

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

Planned Unit Development Permit No. 2023-001

PLANNED UNIT DEVELOPMENT PERMIT NO. 2023-001
(Second Amendment to PUD 1969-003)
City of Salinas
Community Development Department

WHEREAS, the Salinas City Council, at a public hearing duly noticed and held on March 5, 2024, 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 that this Planned Unit Development Permit has been evaluated in accordance with the California Environmental Quality Act, as amended; and that the Salinas City Council has reviewed and considered an Exemption to the California Environmental Quality Act.

NOW, THEREFORE, the Salinas City Council hereby grants and issues Planned Unit Development Permit No. 2023-001 pursuant to *Division 26: Planned Unit Development Permits*, of Chapter 37 of the Salinas City Code and upon the following terms and conditions and not otherwise, to wit:

ISSUED TO/PROPERTY OWNER:

Armida Valenzuela and Hernan Perez, (Applicant)
Martha Espino, (Property Owner)

FOR:

A Second Amendment to Planned Unit Development Permit 1969-003 (PUD 1969-003) to allow residential additions pursuant to the Residential Low Density (R-L-5.5) District Development Regulations for 124 existing single family detached dwelling units.

ON PROPERTIES LOCATED AT:

The 124 existing single family detached dwelling units located in Las Casitas Unit 1 (Tract 607) and

Unit 2 (Tract 615) inclusive of the following addresses: 1201 – 1249 and 1255 – 1261 Rider Avenue, 795 – 796 Las Casitas Drive, 710 – 796 Amarillo Way, 2 – 23 Nogal Circle, 1205 – 1305 Nogal Drive, and 1200 – 1259 Caoba Way (Exhibit “B”)

ASSESSOR'S PARCEL NOs.:

The 124 existing single family detached dwelling units located in Las Casitas Unit 1 (Tract 607) and Unit 2 (Tract 615) inclusive of the following addresses: 1201 – 1249 and 1255 – 1261 Rider Avenue, 795 – 796 Las Casitas Drive, 710 – 796 Amarillo Way, 2 – 23 Nogal Circle, 1205 – 1305 Nogal Drive, and 1200 – 1259 Caoba Way

ZONING DISTRICT:

Residential Low Density (R-L-5.5)

ENVIRONMENTAL REVIEW ACTION & DATE: Exempt, Section 15305 (Minor Alterations in Land Use Limitations), March 5, 2024.

EXPIRATION DATE: None, once properly established.

RIGHT TO OPERATE/DEVELOP

1. A Second Amendment to Planned Unit Development Permit 1969-003 (PUD 1969-003) to allow building additions subject to the Residential Low Density (R-L-5.5) District Development Regulations, Design Standards and Residential Design Review (RDR) for second story additions per 37-50.110(c)(2) (Applicability - Infill Residential Development in the R-L District) for 124 existing single family detached dwelling units 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 for area subject to PUD 1969-003

Exhibit “C” – Engineer’s Report dated November 28, 2023

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.

MODIFICATION TO PLANNED UNIT DEVELOPMENT PERMIT 1969-003

3. Condition No. 7 of Planned Unit Development Permit 1969-003 (CUP 1969-003) shall be modified as follows (changed in underline/strikethrough);

“7. That no development other than that shown on Exhibits “A-1”, “A-2”, “A-3”, “B-1”, “B-2”, “B-3”, and “B-4” shall be undertaken by the applicant or subsequent owners or developers of the subject property unless and until an amendment to this Permit providing therefor has been approved by the Council of the City of Salinas, such amendment shall include detailed plans and elevations for all buildings, walls, screens, and landscaping, and shall show clearly and accurately the locations the roof on the site. However, residential additions may be considered pursuant to the Residential Low Density (R-L-5.5) District Regulations (development standards and design standards) per Zoning Code Section 37-30.070, and Residential Design Review (RDR) for second story additions per 37-50.110(c)(2) (Applicability - Infill Residential Development in the R-L District). Design of all residential additions shall be compatible with Exhibits “A-1”, “A-2”, “A-3”, “B-1”, “B-2”, “B-3”, and “B-4” of Planned Unit Development Permit 1969-003”.

4. All remaining terms and conditions of Planned Unit Development 1969-003 shall remain in full force and effect.

MAINTENANCE

5. 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

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

7. 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

8. 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.

9. 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

10. 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.
11. 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

12. 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

13. 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.

PERMIT VALIDATION

14. 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

15. 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.

16. 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.
17. 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.
18. 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

19. 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 2023-001 was approved by action of the Salinas City Council on March 5, 2024, and shall become effective immediately:

Effective Date: March 5, 2024

Lisa Brinton
Community Development Department Director

THIS PLANNED UNIT DEVELOPMENT AMENDMENT is hereby approved upon the terms and conditions hereof.

SALINAS, a Municipal Corporation

Dated: _____

Kimbley Craig
Mayor

ATTEST:

City Clerk

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