

When recorded, return to:

CITY OF SALINAS
Community Development Department
65 West Alisal Street, Salinas, CA 93901
Attn: Bobby Latino, Associate Planner

SPACE ABOVE FOR RECORDER'S USE ONLY

Title of Document

CONDITIONAL USE PERMIT NO. 2023-022

City of Salinas

Community Development Department

WHEREAS, the Salinas City Council, at a public hearing duly noticed and held on October 22, 2024, found that the proposed location of the use and structure 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 structure 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 and structure will comply with the provisions of the Salinas Zoning Code, including the specific conditions required for the proposed use and structure; and that this conditional use has been evaluated in accordance with the California Environmental Quality Act.

NOW, THEREFORE, the Salinas City Council hereby grants and issues Conditional Use Permit No. 2023-022 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: Quick Quack

PROPERTY OWNER: Rexford Title, Inc.

FOR USE: Construct and operate a 3,588 square foot Vehicle Washing building with outdoor vacuums.

ON PROPERTY LOCATED AT: 115 East Boronda Road

ASSESSOR'S PARCEL NO.: 211-233-005-000

ZONING DISTRICT: CR – SP-19 (Commercial Retail – Gateway Center Specific Plan Overlay)

ENVIRONMENTAL REVIEW ACTION & DATE: The project has been determined to be exempt from the California Environmental Quality Act under Section 15332 (In-fill Development Projects) on October 22, 2024.

EXPIRATION DATE: None, once properly established, unless the subject Vehicle Washing use ceases operation for a continuous period of six (6) months or more.

RIGHT TO OPERATE/DEVELOP

1. The Permittee shall have the right to construct and operate a 3,588 square foot Vehicle Washing building with outdoor vacuums 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" Engineer's Report, dated August 1, 2024

Exhibit "C" Cover Sheet (Sheet C 1.1)

Exhibit "D" Site Plan (Sheet A1.01)

Exhibit "E" Floor Plan (Sheet A2.00)

Exhibit "F" North and West Elevations (Sheet A3.00)

Exhibit "G" South and East Elevations (Sheet A3.01)

Exhibit "H" Canopy and Recycling and Solid Waste Enclosure Details (Sheet A3.03)

Exhibit "I" Conceptual Landscape Plan (Sheet L1)

Exhibit "J" Mitigation Monitoring and Reporting Program Mitigation Measures

LIMITATIONS ON USE

2. Hours of operation shall be limited to 7:00 a.m. to 9:00 p.m. every day.
3. All development shall be consistent with the Gateway Center Specific Plan, adopted by the Salinas City Council on October 11, 2011 (Resolution No. 20112), amended on April 16, 2019 (Resolution No. 21590) and further amended on October 22, 2024 (Resolution No. _____).
4. The project shall comply with the Zoning Code Performance Standards per Section 37-50.180.
5. 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.

6. If the subject Vehicle Washing use ceases operation for a continuous period of six (6) months or more, this Conditional Use Permit shall become null and void.
7. This Permit shall not be effective until the effective date of the related Specific Plan Amendment 2023-002. All provisions of the Specific Plan Amendment adopted by action of the Salinas City Council shall be incorporated herein as conditions of approval into this Conditional Use Permit.

NPDES REQUIREMENTS

8. 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 Control Plan (SWCP) that identifies Stormwater Development Standards (SWDS) Compliance to be incorporated into the project (see attached Exhibit “B”).

ENVIRONMENTAL MITIGATIONS

9. Prior to grading or building permit issuance, whichever comes first, the applicant shall demonstrate compliance with the Gateway Center Final Environmental Impact Report (FEIR), Mitigation Monitoring and Reporting Program Mitigation Measures (See Exhibit “J”).

CERTIFICATE OF COMPLIANCE / LOT LINE ADJUSTMENT

10. Prior to issuance of a building permit, a Certificate of Compliance / Lot Line Adjustment providing for the lot line adjustment of an existing lot of record shall be approved by the City Planner and recorded by the County Recorder.

FIRE PROTECTION REQUIREMENTS

11. All applicable requirements of the Salinas Fire Department 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.
12. If required, 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.

SITE IMPROVEMENTS

13. On the Site Plan, show the site improvements that were approved with B16-0342

(permit for common area improvements as part of the Lowe's development) (i.e. seat walls, ground mounted equipment, back flow preventers, other utilities, etc.).

SITE REQUIREMENTS

14. Provide colored, textured paving across drive aisles for the walkways on the per Figure 1.3 of The Gateway Center Specific Plan.
15. Provide benches, bicycle racks, and trash receptacles that match Lowe's as consistent with Figure 3.11 and Section 3.4.3 of The Gateway Center Specific Plan.
16. Restroom facilities for customers shall be provided in accordance with the current Building Code.

BUILDING MATERIALS AND COLORS

17. Prior to the issuance of a building permit, the materials and colors shall be identified on the plans in accordance with the Color Elevations (See Exhibits "F" and "G").

PARKING REQUIREMENTS

18. A minimum of three (3) off-street parking spaces shall be provided including one (1) off-street parking space designated for people with disabilities in accordance with the Vehicle Washing use and Section 4.3.3. of Gateway Center Specific Plan. Bicycle rack shall match that of Lowe's and be consistent with Figure 3.11 and Section 3.4.3 of The Gateway Center Specific Plan.
19. All off-street parking and loading areas shall be graded, paved, drained, landscaped, striped, and maintained in accordance with *Article V, Division 2: Parking, Loading, and Outdoor Lighting* of the Salinas City Code.

OUTDOOR LIGHTING

20. Provide pedestrian oriented lighting on all pedestrian connector paths per Figure 3.11 and Section 3.4.2 of the Gateway Center Specific Plan.
21. Identify building mounted lighting that match Lowe's as consistent with Section 3.4.3 of The Gateway Center Specific Plan.
22. Prior to issuance of a building permit, new illuminated parking areas require a photometric lighting plan per Section 37-50.480 to be submitted by the Project Applicant for review and approval by the Planning Manager. Parking lot lighting shall match Lowe's and consistent with Figure 3.11 and Section 3.4.3 of The Gateway Center Specific Plan. Light standards shall not exceed 25 feet in height and 2.4 foot-candles maximum average at ground level with no more than 0.5 foot-candles at a residential property line.

LANDSCAPING

23. Show and identify the 12-foot wide landscape easement along East Boronda Road per Figure 3.10 of The Gateway Center Specific Plan on plans (i.e. site plan, landscape/irrigation plan, etc.).
24. Provide “Boston Ivy” climbing vines along the walls of the recycling and solid waste enclosures per Zoning Code Section 37-30.220(1)(6) and Figure 3.1 of The Gateway Center Specific Plan.
25. Provide a minimum of one deciduous tree (minimum 15-gallon in size) for every five spaces in landscape islands; the islands shall a minimum dimension of five feet exclusive of curbs per Zoning Code Section 37-50.690(g)(4) and Figure 3.1 and Section 3.2.7 of The Gateway Center Specific Plan.
26. Per Figure 3.1 of The Gateway Center Specific Plan, landscaping with trees shall be planted adjacent to the drive-through and directly in front of the parking stalls in front of the building.
27. Per 3.2.25 of The Gateway Center Specific Plan, along East Boronda Road, landscape features shall be provided to reduce views of parked cars from the street and shall be permanently maintained by the property owner, a business association, or an assessment district. Where parking spaces are visible from the street, the landscape edge shall include a screening feature with a minimum height of 18 inches and maximum height of 42 inches, such as a short wall (with landscaping to deter graffiti), fence, hedge, berm, or equivalent feature. The minimum dimensions of the landscape areas located adjacent to the parking areas shall be in substantial conformance with Figure 4.3. Perimeter landscape areas shall be in substantial conformance with the Landscape Plan (Figure 3.1). Bio-ponds do not provide screening unless shrubs are planted along the edges of the pond.
28. Prior to the issuance of a Building Permit, the applicant shall submit detailed final landscape and irrigation plans for review and approval by the City Planner. 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. The landscape and irrigation plans shall include the following:
 - a. Landscaping shall be in compliance with the State of California “Model Water Efficient Landscape Ordinance” (AB 1881).
 - b. 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.

- c. 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).
- d. Irrigation plans shall show size and location of irrigation pipe, heads, bibs, and backflow devices.
- e. 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.
- f. 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).
- g. All landscape islands within the parking area shall include a minimum of one 15-gallon tree.
- h. Per Zoning Code Section 37-50.700(d)(5), all trees and shrubs shall be staked as shown in Figure 37-50.150 (Landscape Staking Detail)
- i. 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.
- j. 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.
- k. 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.
- l. 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.

RECYCLING AND SOLID WASTE DISPOSAL AREA

29. Prior to issuance of a building permit, written confirmation from Republic Services is required to ensure that the recycling and solid waste provisions of the project will meet the service needs of Republic Services. A recycling and solid waste enclosure shall be provided with capacity adequate to achieve 50 percent recycling of the total recyclable wastes generated onsite. Instructional signs shall be provided for use of recycling bins and containers. The enclosure shall be constructed as approved in Figure 3.12 of The Gateway Center Specific Plan and identified on . The enclosure shall be designed to allow walk-in access without having to open the main enclosure gate. Details of the enclosure need to be shown on the plan. Please contact Chris Nottenkamper of Republic Services at 271 Rianda Street, Salinas, CA 93901 Ph. 707-364-1620, Email cnottenkamper@republicservices.com.

SIGNS

30. Signs shall be consistent with the Master Sign Plan for The Gateway Center (CUP 2017-008) and are subject to review and approval of a separate Sign Permit. The existing freestanding sign location shall be consistent with the Master Sign Plan for The Gateway Center. Menu/pre-menu board signs, per Section 37-50.580(y) two on-site freestanding or wall/pre-menu board signs not exceeding a maximum fifty square feet in total sign area and a maximum of eight feet in height for commercial drive-through uses are exempt.
31. A Sign Permit issued in accordance with *Article V, Division 3: Signs* of the Salinas City Code, shall be required for all signs.
32. 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.

MAINTENANCE

33. 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.

34. 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

35. All existing damaged and hazardous sidewalks, and unused driveways shall be reconstructed to City standards prior to issuance of a Certificate of Occupancy.
36. 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

37. All new utility lines shall be placed underground and all new 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.
38. All new 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 subject to review and approval by the City Planner.

PERMIT NOT TO SUPERSEDE OTHER REQUIRED LICENSING OR PERMITS

39. 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.
40. This Permit may be subject to water and sanitary sewer allocations. The Permittee shall 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

41. 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

42. 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

43. This Permit shall expire one year after its effective date unless:
 - a. A building permit has been issued and construction diligently pursued;
 - b. A certificate of occupancy has been issued;
 - c. The use is established in conformance with the provisions of the Zoning Code;
or
 - d. The City Planner determines that substantial action has commenced to carry out the terms and intent of the Conditional Use Permit.

PERMIT VALIDATION

44. 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

45. 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.

- 46. 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.
- 47. 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.
- 48. 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

- 49. 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 City Council on October 22, 2024 and shall become effective immediately:

Effective Date: _____

Courtney Grossman
Planning Manager, City of Salinas

(Signatures Listed Below on Pages 11 through 12 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: _____

Vance Shannon, authorized signatory
Quick Quack
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 _____ 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: _____

Mark Leekley, authorized signatory
Rexford Title, Inc.
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 _____ 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 _____

I:\ComDev\Planning Share Space\Specific Plans and Precise Plans\Gateway Center Specific Plan\SPA 2023-002 and CUP 2023-022 - 115 E. Boronda Rd\PC\CUP 2023-022 - 115 E. Bronda Rd..docx