit. The Dwelling Units shall have vertical and horizontal articulation of building walls, multi-planed roofs, and covered front-entry porches as shown on the above referenced Exhibits.

#### **BUILDING MATERIALS AND COLORS**

30. To ensure architectural compatibility with the existing neighborhood, in accordance with Zoning Code Section 37-30.080(i), colors of the Dwellings shall be compatible with the adjacent existing Dwellings and a variety of color schemes (i.e., 2-3 different color schemes) shall be provided.
31. Prior to Building Permit issuance, all exterior building materials and colors shall be identified on the building plans, and a colors and materials board (8 ½” X 11” maximum size and no greater than ½” in thickness) shall be submitted by the Applicant for review and approval by the Community Development Department.

## USABLE OPEN SPACE

32. A minimum of 500 square feet of Usable Open Space per Dwelling Unit (total of 18,500 square feet for 37 units) shall be provided on each lot.

## LANDSCAPING AND WALLS/FENCING

33. Landscaping shall comply with the requirements of the State of California "Model Water Efficient Landscape Ordinance" (AB 1881) and *Article V, Division 4* of the Salinas Zoning Code. Prior to the issuance of a Building Permit, the applicant shall submit detailed final landscape and irrigation plans for review and approval by the Community Development Department. The landscape and irrigation plans shall include the following:
- a. Per Zoning Code Section 37-20(b)(4), landscape areas shall incorporate plantings using a three-tier system: 1.) grasses and groundcovers, 2.) shrubs, and 3.) trees.
  - b. Landscape plans shall show the location, type, size, and names of all plantings: ground covers (1-gallon minimum), shrubs (5-gallon minimum), and trees (15-gallon minimum).
  - c. Irrigation plans shall show size and location of irrigation pipe, heads, bibs, and backflow devices.
  - d. Planters located along street frontages shall include a landscaped berm and/or hedge with a minimum height of 32 inches and maximum height of 42 inches for screening of off-street parking areas.
  - e. Plants shall be maintained and trimmed to three feet in height within the Areas of Unrestricted Visibility triangles at the driveways (15 feet) and street corners (25 feet).
  - f. All landscape islands within the parking area shall include a minimum of one 15-gallon tree.
  - g. Planters adjacent to the buildings shall be landscaped with shrubs of a minimum of 5-gallon size, 1-gallon containers for mass planting, and groundcover.
  - h. Exposed soil shall be landscaped with drought resistant groundcover that will propagate and take root quickly. A minimum two-inch layer of mulch shall be applied except in turf areas, creeping or rooting groundcovers, or direct seeding applications where mulch is contraindicated.
  - i. Turf shall be limited to 25% of the total landscaping area. No turf shall be permitted in areas with a dimension of less than eight (8) feet, or on slopes exceeding ten-percent.

- j. Plant material shall conform to the following spacing standards:
    - i. A minimum of thirty feet from the property corner at a street intersection to the center of the first tree or large shrub;
    - ii. A minimum of fifteen feet between center of trees and ten feet between large shrubs to light standards;
    - iii. A minimum of ten feet between center of trees or large shrubs and fire hydrants;
    - iv. A minimum of fifteen feet from the intersection of a driveway (for commercial, mixed use, or public/semipublic and industrial uses) with a street right-of-way to the center of any tree having a diameter larger than eighteen inches at maturity or large shrub and a minimum of ten feet for residential uses.
  - k. Riparian habitat restoration landscaping shall be in accordance with the mitigation measures for biological resources in accordance with Exhibit "K."
  - l. The landscape and irrigation requirements stated in the Engineer's Report dated November 19, 2020 (Exhibit "B-1") shall be included as a part the landscape and irrigation plans.
34. All landscaping shall comply with *Article V, Division 4: Landscaping and Irrigation*, of the Salinas Zoning Code, including, but not limited to, standards, drought resistant plants and turf, irrigation, parking lot landscaping and installation and maintenance. Riparian habitat restoration landscaping shall be in accordance with the mitigation measures for biological resources in accordance with Exhibit "D-1."
35. The design of the berm/wall system located adjacent to East Laurel Drive (required by noise mitigation measure N-1 of Exhibit "D-1") and the Engineer's Report dated November 19, 2020 (Exhibit "B-1") shall be constructed and compatible with the existing walls located along the property lines across East Laurel Drive and to the north of and contiguous to the site and shall be consistent with the residential design guidelines pursuant to Zoning Code Sections 37-30.080.
36. With the exception of the berm/wall system located adjacent to East Laurel Drive, all perimeter walls and fencing shall comply with setback requirements pursuant to Zoning Code Section 37-50.090, except as modified by environmental mitigation measures relative to biological resources (see Exhibit "D-1").
37. All dilapidated fencing on the subject site located along the interior property lines adjacent to existing residences shall be repaired/replaced as necessary.
38. The areas of habitat restoration shall be protected by fencing as described in the Mitigation Monitoring Program (Exhibit "D-1").

## **RECYCLING AND SOLID WASTE**

39. Prior to issuance of a building permit, written confirmation from the City's waste disposal service provider, is required to ensure that the recycling and solid waste provisions of the project will meet the service needs of the City's waste disposal service provider.

## **MAINTENANCE**

40. All parking areas, driveways, other paved surfaces, accessways and grounds shall be regularly maintained and kept free of weeds, litter, and debris. All traffic signs and pavement markings shall be clear and legible at all times. All landscaped areas shall be maintained free of weeds, trash, and debris, and all plant material shall be continuously maintained in a healthy, growing condition. All exterior building and wall surfaces shall be regularly maintained, and any damage caused by weathering, vandalism, or other factors shall be repaired in conformance with the terms and conditions of this Permit.

## **PUBLIC IMPROVEMENTS**

41. All existing damaged and hazardous sidewalks, and unused driveways shall be reconstructed to City standards prior to issuance of a Certificate of Occupancy.
42. The property owner shall comply with the Engineer's Report dated November 19, 2020 (Exhibit "B-1").
43. Public improvements to serve the development shall be reviewed and approved by the City Engineer and shall be installed in accordance with City standards. All utilities shall be installed underground with details to be included on the final improvement plans.

## **UTILITIES/EQUIPMENT SCREENING**

44. All utility lines shall be placed underground and all power transformers shall be placed underground where permitted by the utility company. Where transformers must be pad-mounted above ground, they shall be located away from the general public view or shall be effectively concealed by landscaping or a screen fence of a design approved by the utility company and the City Planner.
45. All mechanical equipment and appurtenances (i.e. gas, water meters, electrical boxes, HVAC systems, refrigeration equipment, etc.), building or ground mounted, shall be screened from public view and adjacent properties. Roof vents shall be painted to blend with roof materials. Details shall be shown on the final construction and/or land plans and are subject to the approval of the City Planner.

## **PERMIT NOT TO SUPERSEDE OTHER REQUIRED LICENSING OR PERMITS**

46. The issuance of this Permit shall not relieve the Permittee of any requirement to obtain necessary permits or licensing from city, county, regional, state or federal agencies.
47. This Permit may be subject to water and sanitary sewer allocations. The Permittee will

proceed at their own risk as water and sanitary sewer allocation may not be available at the time requested.

#### **CANCELLATION OF PREVIOUS PERMIT**

48. Upon execution of this Permit, both Planned Unit Development Permit 2006-004 and Conditional Use Permit 2003-006 shall become null and void.

#### **MODIFICATION OF APPROVED USE AND PLANS**

49. Any modification to the terms and conditions of this Permit are subject to the issuance of a new Permit. The City Planner may approve minor modifications to this Permit if the City Planner finds the modification to be in substantial compliance with the original approval.

#### **VIOLATION; REVOCATION**

50. Use of the property shall be conducted in such a way that it does not constitute a nuisance to the use and enjoyment of surrounding properties or the City. Any permittee, person, firm, corporation, whether as principal, agent, employee or otherwise, violating, causing or maintaining the violation of any of the provision of this Permit shall be guilty of a misdemeanor or an infraction, as charged. Alternatively, in the discretion of the City Attorney, violations of this Permit may be prosecuted administratively pursuant to the City's Administrative Remedies Ordinance. Upon determination by the City Planner that there are reasonable grounds for revocation of this Permit, a revocation hearing shall be set to be heard before the Salinas City Council in accordance with *Article VI, Division 18: Enforcement and Penalties*, of the Salinas Zoning Code or such codes as may be subsequently adopted.

#### **SUBSTANTIAL ACTION TIME LIMIT**

51. This Permit shall expire two (2) years after its approval date unless:
- a. A Building Permit has been issued and construction diligently pursued; or
  - b. A certificate of occupancy has been issued; or
  - c. The City Planner determines that other substantial action has been commenced to carry out the terms and intent of this Permit.

#### **PERMIT VALIDATION**

52. Pursuant to Zoning Code Section 37-60.1040, this Permit shall be null and void and all terms and conditions shall have no force or effect unless this Permit is signed by the Permittee(s) and returned to the City of Salinas Community Development Department within 90 days of approval. *It is the applicant's responsibility to track the 90-day expiration date. No notice will be sent.*

#### **STANDARD CONDITIONS**

53. Pursuant to **Salinas City Code Section 1-8.1: Civil action enforcement**, and **Section 1-**

**8.2: Liability for costs,** permittee shall reimburse the City of Salinas for all costs and expenses (including but not limited to fees and charges of architects, engineers, attorneys, and other professionals, and court costs) incurred by the City in enforcing the provisions of this Permit.

54. The applicant(s) shall defend, indemnify, and hold harmless the City of Salinas or any of its boards, commissions, agents, officers, and employees from any claim, action or proceeding against the City, its boards, commissions, agents, officers, or employees to attack, set aside, void, or annul, the approval of this project/use. For Tentative Maps, this shall also apply when such claim or action is brought within the time period provided for in applicable state and/or local statutes. The City shall promptly notify the applicant(s) of any such claim, action, or proceeding. The City shall cooperate in the defense. Nothing contained in this condition shall prohibit the City from participation in a defense of any claim, action, or proceeding if the City bears its own attorney's fees and costs, and the City defends the action in good faith.
55. Notwithstanding any of the provisions in this permit, all improvements and uses shall comply with all other ordinances and regulations of the City of Salinas and all local, state and federal laws and regulations.
56. No further development other than that shown on this permit or attached exhibits shall be allowed unless or until an amendment to this permit has been approved. Requests for a minor modification of an approved permit may be granted by the City Planner provided the modification is substantially in compliance with the original approval and conditions.

#### **NOTICE OF CHALLENGE LIMITATIONS**

57. Code of Civil Procedure Section 1094.6 requires all Court challenges to the decision to grant this Permit be initiated within 90 days of the final decision of the City in this matter.

### **EXECUTIONS**

**THIS PLANNED UNIT DEVELOPMENT PERMIT 2019-001 and TENTATIVE MAP 2019-002** were approved by action of the Salinas City Council on April 13, 2021, and shall become effective immediately:

Effective Date: April 13, 2021




Megan Hunter  
Community Development Department Director

(All Signatures Listed Below on Pages 14 through 16 Must Be Notarized)

*This PLANNED UNIT DEVELOPMENT PERMIT AND TENTATIVE MAP is hereby accepted upon the express terms and conditions hereof, and the undersigned permittee agrees to strictly conform to and comply with each and all of this permit's terms and conditions.*

Dated: 10-07-21

  
William H. Coffey  
Permittee

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA  
COUNTY OF MONTEREY

On 10-7-2021 202\_\_, before me, Irene Jones, Notary Public personally appeared William H. Coffey, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature 





**CONSENT** is hereby granted to the Permittee to carry out the terms and conditions of this Planned Unit Development Permit and Tentative Map.

Dated: 10/7/21

  
John Filighera  
U4RIC Investments, LLC, Property Owner

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA  
COUNTY OF MONTEREY

On 10-07-2021 2021, before me, Shaine Helgueros, Notary Public personally appeared John Filighera, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature 





Dated: 11/9/21

Ted Thoeny  
The Thoeny Family Limited Partnership, Property Owner

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA  
COUNTY OF MONTEREY

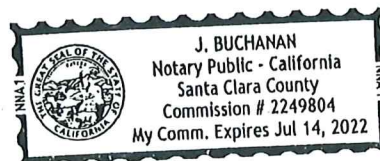
On 11/9/21 2021, before me, J. Buchanan, Notary Public, personally appeared Ted Thoeny, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

J. Buchanan





# City of Salinas

COMMUNITY DEVELOPMENT DEPARTMENT \* 65 W. Alisal Street \* Salinas, California 93901

\* Tel. (831) 758-7206 \* Fax (831) 758-7215

## **Planned Unit Development Permit 2019-001 and Tentative Map 2019-002 Exhibit "A" Vicinity Map**

Exhibit "A" Vicinity Map was omitted from recordation because it does not meet the legibility requirements as established by the Monterey County Recorder's office. Exhibit "A" is hereby incorporated by reference and is on file at the City of Salinas Community Development Department.

I:\ComDev\Planning Share Space\11 Hill Circle\PUD 2019-001 & TM 2019-002 - 11 Hill Circle\Exhibit Insert - Exhibit A.doc

**Exhibit** A



## City of Salinas

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### **Planned Unit Development Permit 2019-001 and Tentative Map 2019-002 Exhibit "B" Architectural and Site Plan and Tentative Map dated March 2021 (Sheet 1 of 10)**

Exhibit "B" Architectural and Site Plan and Tentative Map dated March 2021 (Sheet 1 of 10) was omitted from recordation because it does not meet the legibility requirements as established by the Monterey County Recorder's office. Exhibit "B" is hereby incorporated by reference and is on file at the City of Salinas Community Development Department.



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## **Planned Unit Development Permit 2019-001 and Tentative Map 2019-002 Exhibit "C" Tentative Map dated March 2021 (Sheet 2 of 10)**

Exhibit "C" Tentative Map dated March 2021 (Sheet 2 of 10) was omitted from recordation because it does not meet the legibility requirements as established by the Monterey County Recorder's office. Exhibit "C" is hereby incorporated by reference and is on file at the City of Salinas Community Development Department.

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# Exhibit C



## City of Salinas

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### **Planned Unit Development Permit 2019-001 and Tentative Map 2019-002 Exhibit "D" Open Space and Biological Areas dated March 2021 (Sheet 3 of 10)**

Exhibit "D" Open Space and Biological Areas dated March 2021 (Sheet 3 of 10) was omitted from recordation because it does not meet the legibility requirements as established by the Monterey County Recorder's office. Exhibit "D" is hereby incorporated by reference and is on file at the City of Salinas Community Development Department.



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### **Planned Unit Development Permit 2019-001 and Tentative Map 2019-002 Exhibit "E" Grading and Drainage Plan dated March 2021 (Sheet 4 of 10)**

Exhibit "E" Grading and Drainage Plan dated March 2021 (Sheet 4 of 10) was omitted from recordation because it does not meet the legibility requirements as established by the Monterey County Recorder's office. Exhibit "E" is hereby incorporated by reference and is on file at the City of Salinas Community Development Department.

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# Exhibit



## City of Salinas

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### **Planned Unit Development Permit 2019-001 and Tentative Map 2019-002 Exhibit "F" Grading and Drainage Plan dated March 2021 (Sheet 5 of 10)**

Exhibit "F" Grading and Drainage Plan dated March 2021 (Sheet 5 of 10) was omitted from recordation because it does not meet the legibility requirements as established by the Monterey County Recorder's office. Exhibit "F" is hereby incorporated by reference and is on file at the City of Salinas Community Development Department.

I:\ComDev\Planning Share Space\11 Hill Circle\PUD 2019-001 & TM 2019-002 - 11 Hill Circle\Exhibit Insert - Exhibit F.doc

**Exhibit** A blue ink stamp consisting of the word "Exhibit" in a bold, sans-serif font, followed by a square box containing a stylized blue letter "F".



## City of Salinas

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### **Planned Unit Development Permit 2019-001 and Tentative Map 2019-002 Exhibit "G" Grading and Drainage Plan dated March 2021 (Sheet 6 of 10)**

Exhibit "G" Grading and Drainage Plan dated March 2021 (Sheet 6 of 10) was omitted from recordation because it does not meet the legibility requirements as established by the Monterey County Recorder's office. Exhibit "G" is hereby incorporated by reference and is on file at the City of Salinas Community Development Department.

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**Exhibit** G





# City of Salinas

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\* Tel. (831) 758-7206 \* Fax (831) 758-7215

## **Planned Unit Development Permit 2019-001 and Tentative Map 2019-002 Exhibit "H" Utility Plan dated March 2021 (Sheet 7 of 10)**

Exhibit "H" Utility Plan dated March 2021 (Sheet 7 of 10) was omitted from recordation because it does not meet the legibility requirements as established by the Monterey County Recorder's office. Exhibit "H" is hereby incorporated by reference and is on file at the City of Salinas Community Development Department.

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# Exhibit H



# City of Salinas

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\* Tel. (831) 758-7206 \* Fax (831) 758-7215

## **Planned Unit Development Permit 2019-001 and Tentative Map 2019-002 Exhibit "I" Erosion Control Plan dated March 2021 (Sheet 8 of 10)**

Exhibit "I" Erosion Control Plan dated March 2021 (Sheet 8 of 10) was omitted from recordation because it does not meet the legibility requirements as established by the Monterey County Recorder's office. Exhibit "I" is hereby incorporated by reference and is on file at the City of Salinas Community Development Department.

I:\ComDev\Planning Share Space\11 Hill Circle\PUD 2019-001 & TM 2019-002 - 11 Hill Circle\Exhibit Insert - Exhibit I.doc

# Exhibit I



## City of Salinas

COMMUNITY DEVELOPMENT DEPARTMENT \* 65 W. Alisal Street \* Salinas, California 93901

\* Tel. (831) 758-7206 \* Fax (831) 758-7215

### **Planned Unit Development Permit 2019-001 and Tentative Map 2019-002 Exhibit "J" Erosion Control Details dated March 2021 (Sheet 9 of 10)**

Exhibit "J" Erosion Control Details dated March 2021 (Sheet 9 of 10) was omitted from recordation because it does not meet the legibility requirements as established by the Monterey County Recorder's office. Exhibit "J" is hereby incorporated by reference and is on file at the City of Salinas Community Development Department.



# City of Salinas

COMMUNITY DEVELOPMENT DEPARTMENT \* 65 W. Alisal Street \* Salinas, California 93901

\* Tel. (831) 758-7206 \* Fax (831) 758-7215

## **Planned Unit Development Permit 2019-001 and Tentative Map 2019-002 Exhibit "K" Stormwater Control Plan dated March 2021 (Sheet 10 of 10)**

Exhibit "K" Stormwater Control Plan dated March 2021 (Sheet 10 of 10) was omitted from recordation because it does not meet the legibility requirements as established by the Monterey County Recorder's office. Exhibit "K" is hereby incorporated by reference and is on file at the City of Salinas Community Development Department.

I:\ComDev\Planning Share Space\11 Hill Circle\PUD 2019-001 & TM 2019-002 - 11 Hill Circle\Exhibit Insert - Exhibit K.doc

**Exhibit** K



## City of Salinas

COMMUNITY DEVELOPMENT DEPARTMENT \* 65 W. Alisal Street \* Salinas, California 93901

\* Tel. (831) 758-7206 \* Fax (831) 758-7215

### **Planned Unit Development Permit 2019-001 and Tentative Map 2019-002 Exhibit "L" Site Plan Sheet for K530-G dated November 25, 2020 (Sheet 1 of 5)**

Exhibit "L" Site Plan Sheet for K530-G dated November 25, 2020 (Sheet 1 of 5) was omitted from recordation because it does not meet the legibility requirements as established by the Monterey County Recorder's office. Exhibit "L" is hereby incorporated by reference and is on file at the City of Salinas Community Development Department.



# City of Salinas

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## **Planned Unit Development Permit 2019-001 and Tentative Map 2019-002 Exhibit "M" First Floor Plan Sheet for K530-G dated November 25, 2020 (Sheet 2 of 5)**

Exhibit "M" First Floor Plan Sheet for K530-G dated November 25, 2020 (Sheet 2 of 5) was omitted from recordation because it does not meet the legibility requirements as established by the Monterey County Recorder's office. Exhibit "M" is hereby incorporated by reference and is on file at the City of Salinas Community Development Department.



## City of Salinas

COMMUNITY DEVELOPMENT DEPARTMENT \* 65 W. Alisal Street \* Salinas, California 93901

\* Tel. (831) 758-7206 \* Fax (831) 758-7215

### **Planned Unit Development Permit 2019-001 and Tentative Map 2019-002 Exhibit "N" All Elevations Sheet for K530-G dated November 25, 2020 (Sheet 3 of 5)**

Exhibit "N" All Elevations Sheet for K530-G dated November 25, 2020 (Sheet 3 of 5) was omitted from recordation because it does not meet the legibility requirements as established by the Monterey County Recorder's office. Exhibit "N" is hereby incorporated by reference and is on file at the City of Salinas Community Development Department.



# City of Salinas

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\* Tel. (831) 758-7206 \* Fax (831) 758-7215

## **Planned Unit Development Permit 2019-001 and Tentative Map 2019-002 Exhibit "O" Building Section for K530-G dated November 25, 2020 (Sheet 4 of 5)**

Exhibit "O" Building Section for K530-G dated November 25, 2020 (Sheet 4 of 5) was omitted from recordation because it does not meet the legibility requirements as established by the Monterey County Recorder's office. Exhibit "O" is hereby incorporated by reference and is on file at the City of Salinas Community Development Department.





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## **Planned Unit Development Permit 2019-001 and Tentative Map 2019-002 Exhibit "P" Schedules/Standards Sheet for K530-G dated November 25, 2020 (Sheet 5 of 5)**

Exhibit "P" Schedules/Standards Sheet for K530-G dated November 25, 2020 (Sheet 5 of 5) was omitted from recordation because it does not meet the legibility requirements as established by the Monterey County Recorder's office. Exhibit "P" is hereby incorporated by reference and is on file at the City of Salinas Community Development Department.

**Exhibit** P



## City of Salinas

COMMUNITY DEVELOPMENT DEPARTMENT \* 65 W. Alisal Street \* Salinas, California 93901

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### **Planned Unit Development Permit 2019-001 and Tentative Map 2019-002 Exhibit "Q" Site Plan Sheet for K600-CT-03 dated November 25, 2020 (Sheet 1 of 5)**

Exhibit "Q" Site Plan Sheet for K600-CT-03 dated November 25, 2020 (Sheet 1 of 5) was omitted from recordation because it does not meet the legibility requirements as established by the Monterey County Recorder's office. Exhibit "Q" is hereby incorporated by reference and is on file at the City of Salinas Community Development Department.

I:\ComDev\Planning Share Space\11 Hill Circle\PUD 2019-001 & TM 2019-002 - 11 Hill Circle\Exhibit Insert - Exhibit Q.doc

# Exhibit



# City of Salinas

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\* Tel. (831) 758-7206 \* Fax (831) 758-7215

## **Planned Unit Development Permit 2019-001 and Tentative Map 2019-002 Exhibit "R" First Floor Plan Sheet for K600-CT-03 dated November 25, 2020 (Sheet 2 of 5)**

Exhibit "R" First Floor Plan Sheet for K600-CT-03 dated November 25, 2020 (Sheet 2 of 5) was omitted from recordation because it does not meet the legibility requirements as established by the Monterey County Recorder's office. Exhibit "R" is hereby incorporated by reference and is on file at the City of Salinas Community Development Department.

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# Exhibit R



# City of Salinas

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\* Tel. (831) 758-7206 \* Fax (831) 758-7215

## **Planned Unit Development Permit 2019-001 and Tentative Map 2019-002 Exhibit "S" All Elevations Sheet for K600-CT-03 dated November 25, 2020 (Sheet 3 of 5)**

Exhibit "S" All Elevations Sheet for K600-CT-03 dated November 25, 2020 (Sheet 3 of 5) was omitted from recordation because it does not meet the legibility requirements as established by the Monterey County Recorder's office. Exhibit "S" is hereby incorporated by reference and is on file at the City of Salinas Community Development Department.



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## **Planned Unit Development Permit 2019-001 and Tentative Map 2019-002 Exhibit "T" Building Section for K600-CT-03 dated November 25, 2020 (Sheet 4 of 5)**

Exhibit "T" Building Section for K600-CT-03 dated November 25, 2020 (Sheet 4 of 5) was omitted from recordation because it does not meet the legibility requirements as established by the Monterey County Recorder's office. Exhibit "T" is hereby incorporated by reference and is on file at the City of Salinas Community Development Department.



# City of Salinas

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\* Tel. (831) 758-7206 \* Fax (831) 758-7215

**Planned Unit Development Permit 2019-001 and Tentative Map 2019-002  
Exhibit "U" Schedules/Standards Sheet for K600-CT-03 dated November 25,  
2020  
(Sheet 5 of 5)**

Exhibit "U" Schedules/Standards Sheet for K600-CT-03 dated November 25, 2020 (Sheet 5 of 5) was omitted from recordation because it does not meet the legibility requirements as established by the Monterey County Recorder's office. Exhibit "U" is hereby incorporated by reference and is on file at the City of Salinas Community Development Department.



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\* Tel. (831) 758-7206 \* Fax (831) 758-7215

## **Planned Unit Development Permit 2019-001 and Tentative Map 2019-002 Exhibit "V" Site Plan Sheet for K605-CT-03 dated November 25, 2020 (Sheet 1 of 5)**

Exhibit "V" Site Plan Sheet for K605-CT-03 dated November 25, 2020 (Sheet 1 of 5) was omitted from recordation because it does not meet the legibility requirements as established by the Monterey County Recorder's office. Exhibit "V" is hereby incorporated by reference and is on file at the City of Salinas Community Development Department.





# City of Salinas

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\* Tel. (831) 758-7206 \* Fax (831) 758-7215

## **Planned Unit Development Permit 2019-001 and Tentative Map 2019-002 Exhibit "W" First Floor Plan Sheet for K605-CT-03 dated November 25, 2020 (Sheet 2 of 5)**

Exhibit "W" First Floor Plan Sheet for K605-CT-03 dated November 25, 2020 (Sheet 2 of 5) was omitted from recordation because it does not meet the legibility requirements as established by the Monterey County Recorder's office. Exhibit "W" is hereby incorporated by reference and is on file at the City of Salinas Community Development Department.



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## **Planned Unit Development Permit 2019-001 and Tentative Map 2019-002 Exhibit "X" All Elevations Sheet for K605-CT-03 dated November 25, 2020 (Sheet 3 of 5)**

Exhibit "X" All Elevations Sheet for K605-CT-03 dated November 25, 2020 (Sheet 3 of 5) was omitted from recordation because it does not meet the legibility requirements as established by the Monterey County Recorder's office. Exhibit "X" is hereby incorporated by reference and is on file at the City of Salinas Community Development Department.



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## **Planned Unit Development Permit 2019-001 and Tentative Map 2019-002 Exhibit "Y" Building Section for K605-CT-03 dated November 25, 2020 (Sheet 4 of 5)**

Exhibit "Y" Building Section for K605-CT-03 dated November 25, 2020 (Sheet 4 of 5) was omitted from recordation because it does not meet the legibility requirements as established by the Monterey County Recorder's office. Exhibit "Y" is hereby incorporated by reference and is on file at the City of Salinas Community Development Department.



## City of Salinas

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### **Planned Unit Development Permit 2019-001 and Tentative Map 2019-002 Exhibit "Z" Schedules/Standards Sheet for K605-CT-03 dated November 25, 2020 (Sheet 5 of 5)**

Exhibit "Z" Schedules/Standards Sheet for K605-CT-03 dated November 25, 2020 (Sheet 5 of 5) was omitted from recordation because it does not meet the legibility requirements as established by the Monterey County Recorder's office. Exhibit "Z" is hereby incorporated by reference and is on file at the City of Salinas Community Development Department.

**Affordable Housing & Marketing Plan**

**11 Hill Circle**

September 10, 2020

U4Ric Investments LLC

Bill Coffey, Developer

11 Hill Circle, Salinas, CA 93901

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**Exhibit** A-1

### **Affordable Housing Plan**

The Project on 11 Hill Circle is planned for thirty-seven (37) detached single-family manufactured homes. A typical home is a three-bedroom, two bath home with approximately eleven hundred twenty (1,120sf) square feet of living space. Each home will have a single car attached garage and parking for one additional car. Several plans will be offered, each one with a subtle difference of floor plan, exteriors and the interior upgrades. The homes will sit on lots ranging from 2,251sf to 4,210sf and some will share driveways.

#### ***Inclusionary On-Site Options:***

At this time the developer has elected to provide on-site Option 2 (15% = 6% Median, 6% Moderate and 3% Workforce) from the table below.

#### ***Inclusionary Housing Calculation:***

37 total units x 15% = 5.5 Inclusionary Units. Per Inclusionary Ordinance, fractional units .5 or higher, round up to 6 Inclusionary units

Median-Income = 3 units

Moderate-Income = 2 units

Workforce-Income = 1 units

Note: Inclusionary units may be exempt should the market-rate initial sales price be equivalent or less than the Inclusionary Initial sales price.

For for-sale Inclusionary units, shared appreciation documents or other documents approved by the City Council shall be recorded against each Inclusionary unit prior to sale. However, if the price of the market-rate units in that phase of the residential development is equal to or below the affordable ownership cost for a median, moderate, or workforce income household, then no documents need be recorded against the Inclusionary units in the relevant income category.

#### **Number of Units Required**

In computing the total number of Inclusionary units required on-site in a residential development, fractions of one-half (1/2) or greater are rounded up to the next highest whole number, and fractions of less than one-half (1/2) are rounded down. For example, a 53-unit development choosing option three would provide 47 market-rate units and 6 affordable units ( $53 \times .12 = 6.36$ , rounded down to 6). A 55-unit development would provide 48 market-rate units and 7 affordable units ( $55 \times .12 = 6.60$ , rounded up to 7).

**TABLE 1: SUMMARY OF STANDARD ON-SITE INCLUSIONARY OPTIONS**

	Option 1	Option 2	Option 3
	20%	15%	12%
<b>Very Low-Income (50% of median)</b>	4% Ownership or rental	Not Required	8% Rental
<b>Lower-Income (80% of median)</b>	8% Ownership or rental	Not Required	4% Rental
<b>Median-Income (100% of median)</b>	Not Required	6% All must be ownership	Not Required
<b>Moderate-Income (120% of median)</b>	4% All must be ownership	6% All must be ownership	Not Required
<b>Workforce-Income (160% of median)</b>	4% All must be ownership	3% All must be ownership	Not Required



In-lieu Fee: None.

Other Alternatives: None.

Density Bonus: None.

37 Unit Development Summary							
Unit Type	# of Market-Rate Units	# of Inclusionary Units	Bdrm. Size	Sq. Ft.	Market-Rate Initial Sales Price	Inclusionary Initial Sales Price (w/out HOA)	Inclusionary Initial Sales Price (w/HOA)
Market-Rate	34	N/A	3	1,120	\$415,300 (w HOA)  \$434,700 (w/out HOA)	N/A	N/A
Inclusionary Median-Income	N/A	3				\$355,650	\$336,300**
Inclusionary Moderate-Income	N/A	*Exempt				\$434,700	\$415,300**
Inclusionary Workforce-Income	N/A	*Exempt				\$592,700	\$573,400**
Total	34	3					

*\*Inclusionary units may be exempt from on-site construction requirements should the initial market-rate sales price be equivalent or lower than the Inclusionary unit initial sales price per income category.*

*\*\*Should an HOA be implemented, we anticipate no more than \$100/mo., this will cover the common area landscape, common lighting and the common roads providing they are not accepted by the City.*

Phasing: There will be no Phasing to build the units. All units are manufactured at the factory and shipped to the site. There will be a sales office offering the different models with upgrades. A deposit will be taken and the home ordered. Delivery is usually in 90 days or less.

Construction Completion Schedule: Once the tentative map is approved, work on the final map will begin.

### **Building Permits and Occupancy - Concurrent Construction Requirements**

A building permit Specialist will track the issuance of building permits by construction phase, noting the number of both Inclusionary and market-rate unit permits, building permits will only be issued for market-rate units according to the terms of the recorded Inclusionary Housing Agreement. However, the City may issue permits for Inclusionary units earlier than specified in the plan.

The concurrency requirements are as follows:

The city may issue building permits for 70 percent of the market-rate units within a residential development before issuing any building permits for Inclusionary units, and may approve certificates of occupancy or final inspections for Inclusionary units. After this point, a developer may be issued building permits and receive final inspections for market-rate units after a proportional number of Inclusionary units have been issued building permits or have received a final inspection.

For example, if a developer proposes a 100-unit development, and uses option 1, they are obligated to provide 20 Inclusionary units, which means there will be 80 market-rate units. The City may issue building permits for 56 market-rate units ( $70\% \times 80$ ) before issuing any building permits for Inclusionary units, and may approve occupancy of 56 market-rate units before approving occupancy of any Inclusionary units.

**Project Financing:** The tentative map process to the final map process will be financed with private investors. The home to be sold will be financed individually by the prospective clients. There will be a loan office on site, which will handle all the loan requests. It is the intention of the developer to use a local bank in Salinas to do the loans. The homes will qualify for FHA, VA, FANNIE and FREDDIE MAE loans and traditional financing.

**Construction Standards:** All homes will be manufactured in the factory and will be constructed in compliance with existing HUD codes. The subtle differences or upgrades on each unit depends on buyers personal choices. There will be upgrades for the interiors such as appliances, flooring and vaulted ceilings.

## Marketing Plan

The City of Salinas has established preferences for rental or purchase of Inclusionary units. First priority is given to those displaced by City actions. Second priority is given to those displaced by private market actions, while third priority is given to those who live or work in Salinas when they submit an application. Any other eligible household may purchase or rent an Inclusionary unit if there are no households with priority. If a residential development is receiving governmental financial assistance that does not permit these preferences, or requires different preferences, then the City's preferences will be modified as needed to conform to the terms of the other program.

**First-Time Homebuyers** For ownership units, within each of the above three preference categories, preference will be given to households that qualify as first-time homebuyers. A first-time homebuyer is a person who has not owned a home during the three-year period prior to the purchase of the Inclusionary unit. A manufactured home not on a permanent foundation is not considered a "home" for the purpose of this subsection. A first-time homebuyer also includes a displaced homemaker. A displaced homemaker is an adult who has been legally separated from his or her spouse or domestic partner in the last three years, has no current ownership interest in a home, and has not had an ownership interest in his or her primary residence during the past three (3) years, except with his or her spouse or domestic partner. First-time homebuyer status is verified by a review of three years of federal income tax returns.

All Inclusionary units must be marketed in a manner consistent with the federal Fair Housing Act, the California Fair Employment and Housing Act, the Unruh Act, and the Equal Credit Opportunity Act, and all materials must have a fair housing statement or logo. No person may be excluded from participation in, or denied the benefit of, or be subject to discrimination under any activity related to the sale or rental of the Inclusionary units on the basis of his or her religion, age, race, color, creed, gender, sexual orientation, marital status, familial status, physical or mental disability, national origin, ancestry, source of income, or participation in Section 8.

### The developer will adhere to the following marketing requirements:

(1) The developer will supply the City with a description or example of all marketing that will be done for the Inclusionary units, such as press releases, direct mailing, and advertising (including internet advertising). The City requires that all Inclusionary units be advertised in The Californian and El Sol. The City will provide a list of organizations that must be notified and informational flyers must be available at City Hall and at the offices of the Housing Authority of the County of Monterey (or of a similar organization acceptable to City). The Fair Housing logo must be used on all marketing material. The City encourages the preparation of Spanish-language materials where appropriate.

(2) The developer or designee will pre-screen Inclusionary applications and establish a deadline for Inclusionary applications. Developer should allow a generous amount of time (at least 45 days) for applicants to submit complete applications, given the complexity of the process.

(3) The developer must arrange for at least two Informational Inclusionary workshops for potential applicants, one in the evening during the week and one on a weekend. At least one workshop must be conducted in Spanish, or in both Spanish and English.

(4) The developer will provide information regarding financing options to be made available to applicants, down payment assistance programs available, information needed to calculate the maximum sales price, and the unrestricted fair market value of the Inclusionary units.

(5) Developer or designee's sales staff will meet with the City's Housing Staff to receive training on the selection process and, for ownership units, the City homebuyer documents.

It is important that the developer's sales or management staff understand the application process and the restrictions placed on the Inclusionary units by the City. In the case of for-sale Inclusionary units, before entering into any purchase and sale agreement for the units, the developer's sales staff must receive training so that they understand and can explain the City's equity-sharing program, option to purchase, and other City restrictions such as the owner-occupancy requirement.

(6) After the deadline for submitting applications, the developer or designee reviews all applications and determines if the applicant is eligible to purchase a unit, based on income and preapproval letter. The developer or designee must verify income as described in the developer's marketing plan. The developer or designee then groups all apparently eligible applicants by the City's preference categories (residents displaced by public action, renters displaced by private action, those who live or work in the City, all others, and within each category, first-time homebuyers), unless another financing source requires changes in these preferences.

(7) The developer submits to the City: a) a complete listing of developer pre-screened applicants, sorted by preference group, and indicating the developer's determination of eligibility (in hard copy and in an electronic format, either in Excel or Word and also in PDF format); b) the complete file for each applicant, numbered to correspond to the list of applicants; c) the form of purchase and sale agreement; and d) preliminary DRE public report, if applicable.

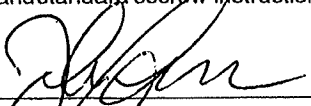
(8) The City reviews and either approves or requests changes in the developer's submittals within 90 business days. Once the list of eligible applicants is approved, the City ranks all eligible applicants by preference group on a random basis, such as by a lottery. The

developer must send written notice to applicants determined to be ineligible by the City.

(9) The developer offers units to applicants beginning at the top of the list established by the City. The developer may not pass over an applicant higher on a list in favor of another because of a higher income. Applicants are to be taken in the order ranked and given a reasonable period of time to close escrow, normally 60 days after the unit's final inspection is approved, or after the applicant is selected to purchase a unit, whichever is later. The developer may only exclude ranked applicants because the applicants were not successful in obtaining financing, were not able to demonstrate the qualifying household income included in their application, or otherwise were not eligible. The developer must send written notice to any excluded applicant within 15 days of the decision to exclude the applicant; copies of such correspondence must be provided to the City. However, developers may close escrow on Inclusionary units in any order as homebuyers are able to do so.

If the applicant enters into a purchase agreement for the unit, the developer provides to the City for review: a) the copy of the loan underwriting form (Form 1008); b) estimated HUD-1 Settlement Statement;

b) legal description of the Inclusionary unit; and d) appraised value of the Inclusionary unit at unrestricted fair market value. Provided that the documents are consistent with previous representations, the City will provide to escrow, within fourteen working days of receipt of the required documentation, executed copies of its homebuyer documents, an executed release of the Affordable Housing Agreement to be recorded with the sale of the unit, and standard escrow instructions.

  
\_\_\_\_\_  
U4M1C Investments LLC  
John Filghera  
Authorized Representative

9/10/2020  
Date

Ch Val  
\_\_\_\_\_  
Christopher Valenzuela  
City of Salinas Planning Manager

9/10/2020

Date



# City of Salinas

DEVELOPMENT ENGINEERING (PW) • 65 West Alisal Street • Salinas, California

Phone: (831) 758-7251 • www.cityofsalinas.org

## ENGINEER'S REPORT

**DATE:** 11/19/2020

**PLANNER:** Tom Wiles

**OWNER/APPLICANT:** Ted Theony/U4RIC Investments, LLC

**PURPOSE:** TM2019-002 & PUD2019-001

**LOCATION:** 11 Hill Circle

**DEVELOPMENT PROPOSAL:** 37 private residential lot subdivision of existing ~7.5 ac vacant site located FEMA zones AE and X.

**RECOMMENDATION:** Approved

**SWDS CATEGORY:** Priority Project (>10 lot subdivision)

**SWDS THRESHOLD:** Requirements 1-4 and 100-yr peak

**NDPES CATEGORY:** High Priority (SWPPP)

**TENTATIVE MAP:** The developer has submitted a Tentative Map to create thirty-seven (37) residential lots. The map, as presented, has been found to be consistent with existing record information and the Subdivision Ordinance, Chapter 31 of the Salinas Municipal Code (SMC). The following conditions must be addressed prior to recordation of the final map.

1. Project Description – Pursuant to SMC Section 31-903.4, private streets shall provide a permanent maintenance agreement (e.g. maintenance district) to ensure future maintenance. The project description shall identify the means the project will pursue to secure future maintenance of its facilities, including but not limited to common areas, walls, streets, paths, bioretention basins, culverts and water ways.
2. Boundary & Final Map – A final map, prepared by a California licensed land surveyor or civil engineer authorized to practice land surveying, shall conform with SMC Sections 31-402 through 31-402.8. More specifically, the final map must include the following:
  - a. The applicant shall indicate if multiple final maps are proposed to complete the tentative map improvements.
  - b. All survey and mathematical information and data necessary to locate all monuments and to locate and retrace any and all interior and exterior boundary lines appearing thereon shall be shown, including bearings and distances of straight lines, radii and arch length or chord bearings and length for all curves and any information which may be necessary to determinate the location of the centers of curves, and ties to existing monuments used to establish the subdivision boundaries.
  - c. Traverse calculations shall be required for review of a Final Map.
  - d. The location and description of all existing and proposed monuments shall be shown. All untagged monuments used for control or accepted as corners should be tagged by the preparer. Standard city monuments shall be set at the street centerline intersections, beginning and end of curbs or intersections of tangents and at location as required by the City Engineer.

- e. The map shall be legible, and care must be taken to clean overlapping text.
  - f. Each sheet shall have a title showing the subdivision name and location and space provided for the tract number.
  - g. The cover sheet shall include the owner's statement, trustee's certificate, if needed, surveyor's statement, City Engineer's statement, City Surveyor's certificate, Planning Manager certificate, City Clerk's certificate and County Recorder's statement in accordance with the Subdivision Map Act and SMC.
  - h. The names of all streets, alleys or highways within or adjoining the subdivision shall be shown.
  - i. All easements of record shall be shown on the map, together with the name of the grantee and sufficient recording data to identify the conveyance, such as document number and date or book and page of official records. The sidelines of all easements of record shall be shown by dashed lines on the final map with the widths, lengths and bearings of record.
  - j. Easements not disclosed by the records in the office of the County Recorder and found by the surveyor to be existing, shall be specifically designated on the map, identifying the apparent dominant tenements for which the easements were created.
  - k. According to the title report, an existing avigation easement agreement affects the subject property. While there isn't anything to plot on the map, a note should be added to the Final Map regarding the effect of the easement and rights waived by current and future owners as detailed in Instrument Number 2008-034027.
3. Reports and Documents – In accordance with SMC Section 31-402.5, the following reports and documents must be submitted for review and approval prior to approval of the Final Map and issuance of a grading permit.
- a. FEMA Floodplain – The area shown as floodplain does not follow the Flood Insurance Rate Map (FIRM). The applicant must provide the information as presented by FEMA. References to the must to made to SFHA zones and FIRM panel(s).
  - b. Wetlands and Riparian Areas - Provide reference information for the wetland areas as defined by the US Fish and Wildlife Service, National Wetlands Inventory, attached.
  - c. Biological Report – The plans shall be revised to include references to the various biological reports and define the existing and proposed riparian areas. Areas that will be impacted by the proposed development shall be shown mitigated on the biological report and exhibit. Improvement plans shall include ESA fencing to be required around riparian areas.
  - d. Soils Report – Prior to issuance of a grading/building permit, the project shall provide an updated soils report. Soils report shall be consistent with the proposed improvements and shall include infiltration rates for any proposed infiltration or bioretention facilities. Infiltration testing shall be measured at the design depth for the SCMs.
  - e. Traffic Study – A Traffic Impact Analysis (TIA) was prepared in 2004 by DKS Associates for the Los Laureles Senior Housing Development proposal at this site. The conclusion of that study no longer applies as this is a different type of development. Traffic impact fees will be assessed in accordance with the city's Traffic Fee Ordinance for single family homes. No additional traffic study is required.



- f. Hydrology and Hydraulic Calculations – Project engineer shall prepare a hydrology and hydraulic report showing the proposed piping and inlets meet the capacity requirements as specified in the city design standards.
- g. Sanitary Sewer Impact Calculations – The project engineer shall provide sanitary sewer flow calculations for the proposed piping along with sewer capacity calculation based on measured flows of the system in the immediate vicinity to verify capacity of the existing system with the added flow.
- h. Organizational Documents – Any proposed declarations, covenants, conditions, and restrictions, and all other organizational document for the subdivision in a form as prescribed by Section 4200 et seq. of the Civil Code. All documents shall be subject to review by the City Engineer, City Planner and City Attorney.
- i. Addressing Plan - The Final Map and improvement plans shall clearly identify the proposed streets as private streets. A list of potential street names and addresses shall be provided on an addressing plan, maximum size 8-1/2x14. Address number designations will be processed following recordation of the final map and prior to the issuance of any building permits.
- j. Engineer's Estimate – Project Engineer shall provide an Engineer's cost estimate for all construction encompassed on the improvement plans.

**SITE PLAN REVIEW:** Development Review Submittal prepared Hanna-Brunetti, dated October 2020 and Preliminary Stormwater Control Plan, dated October 2020. Improvement plans for construction shall be prepared in accordance with the City of Salinas Design Standards. The following comments shall be incorporated into the improvement plans:

- 1. Site Plan – The site plan shall clearly denote/show the following information:
  - a. Providing parking along the front of Lots 24-26, is not consistent with the zoning code and city standards. Staff recommends changing the orientation to these homes to face the creek, if parking is required. View fencing may be allowed if the appropriate deed restrictions are placed to not allow change of and to perpetually maintain the view fencing.
  - b. The site plan must clearly delineate red curbs and provide signage indicate roadways are fire lanes and no parking is allowed outside of designated parking areas.
- 2. Grading and Drainage Plan – Staff acknowledges that a mass grading permit was issued in 2008 for the previous development proposal. The grading plan shall be revised to correctly denote the following information:
  - a. Permeable surfaces on sloped roadways will require benched construction of the subsurface.
  - b. A roadway cross slope greater than 2% is not recommended. Cross slopes greater than 5% are not allowed.
  - c. A shoulder is recommended to support a roadway on a fill slope.
  - d. Adjust grading as required to not disturb the existing top of bank or creek and to limit grading within the 30-foot setback to the top of bank.
  - e. Pursuant to Section 31-902.3, stormwater basins shall be designed and landscaped to appear as natural or other aesthetically interesting feature.
  - f. Plan shall include plan and profile sheet for proposed roadways.
  - g. Plans shall include contours in intervals in accordance with the City Design Standards.
  - h. Plans shall include earthwork calculations and sections to clearly illustrated the proposed grading.

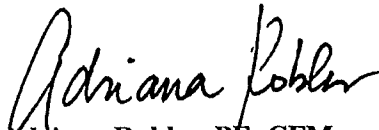
- i. Construction of site retaining walls shall require a building permit if 4-ft or greater, measure from the base of the foundation to the top of the wall.
  - j. Tops and toes of cut and fill slopes shall be set back from property boundary and structures in accordance with City Design Standards, Figure 4 or as recommended by project geotechnical report.
3. Utility Plan – Update the utility plan to include the following:
    - a. Pursuant to Section 31-902.6.1, all utilities shall be placed underground, including transformers.
    - b. The project shall provide a minimum of 6 signs in the vicinity of the ditch indicating “NO DUMPING VIOLATORS WILL BE PROSECUTED – NO TIRAR BASURA, LOS VIOLADORES SERAN MULTADOS – SALINAS CITY CODE SCC 14-18, 29-9”.
    - c. The project shall provide bilingual inlet markers at all inlets indicating “NO DUMPING DRAINS TO BAY”.
  4. Erosion Control Plan – Update the plan to include the following:
    - a. Provide inspection requirements for LID features.
    - b. Provide draft SWPPP for review and approval prior to NOI submittal to SMARTS.
    - c. Any areas disturbed must be landscaped or stabilized with a native hydroseeding mix.
  5. Stormwater Control Plan – The final report shall be updated to provide consistent information and to address the following comments.
    - a. Prior to issuance of a grading/building permit, updated geotechnical reports shall be provide with infiltration testing at the design depths.
    - b. Revise the time of concentration to 15 minutes minimum per city standards and review if this is adequate for DMA F.
    - c. SCM Sizing Calculator – Change landscape area to “replaced”.
    - d. SCM Sizing Calculator – Change the safety factor for the bioretention to 2.
    - e. Prior to issuance of a grading permit, maintenance plan for each of the propose SCMs shall be provided.
    - f. The project shall provide a sample deed restriction which will limit impervious areas for each lot consistent with the impervious areas assumed mitigated in the stormwater control plan. The stormwater control plan must clearly specify the impervious areas assumed for each lot.
  6. Public Improvements: Public improvements required of this development shall include, but are not limited to:
    - a. Constructing standard public improvements along the site's Hill Circle, North Madeira Avenue, and East Laurel Drive frontages conforming to City Resolution No. 12963 (N.C.S.)
    - b. Constructing new commercial driveway approaches with 4-foot ADA bypass behind ramps per the City's most current standards.
    - c. Reconstructing existing non-compliant pedestrian ramps at the Madeira Street / Hill Circle intersection per the latest CALTRANS standards.
    - d. Constructing curb, gutter and sidewalk where none currently exists along Hill Circle.
    - e. Installing two streetlights on East Laurel Drive and one streetlight at the Hill Circle cul-de-sac, per City standards.
    - f. Reconstructing all non-standard sidewalks to City standards along E Laurel Drive and Hill Circle to connect to the existing concrete sidewalk.
    - g. Installing landscaping and street trees along all street frontages (and within the site).

- h. Constructing a 8-ft masonry landscape wall along the East Laurel Drive frontage of lots 6 through 11. The remaining property from the wall to the edge of new sidewalk shall be landscaped with three tiers of planting, groundcover, shrubs and trees.
  - i. Landscaping and irrigation shall extend a minimum of 10-ft behind the sidewalk along the entire frontage of East Laurel Drive and North Madeira Ave. Landscaping shall include three tiers of planting; groundcover, shrubs and trees.
  - j. Landscaping near the area of the ditch shall be consistent with riparian habitat and approved by the project biologist.
  - k. Place a guardrail 8-ft behind the face of curb along East Laurel Drive in the area of the ditch.
  - l. New street pavement design shall be based upon the "R" value of the subgrade and the standard traffic index (TI) noted in Section 31-903.5 of the Salinas Subdivision Ordinance. A minimum TI of 7 shall be used for Hill Street cul-de-sac.
  - m. Adding a stop sign and crosswalk at Hill Cir and N Madeira Ave.
  - n. Curbs at the cul-da-sac shall be painted red and marked, "FIRE LANE – NO PARKING".
7. Pursuant to SMC Section 31-315, a subdivider may request an exception to any regulation or requirement included in this chapter, consistent with the procedures and findings of Sections 31-315.1, 31-315.2 and 31-315.3. The project proposed a deviation from the requirement for sidewalk along both sides of the proposed streets. Given the confined dimensions of the project, narrow roadways and steep terrain, staff has no objections with the proposed trail system which connects the project to N Madeira Ave to the west and E Laurel Dr to the east in lieu of the sidewalks.
8. Development Impact Fees – Based on the updated information provided with the revised submittal package dated October 2020, the proposed homes are assumed to be 3-bedroom single family homes. Development impact fees for a 37-lot subdivision are estimated at \$567,785. Fees are adjusted annually. Development impact fees are assessed prior to building permit issuance. See attached worksheet.

*Notice: The Conditions of Approval for this Site Plan Review include certain fees and development requirements. Pursuant to Government Code Section 66020 (d)(1), this hereby constitutes written notice stating the amount of said fees, and describing the development requirements. The applicant is hereby notified that the 90-day appeal period in which he/she/they may protest these fees and development requirements, pursuant to Government Code Section 66020 (a), begins on the date the office land use permit is approved. If applicant files a written protest within this 90-day period complying with all requirements of Section 66020, he/she/they will be legally barred from challenging such fees and/or requirements at a later date.*

**CITY OF SALINAS**

Reviewed By:



**Adriana Robles, PE, CFM**  
Senior Civil Engineer/Interim City Engineer  
adrianar@ci.salinas.ca.us  
(831) 758-7194

DEVELOPMENT FEES			
RESIDENTIAL UNITS (2019-2020)			
Address:	11 Hill Cir	Permit #:	Estimate Only
Date:	9/3/2020	No. of Units:	37
<b>1. STREET TREE FEE</b>			
0	Street Frontage (LF) multiplier (per 60' frontage) \$353:	\$ -	
TOTAL STREET TREE FEE DUE:		\$ -	2304.00.0000-56.5110
<b>2. PUBLIC UTILITY IMPACT FEE</b>			
	No. Bedroom Credit	Total Bedrooms: 111	Assumes 3 bedroom units.
		Net New Bedrooms: 111	
		Fee Per Bedroom: \$ 547.00	
TOTAL SANITARY SEWER FEE DUE:		\$ 60,717.00	2301.00.0000-56.5120
		Fee Per Bedroom: \$ 586.00	
TOTAL STORM DRAIN FEE DUE:		\$ 65,046.00	2301.00.0000-56.5130
<b>3. PARK FEE</b>			
		Fee Per Bedroom: \$ 1,004.00	
TOTAL PARK FEE DUE:		\$ 111,444.00	2302.00.0000-56.5140
<b>4. TRAFFIC IMPACT FEE</b>			
0	Existing Trip Rate	Trip Rate Per Unit: 10	
		Net Trips: 370	SFR 10 trips/unit
		Fee Per Trip (\$390/\$564 FGA): \$ 390.00	
TOTAL TRAFFIC IMPACT FEE DUE:		\$ 144,300.00	2306.00.0000-56.5150
<b>5. REGIONAL DEVELOPMENT IMPACT FEE</b>			
Fee assessed by the Transportation Agency for Monterey County		\$ 38,441.06	Per attached TAMC worksheet. 8809.81.8157-57.8640
<b>6. PUBLIC FACILITIES IMPACT FEES</b>			
FIRE IMPACT FEE:		Fee Per Dwelling Unit: \$ 317.00	Use \$308.51/DU for MFRs
		\$ 11,729.00	2307.00.0000-56.5160
POLICE IMPACT FEE:		Fee Per Dwelling Unit: \$ 1,742.53	
		\$ 64,473.61	2308.00.0000-56.5160
LIBRARY IMPACT FEE:		Fee Per Dwelling Unit: \$ 1,241.39	
		\$ 45,931.43	2303.00.0000-56.5160
RECREATION IMPACT FEE:		Fee Per Dwelling Unit: \$ 689.26	
		\$ 25,502.62	2302.00.0000-56.5160
TOTAL DEVELOPMENT FEES DUE:		\$	567,584.72

Effective: July 1, 2019

Valid through: June 30, 2020

## Regional Development Impact Fees

### Fee Calculation Worksheet

Last updated October 1, 2018

**Project Name:**

**Date:**

Select the Benefit Zone:	GREATER SALINAS
Select the Agency:	City of Salinas

Select the Land Use Type:	Fee Schedule	Enter the # of Units	Fees
1 Single-Family (Low Income)	\$1,909.92	37	\$70,667.04
2	\$0.00		\$0.00
3	\$0.00		\$0.00
4	\$0.00		\$0.00
5	\$0.00		\$0.00
Calculate by Fee per Trip (Only use for appeals)	\$346		\$0.00
Subtotal:			\$70,667.04
Apply discount:	45.60%		\$32,225.98
Apply credits:			\$0.00
Total Regional Fee:			\$38,441.06

Airport Comments on PUD 2019-001 and TM 2019-002 (11 Hill Circle) received on June 12, 2019

1. As a condition of the CUP approval the applicant must file with the FAA form 7460-1, Notice of Proposed Construction or Alteration. The aeronautical study must have a Determination of No Hazard to Air Navigation and the structure(s) would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Further, the application must comply with any conditions imposed by the FAA.  
(<https://www.faa.gov/forms/index.cfm/go/document.information/documentID/186273>).
2. The Airport recommends a Grant of Aviation Easement Agreement for the associated parcel be secured and recorded.
3. The parcel is located on the extended centerline for Runway 13/31 and will experience noise exposure from over-flight aircraft. A portion of the parcel is located within 55 CNEL (Community Noise Equivalent Level) contour as depicted in the Year 2000 CNEL Noise Contour exhibit in the Salinas Municipal Airport Land Use Plan. The development should be developed to accommodate and be resilient to over-flight noise exposure. The developer should engineer the development to accommodate 55 Community Noise Equivalent Level (CNEL) as per the Salinas Municipal Airport Land Use Plan or the General Plan, which ever provides greater protection.



## City of Salinas

COMMUNITY DEVELOPMENT DEPARTMENT \* 65 W. Alisal Street \* Salinas, California 93901

\* Tel. (831) 758-7206 \* Fax (831) 758-7215

### **Planned Unit Development Permit 2019-001 and Tentative Map 2019-002 Exhibit "D-1" Revised Mitigation Monitoring and Reporting Program for PUD 2019-001 and TM 2019-002 dated March 9, 2021**

Exhibit "D-1" Revised Mitigation Monitoring and Reporting Program for PUD 2019-001 and TM 2019-002 dated March 9, 2021 was omitted from recordation because it does not meet the legibility requirements as established by the Monterey County Recorder's office. Exhibit "D-1" is hereby incorporated by reference and is on file at the City of Salinas Community Development Department.