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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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Title of Document:

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.

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	<u>R-L-5.5 District</u>	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 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. Prior to issuance of any building Permit, the property owner shall dedicate to the City of Salinas a 20-foot (average) landscape area along the East Laurel Drive frontage, as measured from the street’s curb face to the easement limit pursuant to 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 one year 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: _____

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.
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STATE OF CALIFORNIA
COUNTY OF MONTEREY

On _____ 202__, before me, _____, 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 Planned Unit Development Permit and Tentative Map.

Dated: _____

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.
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STATE OF CALIFORNIA
COUNTY OF MONTEREY

On _____ 202__, before me, _____, 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 _____

Dated: _____

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.
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STATE OF CALIFORNIA
COUNTY OF MONTEREY

On _____ 202__, before me, _____, 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 _____

