

Application No: PP2018-11
APNs: 015-321-01
Applicant: Raoul Ortiz
Hearing Date: August 24, 2021

SPECIAL USE PERMIT/DESIGN REVIEW FINDINGS (WMC §§ 14-12.513, 14-12.403)

- 1. The proposed use/development is consistent with the goals and policies embodied in the adopted General Plan and the general purpose and intent of the applicable district regulations**

Supportive Evidence

The proposed residential development is located on the portion of APN 015-321-01 presently designated Industrial on the General Plan Land Use Diagram and within the IP Zoning District. Residential units are not a permitted use; therefore, to allow residential development on the property, the project requires an amendment of the General Plan Land Use Diagram from Industrial to Residential High Density and an amendment of the Zoning Map from IP to RM-3 with the Planned Development Overlay.

The purpose of the Residential High Density designation is to provide living environments through multi-story apartment and condominium type housing at densities of between 14 and 36.99 dwelling units per acre. The project includes construction of 21 townhouse-style dwelling units. The proposed density of the project is 16.2 units per acre. Therefore, the project is consistent with the dwelling type and residential density standards permitted in the Residential High Density designation.

The project consistency with the General Plan goals, policies and implementation measures discussed under Finding No. 1 in support of the proposed General Plan land use designation change and rezoning is incorporated by reference herein.

The Planned Development (PD) process can be used to make modifications to subdivision and zoning district development standards for project sites that exceed one acre. The purpose of the PD process is to provide a technique to foster development plans which serve public objectives more fully than development plans permitted under conventional zoning regulations. A PD Overlay District may provide for modifications on district regulations, such as to building setbacks, lot coverage, lot area and street standards.

The project proposes modifications to several development standards. Each of the requested modifications will be discussed individually below.

- i) Allow a one-car, rather than two-car, garage for each unit (RDS Section II.A.2).* The requested modification allowing the driveway to serve as a

required parking space, and to have one-car garages, will enable the applicant to build more units than would otherwise be permitted. Since the parking spaces are oriented towards the internal street system and not towards the public right-of-way, parking on the driveway will generally not be visible from the public road. In addition, there is some evidence that car ownership is becoming relatively less popular, which may mean that not every household will own two automobiles. Based on these factors, the requested modification is reasonable to help the City achieve the critical goal of providing more housing.

ii) Allow a 6-foot-tall fence within the front setback (WMC § 14-32.020). The project, rather than being oriented to the public street, orients the units internally toward the private street system. The north side of Building 1 functions as the side yard for the building. As such, it seems reasonable to allow fencing to control access to the yards and open space areas of the project and enable the residents to enjoy the use of the yard near the street. To mitigate the appearance of the fence, it will be constructed of wrought iron. This will help preserve a more open appearance. Landscaping will also be planted between the buildings and the fence. The requested modification is reasonable to control access to the site while creating a landscaped buffer behind the fence. As a condition of approval, the height of the wooden fence along the western property line, near the street, will need to be reduced to preserve sight visibility for vehicles exiting the property.

iii) Allow less than 4 feet of space between a parking stall and an adjacent building (RDS Section II.B.8). The compact parking space adjacent to the home on Lot 12 appears to be less than 4 feet from the southeast corner of the building. However, anyone parking in this space will be able to easily open a car door as the side is not obstructed by the nearby building. As a condition of approval, wheel stops will be required at the front of all surface parking spaces to prevent vehicles from encroaching on nearby buildings, walkways or landscaping. It appears that allowing this modification would therefore be reasonable.

iv) Allow no setback where 5 feet is required between a side yard and a parking space (RDS Section II.B.5); and

v) Allow for no planter where a 5-foot-wide planter is required between parking spaces and adjoining property lines (RDS Section III.C.2.b). Both of these requests are related. The project has a compact parking space adjacent to the southern side property line of Lot 9, adjacent to the eastern side property line of Lot 12, and adjacent to the western side property of Lot 13. The spaces are not on the house lots; they are located on the common area of the project. Because the project is a zero-lot-line development, in which the homes share a wall, development regulations applicable to more traditional single-family development are inappropriate. In this case, since the buildings themselves have no setback, it seems reasonable to all parking spaces to also enjoy a zero setback. In addition, only the 3 compact spaces on the common area are affected by the requirement for a planter separation from an adjoining property line. These spaces are interior to the

site, not visible from the public right-of-way. Landscaping flanks both side of the space adjacent to Lot 9; only a short section has a planter less than 5 feet wide. The two compact spaces between Lots 12 and 13 have landscaping on the non-abutting sides. Placing the parking spaces adjacent to each other allows a more efficient use of the land. The area in and around each of the parking spaces will still be landscaped. It appears that allowing these modifications would therefore be reasonable.

The proposed project serves public objectives more fully than development plans permitted under conventional zoning regulations, in that proposed site layout, orientation and location of buildings, vehicular access, pedestrian circulation, parking, setbacks, common open space areas and communal amenities, and similar elements have been designed to create an attractive, livable project which addresses the housing needs of the City without having a negative effect on nearby neighborhoods and natural open spaces. Therefore, the proposed project and modifications to district regulations conform to the general purpose and intent of the RM-3 Zoning District with a PD Overlay.

2. **The proposed use/development is compatible with and preserves the character and integrity of adjacent development and neighborhoods and includes improvements or modifications either on-site or within the public rights-of-way to mitigate development related adverse impacts such as traffic, noise, odors, visual nuisances, or other similar adverse effects to adjacent development and neighborhoods.**

Supportive Evidence

The project would provide infill housing in a manner consistent with existing nearby residential neighborhoods. The Colonial Manor manufactured housing development east of the site is built to a similar density as the project. The project is compatible with the light industrial uses to the west and south as well as the airport to the north. The site is served by existing utilities. The addition of 21 dwellings will help the City provide much needed housing for its residents. The project, with appropriate conditions of approval and environmental mitigation measures, will be designed to ensure that no adverse impacts will be created.

3. **The proposed use/development will not generate pedestrian or vehicular traffic which will be hazardous or conflict with the existing and anticipated traffic in the neighborhood.**

Supportive Evidence

The Draft MND was prepared for the proposed project, which includes a traffic study. Traffic-related impacts were found to be potentially significant but mitigable to less than significant levels. Identified measures have been included as conditions of approval.

4. **The proposed use/development incorporates roadway improvements, traffic control devices or mechanisms, or access restrictions to control traffic flow or divert traffic as needed to reduce or eliminate development impacts on surrounding neighborhood streets.**

Supportive Evidence

The Draft MND that was prepared for the proposed project includes a traffic study. The study determined that Airport Boulevard was sufficient to handle the traffic demand of the project without modification. While the proposed internal drive aisles are narrower than the City's standards for roads, they would only provide access to project residents. Traffic-related impacts were found to be potentially significant but mitigable to less than significant levels. Identified measures have been included as conditions of approval.

5. **The proposed use/development incorporates features to minimize adverse effects, including visual impacts and noise, of the proposed special use on adjacent properties.**

Supportive Evidence

The project includes removing existing industrial operations and one residence. The project also includes new residential development consistent with the City of Watsonville *Livable Community Residential Design Guidelines* (2001). Therefore, the project would enhance the appearance of the site.

The Draft MND that was prepared for the proposed project includes a noise study. Construction-related noise impacts were found to be potentially significant but mitigable to less than significant levels. Identified measures that mitigate temporary noise impacts during construction activities have been included as conditions of approval.

6. **The proposed special use/development complies with all additional standards imposed on it by the particular provisions of this chapter, any City of Watsonville architectural guidelines, development and public improvement standards, and all other requirements of this title applicable to the proposed special use and uses within the applicable zoning district.**

Supportive Evidence

The proposed project is consistent with City of Watsonville *Livable Community Residential Design Guidelines* (2001). Specifically, residential units have been designed with facades that are well composed, balanced, and appropriately articulated to reflect the scale and street orientation of Watsonville's traditional neighborhoods. The massing of wall and roof planes would be sufficiently broken up by the use of balconies, dormer windows, offsets in surfaces, and use of complimentary materials and trim. The streetscape plan would ensure that streets are aesthetically pleasing. Other than the modifications discussed previously, the project will be consistent with all development standards.

7. **The proposed special use/development will not be materially detrimental to the public health, safety, convenience and welfare, and will not result in material damage or prejudice to other property in the vicinity.**

Supportive Evidence

The project will provide additional dwelling units to help meet the need for market-rate and affordable housing. The proposed project design is compatible with existing and planned residential neighborhoods on adjacent properties. Therefore, the project will not be detrimental to public welfare, and will not result in material damage to other property in the vicinity.

Application No: PP2018-11
APN: 015-321-01
Applicant: Raoul Ortiz
Hearing Date: August 24, 2021

**SPECIFIC DEVELOPMENT PLAN/SPECIAL USE PERMIT WITH DESIGN REVIEW
CONDITIONS OF APPROVAL**

General Conditions:

1. **Approval.** This approval applies to the Plan Set identified as "547 Airport Boulevard Townhomes" located at 547 Airport Boulevard, received by the Community Development Department on January 3, 2018, and revised on February 16, 2021, and filed by Raoul Ortiz, applicant/property owner. (CDD-P)
2. **Conditional Approval Timeframe.** This Special Use Permit shall be null and void if not acted upon within **24 months** from the effective date of the approval thereof. Time extensions may be considered upon receipt of written request submitted no less than forty-five (45) days prior to expiration and in accordance with the provisions of Section 14-10.1201 of the Watsonville Municipal Code (WMC). (CDD-P)
3. **Modifications.** Modifications to the project or conditions imposed may be considered in accordance with WMC Sections 14-12.1000 and 14-10.1305. All revisions shall be submitted prior to field changes and are to be clouded on the plans. (CDD-P)
4. **Substantial Compliance.** Project development shall be accomplished in substantial accordance with the approved Plan Set. Any required revisions to the Plan Set shall be completed to the satisfaction of the Community Development Director or designee. (CDD-P)
5. **Grounds for Review.** The project shall be in compliance with the conditions of approval, all local codes and ordinances, appropriate development standards, and current City policies. Any deviation will be grounds for review by the City and may possibly result in revocation of the Special Use Permit or Design Review Permit, pursuant to Part 13 of WMC Chapter 14-10, or other code enforcement actions, pursuant to WMC Chapter 14-14. (CDD-P)
6. **Appeal Period/Effective Date.** This Permit shall not be effective until **14 days** after approval by the decision-making body or following final action on any appeal. (CDD-P)
7. **Necessary Revisions.** The applicant shall make and note all revisions necessary to comply with all conditions of approval. The applicant shall certify in writing below

the list(s) of conditions that the building plans comply with the conditions of approval. (CDD-P)

8. **Conditions of Approval.** A copy of the final conditions of approval must be printed on the first or second sheet of plans submitted for future permits. ***Plans without the conditions of approval printed directly on the first or second page will not be accepted at the plan check phase.*** (CDD-P)
9. **Required Statement.** The applicant and contractor who obtains a building permit for the project shall be required to sign the following statement, which will become conditions of the building permit.

“I understand that the subject permit involves construction of a building (project) with an approved Design Review Permit. I intend to perform or supervise the performance of the work allowed by this permit in a manner which results in a finished building with the same level of detail, articulation, and dimensionality shown in the plans submitted for building permits. I hereby acknowledge that failure to construct the building as represented in the building permit plans, may result in delay of the inspections process and/or the mandatory reconstruction or alteration of any portion of the building that is not in substantial conformance with the approved plans, prior to continuation of inspections or the building final.”

Signature of Building Contractor

Date

Building and Fire-related Conditions:

10. **Required Permits.** The applicant shall obtain all required building permits (Building, Electrical, Plumbing, Mechanical, Grading, etc.) for this project. (CDD-B-E)
11. **Building Code.** Project construction shall comply with all applicable provisions of Title 24 of the California Code of Regulations, such as the latest version of the California Residential Code. (CDD-B)
12. **Fire Code.** Project construction shall comply with California Fire Code as adopted by the City. (WFD)
13. **Energy Efficiency.** The project design shall conform with energy conservation measures articulated in Title 24 of the California Administrative Code and will address measures to reduce energy consumption such as low-flow shower heads, flow restrictors for toilets, low consumption lighting fixtures, and insulation and shall use drought tolerant landscaping. (CDD-B)
14. **Address Assignment.** Prior to building permit issuance, complete and submit an application for address assignment. (CDD-E)

Project Specific Conditions:

15. **FAA “No Hazard” Airspace Determination.** The applicant shall submit or coordinate with the Watsonville Airport Director or designee the submission of an application for the Federal Aviation Administration (FAA) to conduct an aeronautical study, in accordance with the provisions under 49 U.S.C., Section 44718. The aeronautical study shall reveal whether or not proposed structures exceed obstruction standards and would be a hazard to air navigation. (CDD-P)
16. **Mitigation Monitoring & Reporting Program (MMRP).** Where not in conflict with specific conditions of approval, the project is subject to compliance with the MMRP adopted for the project. A reporting program shall be prepared and submitted to the City that establishes a format and timing for submittal of how mitigations have been implemented. (CDD-P)
17. **Affordable Housing Agreement.** The applicant shall execute an affordable housing agreement approved by the City Council in accordance with the WMC Chapter 14-46, which requires a minimum of 15 percent of the units to be reserved as affordable units. The affordable housing agreement shall be executed prior to issuance of a Building Permit. (CDD-H, CAT)
18. **ADA Unit(s).** The project shall provide an accessible unit(s) in accordance with American with Disabilities Act (ADA) and Building Code requirements. (CDD-B)
19. **Fencing Plan.** The applicant shall submit a Fencing Plan for review and approval by the Community Development Director prior to issuance of a building permit. The Fencing Plan shall provide the materials and design along with the location and height of the new fencing that encloses the private yard and/or patio areas. Acceptable materials and designs include solid board, decorative wood, rod iron and masonry wall fencing. (CDD-P)
20. **Fencing Details.** Prior to the issuance of building permits, the plans shall be revised so that the height of the wooden fence along the western property line is reduced to comply with the site visibility requirements of WMC § 14-32.070. (CDD-P)
21. **Block Wall.** Prior to the issuance of building permits, the plans shall be revised to include a decorative masonry wall along the western and southern property lines as required by Section III.C.7 of the Residential Development Standards for Multi-Family Condominium and Townhouse Projects. (CDD-P)
22. **Trash Enclosure.** The trash enclosure shall be constructed to City standards, including the requirement for a solid roof cover (City of Watsonville Public Improvement Standard No. S-602). (CDD-P, PW)
23. **Surface Parking.** Wheel stops shall be provided at the head of all surface parking spaces. (CDD-P, -B)

24. **Colors & Materials.** The applicant shall submit a color and materials board for review and approval by the Community Development Director or designee prior to issuance of a building permit. (CDD-P)
25. **Landscaping & Irrigation Plan.** The applicant shall submit three copies of the final Landscaping and Irrigation Plan for review and approval by the Community Development Director prior to issuance of a building permit. The Landscaping Plan shall provide drought-tolerant plants suitable for the Central Coast region in landscaping the front yard, patio, planter and perimeter areas. The Irrigation Plan shall provide an automatic water system (e.g., drip system) to irrigate all landscape areas. (CDD-B-E-P)
- a. **LANDSCAPING** – The Landscape Plan shall indicate the types, quantities, locations and sizes of all plant material, including any existing major vegetation designated to remain and method of protecting planting areas from vehicular traffic. The Landscape Plan shall be drawn to scale, and plant types shall be clearly located and labeled. The plant list shall give the botanical name, common name, gallon sizes to be planted, and quantity of each planting. A minimum of 25 percent of all shrub material shall have a minimum 5-gallon container size. (CDD-E-P)
 - b. **IRRIGATION SYSTEM** – Automatic, low-flow irrigation system(s) shall be installed in all landscaped areas. Irrigation shall be programmed for night or early morning hours in order to minimize evaporation. (CDD-P)
 - c. **WATER CONSERVATION** – The project shall utilize water conservation, water recycling, and xeriscaping to the maximum extent possible. Irrigation systems shall be designed and maintained to avoid run-off, over-spray, or other similar conditions where water flows to waste. (CDD-B-E-P)
 - d. **NEW TREES** – As proposed in the preliminary landscape plans, the project shall provide a minimum of thirteen trees.
 - e. **LANDSCAPE & IRRIGATION INSTALLATION** – All landscaping and irrigation shall be approved and installed prior to occupancy of the project. (CDD-P)
 - f. **WATER EFFICIENT LANDSCAPE ORDINANCE** – The applicant shall submit a landscape documentation package and demonstrate compliance with WMC Section 6-3.8 Water Efficient Landscape Ordinance. (CDD-P, -E)
 - g. **ADEQUATE SIGHT DISTANCE** – To maintain adequate sight lines at the project driveway, landscape plantings along the westerly property line near the driveway entrance shall be planted with low-lying vegetation and any trees shall be trimmed of all branches hanging below seven feet from the road elevation. (CDD-P)
26. **Reduce Residential Interior Noise Exposure (MM NOISE-2).** Prior to the issuance of a building permit for the proposed project, the City shall review and approve an

acoustical analysis, prepared by or on behalf of the Applicant, that confirms actual noise levels for the project will not exceed.

1. 70 CNEL along northern portion of the site where building facades would be located, per the land use compatibility standards contained in the City's General Plan;
2. 45 CNEL in habitable rooms; and
3. 50 dBA Leq (1-hour) in other occupied rooms.

Potential noise insulation site and building design features capable of achieving this requirement may include, but are not limited to: sound barriers; enhanced exterior wall construction/noise insulation design; use of enhanced window, door, and roof assemblies with above average sound transmission class (STC) or outdoor/indoor transmission class (OITC) values; or use of mechanical, forced air ventilation systems to permit a windows closed condition in residential units. (CDD-P, -B)

27. **Mechanical Equipment Screening.** All new mechanical equipment and appurtenances, including gas and water meters, electrical boxes, roof vents, air conditioners, antennas, etc. visible from the public way and from adjacent properties, shall be screened with material compatible with the materials of the building and shall be subject to the approval of the Zoning Administrator. (CDD-P)

Prior to permit issuance, the following conditions shall be addressed:

28. **Preconstruction Meeting.** Prior to issuance of a building permit or the commencement of any site work, the project applicant and the general contractor shall attend a pre-construction meeting with the Building Official and City staff to discuss the project conditions of approval, working hours, site maintenance and other construction matters. The general contractor shall acknowledge that he/she has read and understands the project conditions of approval, particularly those pertaining to construction practices and site safety, and will make certain that all project sub-contractors have read and understand them prior to commencing work and that a copy of the project conditions of approval will be posted on site at all times during construction. (CDD-P-B-E)
29. **MMRP Implementation.** The applicant shall prepare a list identifying the individuals responsible for implementing the Mitigation Monitoring and Reporting Program. The applicant shall provide upon request by the City a compliance log demonstrating all Mitigation Measures have been implemented. (CDD-P)
30. **Solid Waste Service Plan.** Solid waste generated during the construction shall be serviced by the City of Watsonville Solid Waste Division. Applicant shall submit a Solid Waste Service Plan on the City form for review and approval. (CDD-E)

During construction, the following conditions shall be adhered to:

31. **Work Hours.** No work for which a building permit is required shall be performed within the hours of 7 p.m. to 7 a.m. Monday through Friday, nor prior to 8 a.m. or

after 5 p.m. on Saturday. No Work shall occur on Sundays or holidays. A sign shall be posted at a conspicuous location near the main entry to the site, prominently displaying these hour restrictions and identifying the phone # of the Job superintendent. (CDD-B)

32. **Superintendent.** Applicant shall have onsite at all times, a superintendent that shall act as the applicant's representative and as a point of contact for the City's Public Works Inspector. The superintendent shall be authorized by the Owner to direct the work of all contractors doing work on public and private improvements. (CDD-E, PW)
33. **Best Management Practices (BMPs).** Provide BMPs during construction to prevent sediment, debris and contaminants from draining offsite. BMPs shall comply with the City of Watsonville Erosion Control Standards and the Erosion and Sediment Control Field Manual by the California Regional Water Quality Control Board, San Francisco Region, latest edition. All erosion control shall be installed prior to October 15 and be maintained in place until April 15. Provide a note on the improvement plans stating that construction should take place between April 15 and October 15. The applicant shall ensure that all contractors are aware of all erosion control standards and BMPs. (CDD-E, PW)
34. **BMPs for Controlling Construction Emissions (Monterey Bay Air Resources District Recommendation).** The project applicant shall implement the following Best Management Practices to limit the potential fugitive dust, construction emissions, and odors generated by the project:
 - Water all exposed surfaces (e.g., staging areas, soil piles, graded areas, and unpaved access roads) at least two times per day during construction and adequately wet demolition surfaces to limit visible dust emissions.
 - Cover all haul trucks transporting soil, sand, or other loose materials off the project site.
 - Use wet power vacuum street sweepers at least once per day to remove all visible mud or dirt track-out onto adjacent public roads (dry power sweeping is prohibited) during construction of the proposed project.
 - Vehicle speeds on unpaved roads/areas shall not exceed 15 miles per hour.
 - Complete all areas to be paved as soon as possible and lay building pads as soon as possible after grading unless seeding or soil binders are used.
 - Minimize idling time of diesel-powered construction equipment to five minutes and post signs reminding workers of this idling restriction at access points and equipment staging areas during construction of the proposed project.
 - Maintain and properly tune all construction equipment in accordance with manufacturer's specifications and have a CARB-certified visible emissions evaluator check equipment prior to use at the site.

Post a publicly visible sign with the name and telephone number of the construction contractor and City staff person to contact regarding dust complaints. This person shall respond and take corrective action within 48 hours. The publicly visible sign shall also include the contact phone number for the Monterey Bay Air Resources Management District to ensure compliance with applicable regulations. (CDD-E, PW, MBARD)

35. **Complimentary Dust Control Measures.** To minimize dust/grading impacts during construction the applicant shall:
- Spray water on all exposed earth surfaces during clearing, grading, earth moving and other site preparation activities throughout the day to minimize dust.
 - Use tarpaulins or other effective covers on all stockpiled earth material and on all haul trucks to minimize dust.
 - Sweep the adjacent street frontages at least once a day or as needed to remove silt and other dirt which is evident from construction activities.
 - Ensure that construction vehicles are cleaned prior to leaving the construction site to prevent dust and dirt from being tracked off-site.
 - The City shall have the authority to stop all grading operations, if in opinion of City staff, inadequate dust control or excessive wind conditions contribute to fugitive dust emissions. (CDD-E)
36. **Unanticipated Discovery of Contaminated Soils.** In the event that contaminated soils are discovered during the earth-moving activities, all development activities shall cease immediately and remain stopped until an assessment has been completed by a geotechnical firm approved by the City. If remediation is necessary, the applicant shall enter into a Remedial Action Agreement with the Santa Cruz County Environmental Health Service Agency. (CDD-P-E)
37. **Solid Waste Disposal.** All solid waste generated inside City limits must be hauled from the site of generation by the City of Watsonville Solid Waste Division, pursuant to Chapter 3 (City Utilities) of Title 6 (Sanitation and Health) of the Watsonville Municipal Code. This includes all wastes generated at construction sites, excavation projects, land clearing, demolition, earthwork projects, remodels, grading, and tenant improvement projects as well as ongoing business/residential use on the premises. Applicant shall comply with all applicable requirements for removal and disposal of hazardous materials. (PW)

Prior to Final Inspection or Occupancy, the following condition shall be met:

38. **Statements of Compliance.** All project designer professionals who prepared plans for the project (e.g., civil, structural, and geotechnical engineers) shall provide statements of compliance attesting that they have reviewed the completed project and that it was constructed in conformance with their recommendations and plans. Where special inspections and testing were involved, the letters of compliance shall be accompanied by inspection logs, testing and analysis that support the engineer's conclusions. (CDD-B-E)
39. **Landscaping Installation.** All landscaping and irrigation shall be installed and approved by Community Development Department staff. (CDD-P-E)
40. **Trash Removal.** All trash and construction debris shall be removed from the site. (CDD-B, PW)

Ongoing Conditions:

41. **Post Construction Stormwater Ordinance – Inspection, Maintenance and Annual Reporting.** Applicant shall perform inspections, maintenance to the post-construction stormwater management facilities and report to the City each year on these activities. (CDD-E, PW)
42. **Solid Waste Service.** All trash, recycling and greenwaste materials generated onsite shall be disposed of at a City-approved landfill or recycling center. The Applicant shall contact the Solid Waste Division of the City Public Works Department to coordinate disposal of all trash, recycling and greenwaste materials. (PW)
43. **Trash Enclosure Maintenance.** Trash and recycling enclosure shall be maintained to the satisfaction of Watsonville Municipal Services. (PW)
44. **Lighting and Landscaping Maintenance.** Lighting, landscaping and all other site improvements shall be maintained in perpetuity. Landscaping shall be maintained in good growing condition by a professional landscape maintenance company; and such maintenance shall include, where appropriate, weeding, mowing, pruning, cleaning, fertilizing and regular watering. All dead, dying and diseased vegetation shall be immediately replaced in kind. (CDD-P)
45. **Ongoing Maintenance.** Common (patio, open space) areas, landscaping, street trees, roadway pavement, driveways, parking spaces, walks, fences and retaining walls shall be maintained on an ongoing basis by the Homeowners Association (HOA) for the entire development area. (CDD-P)

Indemnity Provision:

46. **Indemnity Provision.** The applicant shall sign a defense and indemnity contract agreeing to defend, indemnify, and hold harmless the City of Watsonville, its elected and appointed officials, officers, employees, and agents arising out Special Use Permit with Design Review (PP2018-11), including but not limited to any approval or condition of approval of the City of Watsonville Planning Commission or City Council. The City shall promptly notify the applicant of any claim, action, or proceeding concerning this permit and the applicant and City shall cooperate fully in the defense of the matter. The City reserves the right to select counsel in the defense of the matter. (CA)

Key to Department Responsibility

CDD-B	–	Community Development Department (Building)
CDD-P	–	Community Development Department (Planning)
CDD-E	–	Community Development Department (Engineering)
CDD-H	--	Community Development Department (Housing)
PW	–	Public Works Department
WFD	–	Watsonville Fire Department
WPD	–	Watsonville Police Department
CAT	–	City Attorney

Exhibit "C"

Final Mitigated Negative Declaration

An electronic copy of the Final Mitigated Negative Declaration, including the response to comments, for the 547 Airport Boulevard Project (SCN 2020080406) is available on the City's website at:

<https://www.cityofwatsonville.org/DocumentCenter/View/16273/547-Airport-Blvd-Initial-Study-Mitigated-Negative-Declaration-ISMND---final>