

**RESOLUTION NO. \_\_\_\_\_ (N.C.S.)**

**A RESOLUTION OF THE CITY OF SALINAS CITY COUNCIL APPROVING A  
PARCEL MAP FOR A SUBDIVISION OF A 9,000 SQUARE-FOOT LOT INTO TWO (2)  
LOTS OF 4,200 AND 4,800 SQUARE-FOOT EACH LOCATED AT 115 AND 119 WEST  
SAN LUIS STREET IN THE COMMERCIAL OFFICE/RESIDENTIAL – CENTRAL  
CITY OVERLAY – DOWNTOWN NEIGHBORHOOD AREA  
(CO/R-CC-DN) ZONING DISTRICT  
(PUD 2020-001 AND RS 2020-004)**

**WHEREAS**, Applicant and Property Owners, Ercole and Michelle Borgomini submitted an application that was deemed complete on September 27, 2020 requesting the subdivision of a 9,000 square-foot lot into two (2) lots of 4,200 and 4,800 square-feet each with alternative development standards located at 115 and 119 West San Luis Street in the Commercial Office/Residential – Central City Overlay – Downtown Neighborhood Area (CO/R-CC-DN) Zoning District, and which is known as Planned Unit Development Permit 2020-001 and Resubdivision 2020-004; and

**WHEREAS**, on November 4, 2020, the Salinas Planning Commission, held a duly noticed public hearing to consider the proposed Planned Unit Development Permit 2020-001 and Resubdivision 2020-004; 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. 2020-010 recommending that City Council 1) find Planned Unit Development Permit 2020-001 and Resubdivision 2020-004 exempt from the California Environmental Quality Act and 2) approve both the Planned Unit Development Permit and Resubdivision; and

**WHEREAS**, on November 17, 2020, 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 finds Planned Unit Development Permit 2020-001 and Resubdivision 2020-004 exempt from the California Environmental Quality Act and approves the Planned Unit Development Permit and Resubdivision; and

**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 Resubdivision:

- 1. *Planned Unit Development Permit 2020-001 has been found to be a Class 32 Categorical Exemption pursuant to Section 15332 of the California Environmental Quality Act (CEQA) and Resubdivision 2020-004 has been found to be a Class 15 Categorical Exemption pursuant to Section 15315 of CEQA;***

Planned Unit Development Permit 2020-001 is categorically exempt from further environmental analysis per CEQA Guidelines Section 15332 (In-Fill Development Projects). Resubdivision 2020-004 is categorically exempt from further environmental analysis per CEQA Guidelines Section 15315 (Minor Land Divisions).

For Planned Unit Development Permit 2020-001:

2. *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 in the Commercial Office/Residential – Central City Overlay – Downtown Neighborhood Area (CO/R-CC-DN) Zoning District. Per the Zoning Code Section 37-30.200, Table 37-30.90, single family dwellings – detached are a permitted use in the CO/R-CC-DN District. The proposed alternative development standards are consistent with the objectives of the Zoning Code since it will not change the Zoning designation or the existing residential use of the project site.

3. *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 proposed Planned Unit Development Permit is consistent with the General Plan land use designation and will not affect General Plan density and will not be detrimental to the public health, safety, or welfare of persons residing or working in or adjacent to the project site.

4. *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.*

The proposed alternative development standards do not represent an exception to the standards, but rather provide for home ownership opportunities in that two lots may be created with existing detached single-family dwelling units.

For Resubdivision 2020-004:

Pursuant to Subdivision Code Sections 31-603.2 and 31-401.10, the following findings (in bold type) are established in order to approve the proposed Parcel Map; evidence is presented after each finding.

5. *The proposed Parcel Map is consistent with the General Plan or any applicable Specific Plan, Precise Plan, zoning, or other applicable provisions of the Salinas Municipal Code;*

The site is designated as Residential – Medium Density by Figure LU-3 of the Salinas General Plan and is zoned Commercial Office/Residential – Central City Overlay – Downtown Neighborhood Area (CO/R-CC-DN). Per Zoning Code Section 37-30.200, Table 37-30.90, “Single-family dwellings – Detached” are permitted in the CO/R District through the building permit process. Per Zoning Code Section 37-30.210, Table 37-30.100, Footnote (A)(1), development standards for residential development in CO/R District shall be in accordance with the Residential High Density (R-H-2.1) District regulations. Per Zoning Code Section 37-30.170, Table 37-30.80, Footnote (N), single-family detached dwellings in the Residential High Density (R-H) District shall be subject to the R-M-3.6 District regulations. Per the above, the proposed project shall comply with the Development standards of the R-M-3.6 District as stated in Zoning Code Section 37-30.120, Table 37-30.60. The chart below illustrates the alternative development standards.

	<u>CO/R (R-M-3.6) District</u>	115 West San Luis Street	119 West San Luis Street
		Proposed PUD	Proposed PUD
Lot Size s.f. min.	3,600	4,200	4,800
Lot area per unit	N/A	N/A	N/A
Lot width ft. min.	40	42	48
Corner Lots ft. min.	45	N/A	48
Lot depth ft. min.	70	100	100
Lot frontage ft. min.	35	42	48
Yards			
Front ft. min.	15	15 SFD	11 SFD
Side ft. min.	5	3 SFD 5 ADU	4 SFD 5 ADU
Corner Side ft. min.	15	N/A	8 SFD 15 ADU
Rear ft. min.	10	10 SFD 5 ADU	10 SFD 5 ADU
Distance between structures ft. min.	6	10	10
Driveway length ft. min.	20	20	20
Height ft. max.	30	30 SFD +/-14.3 ADU	30 SFD +/-13 ADU
Nonresidential FAR max.	.40	.40	.40
Usable open space s.f. min. per dwelling unit (650 s.f.)	800	800	500

corner lot)			
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The development standards of the proposed lots are generally consistent with the standards for detached single-family dwelling units in the CO/R District except the side and rear yard setbacks for both lots and the front and corner side yard setback and usable open space for 119 West San Luis Street. The non-conformity with the side yard and rear yard setbacks for both of the proposed lots is due to the existing two (2) detached garages that will be demolished as a part of the project. The proposed lot at 119 West San Luis Street would not comply with the minimum Zoning Code requirements due to the location of the existing primary unit. A related Planned Unit Development Permit is required to authorize alternative development standards. However, the proposed Parcel Map will be subject to all applicable requirements of the Salinas Municipal Code, will be consistent with the General Plan. The Parcel Map does not allow for any inconsistent uses, and there are no Specific or Precise Plans applicable to the site.

**6. *The design or improvement of the proposed subdivision is consistent with applicable General and Specific Plans;***

Salinas General Plan Table LU-2 allows for small-lot single-family dwelling units in the Medium Density Residential land use designation. The proposed Parcel Map would be consistent with the General Plan, because the proposed two (2) lots would retain the existing detached single-family dwelling units on each of the proposed lots. There is no Specific Plan applicable to the site.

**7. *The site is physically suitable for the type of development;***

The site is substantially flat and developed with two existing detached single-family dwelling units. The site does not contain any known features that would render it physically unsuited for development.

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

The Parcel Map would contain one detached single-family dwelling unit per proposed lot which complies with zoning requirements. Per State law, any future Accessory Dwelling Unit (ADU) would not be counted towards minimum or maximum density. The site is physically suitable for the existing development and the proposed subdivision.

**9. *The design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat;***

The site is developed with two existing detached single-family dwelling units and two detached garages which are planned to be demolished as a part of the project. The site is surrounded by developed properties; no environmental damage or injury to fish or wildlife is expected with the proposed subdivision.

- 10. *Neither design of the subdivision nor the type of improvements are likely to cause serious public health problems;***

The site is developed with two existing detached single-family dwelling units and two detached garages which are planned to be demolished as a part of the project. The infill site is surrounded by existing commercial/industrial uses. Existing units are connected to the City's sewer system. No public health problems are anticipated as a part of the subdivision.

- 11. *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;***

Development of the property will not conflict with any known easements.

- 12. *That the waste discharge from the proposed Parcel Map into a community sewer system will not result in violations of existing requirements prescribed by the Regional Water Quality Control Board.***

The site is developed with two existing detached single-family dwelling units and two detached garages which are planned to be demolished as a part of the project. The Applicant or successor-in-interest shall comply with the City's regulations to ensure that the City's Sewer System is sufficient to prevent any violations of the existing requirements prescribed by the Regional Water Quality Control Board.

- 13. *The land is not subject to a contract under the Williamson Act or complies with the exceptions listed in Section 66474.4(b) of the Subdivision Map Act.***

There are no Williamson Act contracts associated with the subject site, and the site is not agricultural land.

**PASSED AND APPROVED** this 17th day of November 2020, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED

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Christie Cromeenes, Mayor Pro Tem

ATTEST

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Patricia Barajas, City Clerk