

When recorded, return to:

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

SPACE ABOVE FOR RECORDER'S USE ONLY

Title of Document

## **CONDITIONAL USE PERMIT NO. 2020-010**

### **City of Salinas**

### **Community Development Department**

**WHEREAS**, the Salinas Planning Commission, at a public hearing duly noticed and held on January 6, 2021, found that the proposed location of the use is in accord with the objectives of the Salinas Zoning Code and the purposes of the zoning district in which the site is located; that the location of the use and the proposed conditions under which it would be operated and maintained will be 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 neighborhood of such use, nor detrimental to properties or improvements in the vicinity or the general welfare of the City of Salinas; that the use will comply with the provisions of the Salinas Zoning Code, including the specific conditions required for the proposed use; and that this conditional use has been evaluated in accordance with the California Environmental Quality Act, as amended; and that the Salinas Planning Commission has reviewed and considered an exemption from the California Environmental Quality Act.

**NOW, THEREFORE**, the Salinas Planning Commission hereby grants and issues Conditional Use Permit No. 2020-010 pursuant to *Article VI, Division 8: Conditional Use Permits*, of Chapter 37 of the Salinas City Code and upon the following terms and conditions and not otherwise, to wit:

**ISSUED TO:** Maureen Wruck Planning, LLC

**PROPERTY OWNER:** JR Harvesting

**FOR USE:** Employee Housing – Medium Project for a maximum of 14 employees within an existing two-story, 2,044 square-foot single-family detached dwelling unit with a one (1) space (33%) Parking Reduction.

**ON PROPERTY LOCATED AT:** 999 Rockrose Street

**ASSESSOR'S PARCEL NO.:** 153-632-001-000

**ZONING DISTRICT:** Residential Medium Density – Williams Ranch  
Specific Plan Overlay (R-M-3.6-SP-2)

**ENVIRONMENTAL REVIEW ACTION & DATE:** Exempt per CEQA Section  
15301 (Existing Facilities), January 6, 2021

**EXPIRATION DATE:** None, once properly established, unless the subject Employee  
Housing - Medium Project ceases operation for a continuous period of six (6) months or  
more.

### **RIGHT TO OPERATE/DEVELOP**

1. The Permittee shall have the right to establish and operate an Employee Housing – Medium Project for a maximum of 14 employees within an existing two-story, 2,044 square-foot single-family detached residence with a one (1) space (33%) Parking Reduction located 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" Site Plan (Sheet A0.1)**

**Exhibit "C" Floor Plan (Sheet A1.0)**

**Exhibit "D" Exterior Elevations (Sheet A1.1)**

**Exhibit "E" Transportation Plan dated July 31, 2020**

**Exhibit "F" Housing Handbook received on December 1, 2020**

**Exhibit "G" Engineer's Report dated May 6, 2020**

### **LIMITATIONS ON USE**

2. The subject Employee Housing – Medium Project shall be operated in a manner that will not adversely affect the adjacent neighborhood or be detrimental to the character of the residential neighborhood, subject to *Section 37-80.180* (Performance Standards).
3. 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 Planning Commission, 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.
4. If the subject Employee Housing – Medium Project ceases operation for a continuous period of six (6) months or more, this Conditional Use Permit shall become null and void.

5. A minimum of two (2) full bathrooms per dwelling unit shall be required.
6. A full kitchen including a sink, countertop at least four (4) feet in length, cooking apparatus, and refrigerator shall be required.
7. Sleeping areas of at least 50 square feet per occupant consistent with the California Employee Housing Act shall be required.
8. No on-site signs advertising the employer shall be permitted.
9. The property owner must register the medium project employee housing with the City of Salinas and provide the following: 1) any California Housing and Community Development (HCD) approvals pursuant to the California Health & Safety Code § 17008 Health and Safety Code, 2) emergency contact information, and 3) contact for property maintenance.
10. Emergency contact information shall be posted on the exterior of the facility adjacent to the main entrance. Street address numbers shall be legibly posted on each building comprising the facility.
11. No buses are permitted to pick up and drop off at the property. Only passenger vans or vehicles are permitted to conduct passenger loading onsite.
12. An onsite property manager shall be provided to ensure compliance with the rules specified in Exhibit "F" (Housing Handbook). The onsite property manager can be a designated employee, at the expense of the employer.
13. The property owner, or successor-in-interest shall comply with Exhibit "F" (Housing Handbook).
14. No alcoholic beverages shall be stored and/or consumed on the subject property.
15. The City Planner may require annual building inspections to ensure employee and neighbor safety.
16. The City Planner may charge an administrative fee as determined from time to time by the City Council for monitoring compliance with the provisions of this Permit and Zoning Code Section 37-50.075.
17. All terms and conditions of Planned Unit Development Permit 2001-002 shall remain in full force and effect for this subject property.

#### **AGRARIAN EASEMENT**

18. Prior to operation, the Applicant or successor in interest, shall record an Agrarian

Easement on the property. Recordation of the Agrarian Easement shall be coordinated with the Public Works Development Engineering Section (200 Lincoln Avenue, 831-758-7241).

## **PARKING REQUIREMENTS**

19. A minimum of two (2) off-street parking spaces shall be provided on-site. Parking spaces that are not required to be covered under the Zoning Code may be provided in tandem but shall not be located within the front yard setback. This Conditional Use Permit authorizes a one (1) space 33-percent parking reduction per Zoning Code Section 37-50.075(e)(5) because transportation has been provided per the attached Transportation Plan dated July 31, 2020 (Exhibit “E”).

## **MAINTENANCE**

20. 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.
21. The Applicant, or successor-in-interest shall eradicate graffiti painted or marked on the facility within seventy-two (72) hours of occurrence pursuant to Municipal Code Section 5-03.19(a)(4).

## **PUBLIC IMPROVEMENTS**

22. All work required by the “Conditions of Approval” and Development Impact Fees stated in the attached Engineer’s Report dated May 6, 2020 (Exhibit “G”), including the planting of a street tree in the front yard in accordance with the approved subdivision landscape plan shall be completed prior to operation.

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

23. The issuance of this Permit shall not relieve the Permittee of any requirement to obtain permits or licensing from any county, regional, state or federal agencies. If applicable, a City Business License shall be obtained prior to commencement of use.
24. 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.

## MODIFICATION OF APPROVED USE AND PLANS

25. 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

26. 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, any violation of this Permit may be prosecuted administratively pursuant to the City's Administrative Remedies Ordinance and/or other applicable laws, regulations or codes. 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 Planning Commission 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

27. This Permit shall expire one year after its effective date unless:
  - a. The use is established in conformance with the provisions of the Zoning Code; or
  - b. The City Planner determines that substantial action has commenced to carry out the terms and intent of the Conditional Use Permit.

## PERMIT VALIDATION

28. Pursuant to Zoning Code Section 37-60.530, 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 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

29. 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.

30. 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.
31. 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.
32. No further development or use 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**

33. 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 CONDITIONAL USE PERMIT** *was approved by action of the Salinas Planning Commission on January 6, 2021, and shall become effective on the following date unless appealed to the City Council of the City of Salinas in accordance with Article VI, Division 17: Appeals:*

Effective Date: January 20, 2021

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Courtney Grossman  
Planning Manager, City of Salinas

(Signatures Listed Below on Pages 7 through 8 Must Be Notarized)

**THIS CONDITIONAL USE PERMIT** *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: \_\_\_\_\_

\_\_\_\_\_  
Maureen Wruck,  
Maureen Wruck Planning, LLC, 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.
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STATE OF CALIFORNIA  
COUNTY OF MONTEREY

On \_\_\_\_\_ 202\_\_, before me, \_\_\_\_\_, Notary Public, personally appeared \_\_\_\_\_, 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 Conditional Use Permit.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Israel M. Rodriguez et al., JR Harvesting  
Property Owner

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