AGENDA

Tuesday, March 21, 2023 **5:00 P.M. Closed Session**
6:30 P.M. Open Session

REGULAR MEETING

CITY COUNCIL, AIRPORT COMMISSION, MARINA ABRAMS B NON-PROFIT CORPORATION, PRESTON PARK SUSTAINABLE COMMUNITY NON-PROFIT CORPORATION, SUCCESSOR AGENCY OF THE FORMER MARINA REDEVELOPMENT AGENCY AND MARINA GROUNDWATER SUSTAINABILITY AGENCY

THIS MEETING WILL BE HELD IN PERSON AND VIRTUALLY (HYBRID).

Council Chambers
211 Hillcrest Avenue
Marina, California

AND

Zoom Meeting URL: https://zoom.us/j/730251556
Zoom Meeting Telephone Only Participation: 1-669-900-9128 - Webinar ID: 730 251 556

PARTICIPATION

You may participate in the City Council meeting in person or in real-time by calling Zoom Meeting via the weblink and phone number provided at the top of this agenda. Instructions on how to access, view and participate in remote meetings are provided by visiting the City's home page at https://cityofmarina.org/. Attendees can make oral comments during the meeting by using the "Raise Your Hand" feature in the webinar or by pressing *9 on your telephone keypad if joining by phone only.

The most effective method of communication with the City Council is by sending an email to marina@cityofmarina.org Comments will be reviewed and distributed before the meeting if received by 5:00 p.m. on the day of the meeting. All comments received will become part of the record. Council will have the option to modify their action on items based on comments received.

AGENDA MATERIALS

Agenda materials, staff reports and background information related to regular agenda items are available on the City of Marina's website www.cityofmarina.org. Materials related to an item on this agenda submitted to the Council after distribution of the agenda packet will be made available on the City of Marina website www.cityofmarina.org subject to City staff's ability to post the documents before the meeting.

VISION STATEMENT

Marina will grow and mature from a small town bedroom community to a small city which is diversified, vibrant and through positive relationships with regional agencies, self-sufficient. The City will develop in a way that insulates it from the negative impacts of urban sprawl to become a desirable residential and business community in a natural setting. **(Resolution No. 2006-112 - May 2, 2006)**

MISSION STATEMENT

The City Council will provide the leadership in protecting Marina's natural setting while developing the City in a way that provides a balance of housing, jobs and business opportunities that will result in a community characterized by a desirable quality of life, including recreation and cultural opportunities, a safe environment and an economic viability that supports a high level of municipal services and infrastructure. **(Resolution No. 2006-112 - May 2, 2006)**

LAND ACKNOWLEDGEMENT

The City recognizes that it was founded and is built upon the traditional homelands and villages first inhabited by the Indigenous Peoples of this region - the Esselen and their ancestors and allies - and honors these members of the community, both past and present.

1. CALL TO ORDER 

2. ROLL CALL & ESTABLISHMENT OF QUORUM: (City Council, Airport Commissioners, Marina Abrams B Non-Profit Corporation, Preston Park Sustainable Communities Nonprofit Corporation, Successor Agency of the Former Redevelopment Agency Members and Marina Groundwater Sustainability Agency)

   Liesbeth Visscher, Brian McCarthy, Kathy Biala, Mayor Pro-Tem/Vice Chair Cristina Medina Dirksen, Mayor/Chair Bruce C. Delgado

3. PUBLIC COMMENT ON CLOSED SESSION:

4. CLOSED SESSION:

   b. Real Property Negotiation (Govt. Code Section 54956.8)

      i. Property: Desert Star Systems, 3261 Imjin Road, Marina, CA
      Negotiating Party: Marco Flagg
      Negotiator(s): City Manager
      Terms: Price and Terms

      ii. Property: Commercial property at southeast corner of Del Monte Blvd. and Palm Avenue (APN 032-303-038)
      Negotiating Party: George Powell
      Negotiator(s): City Manager
      Terms: Price and Terms

6:30 PM - RECONVENE OPEN SESSION AND REPORT ON ANY ACTIONS TAKEN IN CLOSED SESSION

5. MOMENT OF SILENCE & PLEDGE OF ALLEGIANCE (Please stand)

6. SPECIAL PRESENTATIONS: None

7. COUNCIL AND STAFF ANNOUNCEMENTS:

8. PUBLIC COMMENT**:** *Any member of the public may comment on any matter within the City Council's jurisdiction that is not on the agenda. This is the appropriate place to comment on items on the Consent Agenda. Action will not be taken on items not on the agenda. Comments are limited to a maximum of three (3) minutes. General public comment may be limited to thirty (30) minutes and/or continued to the end of the agenda. Any member of the public may comment on any matter listed on this agenda at the time the matter is being considered by the City Council. Whenever possible, written correspondence should be submitted to the Council in advance of the meeting, to provide adequate time for its consideration.*

9. CONSENT AGENDA FOR THE SUCCESSOR AGENCY TO THE FORMER MARINA REDEVELOPMENT AGENCY: *Background information has been provided to the Successor Agency of the former Redevelopment Agency on all matters listed under the Consent Agenda, and these items are considered to be routine and non-controversial. All items under the Consent Agenda are normally approved by one motion. Prior to such a motion being made, any member of the public or City Council may ask a question or make a comment about an agenda item and staff may provide a response. If discussion or a lengthy explanation is required, the Council may remove an item from the Consent Agenda for individual consideration. If an item is pulled for discussion, it will be placed at the end of Other Action Items Successor Agency to the former Marina Redevelopment Agency.*

10. CONSENT AGENDA: *These items are considered to be routine and non-controversial. All items under the Consent Agenda may be approved by one motion. Prior to such a motion being made, any member of City Council may ask a question or make a comment about an agenda item and staff may provide a response. If discussion or a lengthy explanation is required, Council may remove the item from the Consent Agenda and it will be placed at the end of Other Action Items.*

    a. ACCOUNTS PAYABLE: *(Not a Project under CEQA per Article 20, Section 15378)*

        (1) Accounts Payable Check Numbers 101891- 101976, totaling $440,270.89. Successor Agency Accounts Payables Check Number 105-107, totaling $5,919.98.

    b. MINUTES: *(Not a Project under CEQA per Article 20, Section 15378)*

        (1) March 7, 2023, Regular City Council Meeting

        (2) March 14, 2023, Special City Council Meeting

    c. CLAIMS AGAINST THE CITY: *(Not a Project under CEQA per Article 20, Section 15378)*

        (1) Staff recommends that the City Council reject the following claim and direct sending appropriate notice of rejection to claimant: William James Lunsford (Minor) C/o KJ Injury & Accident Lawyer PC for a claim received on February 27, 2023.

    d. AWARD OF BID: None

    e. CALL FOR BIDS: None

    f. ADOPTION OF RESOLUTIONS:

        (1) Adopting Resolution No. 2023-, approving designating parking lot and street at the Marina Library as areas where overnight parking or camping shall be prohibited pursuant to Municipal Code Section 10.40.150.

        (2) Adopting Resolution No. 2023-, ratifying Exhibit A, as corrected, to Ordinance 2022-06, and direct its codification; direct the City Clerk to file a copy of this corrected Exhibit A to Ordinance 2022-06 with the California Building Standards Commission of the State of California.

        (3) Adopt Resolution No. 2023-, accepting the Housing Element Annual Progress Report (APR) for calendar year 2022 and authorizing staff to submit the report to the Governor's Office of Planning and Research and the California Department of Housing and Community Development. This item is exempt from environmental review per Section 15306 (Information Collection) of the California Environmental Quality Act (CEQA) Guidelines.

g. APPROVAL OF AGREEMENTS: None

h. ACCEPTANCE OF PUBLIC IMPROVEMENTS: None

i. MAPS: None

j. REPORTS: (RECEIVE AND FILE): None

k. FUNDING & BUDGET MATTERS: None

(1) Adopting Resolution No. 2023-, approving the allocation of $165,000 for emergency fire sprinkler system repairs at 721 Neeson Road.

l. APPROVE ORDINANCES (WAIVE SECOND READING):

(1) Read by Title Only and adopting Ordinance No. 2023-, approving amending Sections 17.38.070 and 17.38.090 of the Marina Municipal Code to modify the parking standards in the MH-R District for the Townhomes in Sea Haven; and

(2) Read by title only and waive further reading and approve the first reading of Ordinance 2023-, approving the Second Amendment to the Development Agreement for Sea Haven pursuant to Chapter 4.04 of the Marina Municipal Code.

m. APPROVE APPOINTMENTS:

(1) Appointing to Recreation & Cultural Services Commission: Shawn Adams and Sheila Baker. 2-seats expiring February 2025

11. PUBLIC HEARINGS: *In the Council's discretion, the applicant/proponent of an item may be given up to ten (10) minutes to speak. All other persons may be given up to three (3) minutes to speak on the matter.*

a. Open a public hearing, take public testimony, and consider introducing Ordinance No. 2023-05, amending Section 17.46 (Signs) of the Marina Municipal Code. *The proposed amendments are exempt from CEQA per section 15061(b)(3).* ***Continued from March 7, 2023***

b. Introduction of Ordinance No. 2023-06, amending the Accessory Dwelling Unit (ADU) Ordinance, Marina Municipal Code (MMC), Chapter 17.42.040, bringing these sections into compliance with recent changes in state law. *The proposed amendments are exempt from the California Environmental Quality Act (CEQA) per Sec. 15303(a).* ***Continued from March 7, 2023***

12. OTHER ACTIONS ITEMS OF THE SUCCESSOR AGENCY TO THE FORMER MARINA REDEVELOPMENT AGENCY: *Action listed for each Agenda item is that which is requested by staff. The Successor Agency may, at its discretion, take action on any items. Members of the public may be given up to three (3) minutes to speak.*

13. OTHER ACTION ITEMS: *Action listed for each Agenda item is that which is requested by staff. The City Council may, at its discretion, take action on any items. Members of the public may be given up to three (3) minutes to speak.*

Note: No additional major projects or programs should be undertaken without review of the impacts on existing priorities (Resolution No. 2006-79 – April 4, 2006).

a. Adopting Resolution No. 2023-, authorizing the City Manager, or his designee, to negotiate a Memorandum of Understanding (MOU) with the Marina Equestrian Association (MEA) for the provision of equestrian boarding and related uses, and directing the City Manager to return to Council with a resolution to consider adoption of a mutually agreeable MOU between the City and MEA. ***Continued from March 7, 2023***

b. Adopting Resolution No. 2023-, approving the Phase 1B-Promenade Public Improvement Agreement between City of Marina and Shea Homes, LP.

c. Adopting Resolution No. 2023-, approving the Phase 1B-Promenade Final Map for The Dunes on Monterey Bay Development Project Subdivision.

d. Adopting Resolution No. 2023-, receiving a presentation for the four options for the proposed Dunes City Park Project; and providing input on the design for the proposed Dunes City Park Project.

e. City Council receive the consultant's Objective Design Standards (ODS) presentation, receive any input from the public, and provide its own feedback on the key takeaways and community feedback presented.

14. COUNCIL & STAFF INFORMATIONAL REPORTS:

a. Monterey County Mayor's Association [Mayor Bruce Delgado]

b. Council reports on meetings and conferences attended (Gov't Code Section 53232).

15. ADJOURNMENT:

CERTIFICATION

I, Anita Sharp, Deputy City Clerk, of the City of Marina, do hereby certify that a copy of the foregoing agenda was posted at City Hall and Council Chambers Bulletin Board at 211 Hillcrest Avenue, Monterey County Library Marina Branch at 190 Seaside Circle, City Bulletin Board at the corner of Reservation Road and Del Monte Boulevard on or before 6:30 p.m., Friday, March 17, 2023.

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ANITA SHARP, DEPUTY CITY CLERK

City Council, Airport Commission and Redevelopment Agency meetings are recorded on tape and available for public review and listening at the Office of the City Clerk and kept for a period of 90 days after the formal approval of MINUTES.

City Council meetings may be viewed live on the meeting night and at 12:30 p.m. and 3:00 p.m. on Cable Channel 25 on the Sunday following the Regular City Council meeting date. In addition, Council meetings can be viewed at 6:30 p.m. every Monday, Tuesday and Wednesday. For more information about viewing the Council Meetings on Channel 25, you may contact Access Monterey Peninsula directly at 831-333-1267.

Agenda items and staff reports are public record and are available for public review on the City's website (www.ciytofmarina.org), at the Monterey County Marina Library Branch at 190 Seaside Circle and at the Office of the City Clerk at 211 Hillcrest Avenue, Marina between the hours of 10:00 a.m. 5:00 p.m., on the Monday preceding the meeting.

Supplemental materials received after the close of the final agenda and through noon on the day of the scheduled meeting will be available for public review at the City Clerk's Office during regular office hours and in a 'Supplemental Binder' at the meeting.

*ALL MEETINGS ARE OPEN TO THE PUBLIC. THE CITY OF MARINA DOES NOT DISCRIMINATE AGAINST PERSONS WITH DISABILITIES. Council Chambers are wheelchair accessible. Meetings are broadcast on cable channel 25 and recordings of meetings can be provided upon request. To request assistive listening devices, sign language interpreters, readers, large print agendas or other accommodations, please call (831) 884-1278 or e-mail: marina@cityofmarina.org. Requests must be made at least **48 hours** in advance of the meeting.*

Upcoming 2023 Meetings of the City Council, Airport Commission, Marina Abrams B Non-Profit Corporation, Preston Park Sustainable Community Nonprofit Corporation, Successor Agency of the Former Redevelopment Agency and Marina Groundwater Sustainability Agency
Regular Meetings: 5:00 p.m. Closed Session;
6:30 p.m. Regular Open Sessions

Tuesday, April 4, 2023
Tuesday, April 18, 2023

Tuesday, May 2, 2023
Tuesday, May 16, 2023

Tuesday, June 6, 2023
Tuesday, June 20, 2023

***Wednesday, July 5, 2023**
Tuesday, July 18, 2023

****Wednesday, August 2, 2023**
Tuesday, August 15, 2023

***Wednesday, September 6, 2023**
Tuesday, September 19, 2023

Tuesday, October 3, 2023
Tuesday, October 17, 2023

Tuesday, November 7, 2023
Tuesday, November 21, 2023

Tuesday, December 5, 2023
Tuesday, December 19, 2023

*** Regular Meeting rescheduled due to Monday Holiday**

**** Regular Meeting rescheduled due to National Night Out**

CITY HALL 2023 HOLIDAYS
(City Hall Closed)

Memorial Day ---------- Monday, May 27, 2023
Independence Day (City Offices Closed) ---------- Tuesday, July 4, 2023
Labor Day ---------- Monday, September 4, 2023
Veterans Day (City Offices Closed)---------- Friday, November 10, 2023
Thanksgiving Day----------Thursday, November 23, 2023
Thanksgiving Break---------- Friday, November 24, 2023
Winter Break---------- Monday, December 25, 2023-Friday, December 29, 2023

2023 COMMISSION DATES

Upcoming 2023 Meetings of Design Review Board
3rd Wednesday of every month. Meetings are held at the Council Chambers at 6:30 P.M.
** = Change in location due to conflict with Council meeting

April 20, 2023	June 15, 2023	September 21, 2023
May 18, 2023	July 20, 2023	October 19, 2023
	August 17, 2023	November 16, 2023
		December 21, 2023

Upcoming 2023 Meetings of Economic Development Commission
3rd Thursday of every month. Meetings are held at the Council Chambers at 4:00 P.M.

April 21, 2023	June 16, 2023	September 15, 2023
May 19, 2023	July 21, 2023	October 20, 2023
	August 18, 2023	November 17, 2023
		December 15, 2023 (Cancelled)

Upcoming 2023 Meetings of Planning Commission
2nd and 4th Thursday of every month. Meetings are held at the Council Chambers at 6:30 P.M.

March 23, 2023	September 14, 2023	September 28, 2023
April 13, 2023	July13, 2023	October 12, 2023
April 27, 2023	July 27, 2023	October 26, 2023
May 11, 2023	August 10, 2023	November 9, 2023
May 25, 2023		
June 8, 2023	August 24, 2023	November 23, 2023(Canceled)
June 22, 2023		December 14, 2023

Upcoming 2023 Meetings of Public Works Commission
3rd Thursday of every month. Meetings are held at the Council Chambers at 6:30 P.M.

April 20, 2023	July 20, 2023	October 19, 2023
May 18, 2023	August 17, 2023	November 16, 2023
June 15, 2023	September 21, 2023	December 21, 2023

Upcoming 2023 Meetings of Recreation & Cultural Services Commission
1st Wednesday of every quarter month. Meetings are held at the Council Chambers at 6:30 P.M.

April 6, 2023 September 1, 2023 December 1, 2023

Upcoming 2023 Meetings of Marina Tree Committee
2nd Wednesday of every quarter month as needed. Meetings are held at the Council Chambers at 6:30 P.M.

April 13, 2023 July 13, 2023 October 12, 2023

Accounts Payable by G/L Distribution Report

Payment Date Range 03/10/23 - 03/10/23

Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund **100 - General Fund**										
Department **110 - City Council**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6400.350 - Material & Suppl IT-Computer & Hardware (non-cap)**										
10897 - TechRx Technology Services	10761	Council Member IPads Surface Pros & Keyboards	Paid by EFT # 3060		02/28/2023	03/01/2023	03/01/2023		03/10/2023	8,248.39
Account **6400.350 - Material & Suppl IT-Computer & Hardware (non-cap)** Totals								Invoice Transactions 1		$8,248.39
Sub-Division **00 - Non-Subdiv** Totals								Invoice Transactions 1		$8,248.39
Division **000 - Non-Div** Totals								Invoice Transactions 1		$8,248.39
Department **110 - City Council** Totals								Invoice Transactions 1		$8,248.39
Department **125 - I. T.**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6300.330 - Prof Svc IT - Information Tech Svc**										
10897 - TechRx Technology Services	10801	IT Support - February 2023	Paid by EFT # 3060		02/28/2023	03/01/2023	03/01/2023		03/10/2023	8,160.00
Account **6300.330 - Prof Svc IT - Information Tech Svc** Totals								Invoice Transactions 1		$8,160.00
Account **6300.331 - Prof Svc IT - Website Svc**										
10143 - Civicplus	229349	Website Hosting - July-Sept. 2022	Paid by EFT # 3055		07/01/2022	03/02/2023	03/02/2023		03/10/2023	3,158.17
10143 - Civicplus	241677	Website Hosting - October-December 2022	Paid by EFT # 3055		10/01/2022	03/02/2023	03/02/2023		03/10/2023	3,158.17
10143 - Civicplus	249136	Website Hosting - January-March 2023	Paid by EFT # 3055		01/01/2023	03/02/2023	03/02/2023		03/10/2023	3,158.17
10143 - Civicplus	252267	Finance Charges - Past Due Invoices	Paid by EFT # 3055		12/31/2022	03/02/2023	03/02/2023		03/10/2023	98.02
10143 - Civicplus	242718	Finance Charges - Past Due Invoices	Paid by EFT # 3055		09/30/2022	03/02/2023	03/02/2023		03/10/2023	95.00
10143 - Civicplus	246534	Finance Charges - Past Due Invoices	Paid by EFT # 3055		10/31/2022	03/02/2023	03/02/2023		03/10/2023	48.29
10143 - Civicplus	249677	Finance Charges - Past Due Invoices	Paid by EFT # 3055		11/30/2022	03/02/2023	03/02/2023		03/10/2023	46.73
10143 - Civicplus	254140	Finance Charges - Past Due Invoices	Paid by EFT # 3055		01/31/2023	03/02/2023	03/02/2023		03/10/2023	98.76
Account **6300.331 - Prof Svc IT - Website Svc** Totals								Invoice Transactions 8		$9,861.31
Account **6360.342 - Maint & Repairs IT - System Annual Maint**										
10905 - Taygeta Scientific, Inc.	000708-R-0024	Barracuda Spam Firewall - March 2023	Paid by Check # 101932		03/01/2023	03/01/2023	03/01/2023		03/10/2023	475.80
10905 - Taygeta Scientific, Inc.	000423-R-0051	Computer Network Defense - March 2023	Paid by Check # 101932		03/01/2023	03/01/2023	03/01/2023		03/10/2023	2,000.00

Accounts Payable by G/L Distribution Report

Payment Date Range 03/10/23 - 03/10/23

Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund **100 - General Fund**										
Department **125 - I. T.**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6360.342 - Maint & Repairs IT - System Annual Maint**										
10905 - Taygeta Scientific, Inc.	000995	Quarterly PD NAS Support & Data - Q4, 2022	Paid by Check # 101932		03/01/2023	03/01/2023	03/01/2023		03/10/2023	321.91
10897 - TechRx Technology Services	10776	Veeam Virtual Backup Monthly Subscription - March 2023	Paid by EFT # 3060		03/01/2023	03/01/2023	03/01/2023		03/10/2023	380.00
10897 - TechRx Technology Services	10775	Ninite Monthly Subscription - March 2023	Paid by EFT # 3060		03/01/2023	03/01/2023	03/01/2023		03/10/2023	112.50
Account **6360.342 - Maint & Repairs IT - System Annual Maint** Totals							Invoice Transactions	5		$3,290.21
Account **6360.345 - Maint & Repairs Citywide Microsoft Ofc Upgrade**										
10897 - TechRx Technology Services	10730	Citywide MS Office 365 - February 2023	Paid by EFT # 3060		02/01/2023	03/01/2023	03/01/2023		03/10/2023	1,782.60
Account **6360.345 - Maint & Repairs Citywide Microsoft Ofc Upgrade** Totals							Invoice Transactions	1		$1,782.60
Sub-Division **00 - Non-Subdiv** Totals							Invoice Transactions	15		$23,094.12
Division **000 - Non-Div** Totals							Invoice Transactions	15		$23,094.12
Department **125 - I. T.** Totals							Invoice Transactions	15		$23,094.12
Department **130 - Finance**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6300.217 - Prof Svc Fin - Business Lic Services**										
10274 - Hinderliter, de Llamas & Associates (HDL)	SIN025678	Feb 2023 BL Admin Fee	Paid by EFT # 3058		01/31/2023	03/07/2023	03/07/2023		03/10/2023	1,606.51
Account **6300.217 - Prof Svc Fin - Business Lic Services** Totals							Invoice Transactions	1		$1,606.51
Account **6400.350 - Material & Suppl IT-Computer & Hardware (non-cap)**										
10897 - TechRx Technology Services	10763	LaserJet Pro M454dw - Megan Mock	Paid by EFT # 3060		02/28/2023	03/06/2023	03/06/2023		03/10/2023	989.38
Account **6400.350 - Material & Suppl IT-Computer & Hardware (non-cap)** Totals							Invoice Transactions	1		$989.38
Account **6400.565 - Material & Suppl Office Supplies**										
10418 - Monterey County Recorder	8/1-2/8/2023	July - Dec 2022 Invoices	Paid by Check # 101921		02/08/2023	03/08/2023	03/08/2023		03/10/2023	40.00
Account **6400.565 - Material & Suppl Office Supplies** Totals							Invoice Transactions	1		$40.00
Sub-Division **00 - Non-Subdiv** Totals							Invoice Transactions	3		$2,635.89
Division **000 - Non-Div** Totals							Invoice Transactions	3		$2,635.89
Department **130 - Finance** Totals							Invoice Transactions	3		$2,635.89

Accounts Payable by G/L Distribution Report

Payment Date Range 03/10/23 - 03/10/23

Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund **100 - General Fund**										
Department **190 - Citywide Non-Dept**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6300.228 - Prof Svc Fin - SB90 State Mandate**										
10041 - AK & Company	MARINA - 23-2	SB 90 State Reporting	Paid by Check # 101894		02/28/2023	03/03/2023	03/03/2023		03/10/2023	1,875.00
Account **6300.228 - Prof Svc Fin - SB90 State Mandate** Totals								Invoice Transactions	1	$1,875.00
Account **6300.570 - Prof Svc Other**										
10588 - United Site Services	INV-01471739	2660 5th Ave	Paid by Check # 101934		02/28/2023	02/24/2023	02/24/2023		03/10/2023	56.80
Account **6300.570 - Prof Svc Other** Totals								Invoice Transactions	1	$56.80
Account **6360.570 - Maint & Repairs Other Svc Agr**										
10129 - Cintas Corporation	4148350291	Cust# 833-711-5963	Paid by Check # 101904		03/07/2023	03/07/2023	03/07/2023		03/10/2023	43.72
Account **6360.570 - Maint & Repairs Other Svc Agr** Totals								Invoice Transactions	1	$43.72
Account **6380.150 - Utilities Comm Phone System**										
10758 - AT & T CALNET3	000019561873	CALNET3-9391023437 (384-0425)	Paid by Check # 101900		02/28/2023	03/07/2023	03/07/2023		03/10/2023	52.55
10758 - AT & T CALNET3	000019561876	CALNET3-9391023440 (384-0860)	Paid by Check # 101900		02/28/2023	03/07/2023	03/07/2023		03/10/2023	27.12
10758 - AT & T CALNET3	000019561877	CALNET3-9391023441 (384-0888)	Paid by Check # 101900		02/28/2023	03/07/2023	03/07/2023		03/10/2023	27.11
10758 - AT & T CALNET3	000019561901	CALNET3-9391023463 (384-7854)	Paid by Check # 101900		02/28/2023	03/07/2023	03/07/2023		03/10/2023	27.11
10758 - AT & T CALNET3	000019561904	CALNET3-9391023466 (384-8477)	Paid by Check # 101900		02/28/2003	03/07/2023	03/07/2023		03/10/2023	52.55
10758 - AT & T CALNET3	000019561906	CALNET3-9391023468 (384-9148)	Paid by Check # 101900		02/28/2023	03/07/2023	03/07/2023		03/10/2023	27.11
10758 - AT & T CALNET3	000019557061	CALNET3-9391023471 (582-0100)	Paid by Check # 101900		02/27/2023	03/07/2023	03/07/2023		03/10/2023	56.88
10758 - AT & T CALNET3	000019557067	CALNET3-9391023477 (582-9803) Feb 2023	Paid by Check # 101900		02/27/2023	03/07/2023	03/07/2023		03/10/2023	27.11
Account **6380.150 - Utilities Comm Phone System** Totals								Invoice Transactions	8	$297.54
Account **6380.500 - Utilities Water & Sewer**										
10349 - Marina Coast Water District	01-31-23	Acct# 000056041 - 3260 Imjin Road	Paid by Check # 101920		01/31/2023	02/28/2023	02/28/2023		03/10/2023	19.57
10349 - Marina Coast Water District	02-28-23	Acct# 000056041 - 3260 Imjin Road	Paid by Check # 101920		02/28/2023	02/28/2023	02/28/2023		03/10/2023	297.33
Account **6380.500 - Utilities Water & Sewer** Totals								Invoice Transactions	2	$316.90
Account **6600.450 - Other Charges Leases & Rents**										
10579 - Transportation Agency of Monterey County	TAMC Mar 2022	Handcart Lease Pymt	Paid by Check # 101933		03/08/2023	03/08/2023	03/08/2023		03/10/2023	8,858.00
Account **6600.450 - Other Charges Leases & Rents** Totals								Invoice Transactions	1	$8,858.00

Accounts Payable by G/L Distribution Report

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Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund **100 - General Fund**										
Department **190 - Citywide Non-Dept**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6600.495 - Other Charges Membership League CA Cities**										
10738 - League of CA Cities - Sacramento	INV-02305	2023 Local Streets and Roads Needs Assessment	Paid by Check # 101918		02/15/2023	03/03/2023	03/03/2023		03/10/2023	300.00
Account **6600.495 - Other Charges Membership League CA Cities** Totals								Invoice Transactions	1	$300.00
Sub-Division **00 - Non-Subdiv** Totals								Invoice Transactions	15	$11,747.96
Division **000 - Non-Div** Totals								Invoice Transactions	15	$11,747.96
Department **190 - Citywide Non-Dept** Totals								Invoice Transactions	15	$11,747.96
Department **195 - Conveyance**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6360.440 - Maint & Repairs Landscape General**										
10446 - New Image Landscape Co.	141532	Landscape Maintenance February 2023	Paid by Check # 101924		02/28/2023	03/06/2023	03/06/2023		03/10/2023	2,140.00
Account **6360.440 - Maint & Repairs Landscape General** Totals								Invoice Transactions	1	$2,140.00
Sub-Division **00 - Non-Subdiv** Totals								Invoice Transactions	1	$2,140.00
Division **000 - Non-Div** Totals								Invoice Transactions	1	$2,140.00
Department **195 - Conveyance** Totals								Invoice Transactions	1	$2,140.00
Department **210 - Police**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6360.570 - Maint & Repairs Other Svc Agr**										
10129 - Cintas Corporation	4148350327	Mat Service - Police/Fire 03/03/23	Paid by Check # 101904		03/03/2023	03/06/2023	03/06/2023		03/10/2023	37.59
10493 - Pure H2O	18905	Water Cooler Service Police & Fire 03/01/23	Paid by Check # 101928		03/01/2023	02/28/2023	02/28/2023		03/10/2023	88.55
Account **6360.570 - Maint & Repairs Other Svc Agr** Totals								Invoice Transactions	2	$126.14
Account **6380.500 - Utilities Water & Sewer**										
10349 - Marina Coast Water District	012016000 021623	199 A Paddon Place	Paid by Check # 101920		02/16/2023	03/06/2023	03/06/2023		03/10/2023	38.22
Account **6380.500 - Utilities Water & Sewer** Totals								Invoice Transactions	1	$38.22
Account **6400.350 - Material & Suppl IT-Computer & Hardware (non-cap)**										
10897 - TechRx Technology Services	10695	Council Chambers Equipment Upgrade	Paid by EFT # 3060		02/28/2023	03/01/2023	03/01/2023		03/10/2023	3,382.40
Account **6400.350 - Material & Suppl IT-Computer & Hardware (non-cap)** Totals								Invoice Transactions	1	$3,382.40

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Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund **100 - General Fund**										
Department **210 - Police**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6500.800 - Training & Travel Tuition Reimbursement**										
10646 - Cox, Richard	10-27-22	Tuition Reimbursement - R. Cox	Paid by Check # 101938		03/08/2023	03/08/2023	03/08/2023		03/10/2023	2,000.00
Account **6500.800 - Training & Travel Tuition Reimbursement** Totals								Invoice Transactions	1	$2,000.00
Account **6600.455 - Other Charges Leased Parking**										
10253 - George T. Powell	03012023	Parking Rental Fees	Paid by Check # 101911		03/01/2023	03/08/2023	03/08/2023		03/10/2023	997.00
Account **6600.455 - Other Charges Leased Parking** Totals								Invoice Transactions	1	$997.00
Sub-Division **00 - Non-Subdiv** Totals								Invoice Transactions	6	$6,543.76
Division **000 - Non-Div** Totals								Invoice Transactions	6	$6,543.76
Department **210 - Police** Totals								Invoice Transactions	6	$6,543.76
Department **250 - Fire**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6300.570 - Prof Svc Other**										
10841 - Carmel Fire Protection Associates - Art Black	123063	Layia 2022 Update Master Plan - Bldg Code Amendments Review	Paid by Check # 101902		03/03/2023	03/07/2023	03/07/2023		03/10/2023	100.00
10841 - Carmel Fire Protection Associates - Art Black	123064	Layia 2022 Update Master Plan - Bldg Code Amendments Review	Paid by Check # 101902		03/03/2023	03/07/2023	03/07/2023		03/10/2023	100.00
10841 - Carmel Fire Protection Associates - Art Black	123065	Layia 2022 Update Master Plan - Bldg Code Amendments Review	Paid by Check # 101902		03/03/2023	03/07/2023	03/07/2023		03/10/2023	100.00
10841 - Carmel Fire Protection Associates - Art Black	123066	Layia 2022 Update Master Plan - Bldg Code Amendments Review	Paid by Check # 101902		03/03/2023	03/07/2023	03/07/2023		03/10/2023	100.00
10171 - CSG Consultants	49029	Fire Inspections by Eric Rodewald	Paid by EFT # 3056		02/21/2023	03/07/2023	03/07/2023		03/10/2023	570.00
10872 - Pinnacle Healthcare	02-17-23	Onsite TB Testing & Reading	Paid by Check # 101927		02/17/2023	03/06/2023	03/06/2023		03/10/2023	740.00
Account **6300.570 - Prof Svc Other** Totals								Invoice Transactions	6	$1,710.00

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Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund **100 - General Fund**										
Department **250 - Fire**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6360.070 - Maint & Repairs Bdg Public Safety**										
10250 - Gavilan Pest Control	0152280	Pest Control at Station 2	Paid by Check # 101910		03/01/2023	03/07/2023	03/07/2023		03/10/2023	90.00
Account **6360.070 - Maint & Repairs Bdg Public Safety** Totals							Invoice Transactions	1		$90.00
Account **6360.342 - Maint & Repairs IT - System Annual Maint**										
10568 - Vector Solutions Learning LLC	INV68235	TargetSolutions Premier Membership, Res & Career - Training	Paid by Check # 101941		04/01/2023	03/06/2023	03/06/2023		03/10/2023	2,110.00
Account **6360.342 - Maint & Repairs IT - System Annual Maint** Totals							Invoice Transactions	1		$2,110.00
Account **6360.570 - Maint & Repairs Other Svc Agr**										
10129 - Cintas Corporation	4148350327	Mat Service - Police/Fire 03/03/23	Paid by Check # 101904		03/03/2023	03/06/2023	03/06/2023		03/10/2023	117.48
10493 - Pure H2O	18905	Water Cooler Service Police & Fire 03/01/23	Paid by Check # 101928		03/01/2023	02/28/2023	02/28/2023		03/10/2023	113.53
10623 - Xerox Financial Services	3762697	FD Monthly Copier Charges 01/17/23 - 02/16/23	Paid by Check # 101937		01/28/2023	02/28/2023	02/28/2023		03/10/2023	239.26
10623 - Xerox Financial Services	3933197	FD Monthly Copier Charges 2/17/23 - 03/16/23	Paid by Check # 101937		02/25/2023	02/28/2023	02/28/2023		03/10/2023	239.26
Account **6360.570 - Maint & Repairs Other Svc Agr** Totals							Invoice Transactions	4		$709.53
Account **6380.120 - Utilities Comm Mobile & Pager**										
10603 - Verizon Wireless	9928579683	Acct# 371782403-00002 - FD Mobile Charges, 1/26-2/25 2023	Paid by Check # 101942		02/25/2023	02/28/2023	02/28/2023		03/10/2023	441.41
Account **6380.120 - Utilities Comm Mobile & Pager** Totals							Invoice Transactions	1		$441.41
Account **6400.100 - Material & Suppl CSA 74 Funded**										
11577 - ECMS, Inc.	INV681133	Turnout Repairs	Paid by Check # 101908		02/28/2023	03/06/2023	03/06/2023		03/10/2023	1,711.29
11577 - ECMS, Inc.	INV681111	Turnout Repairs	Paid by Check # 101908		02/28/2023	03/06/2023	03/06/2023		03/10/2023	1,657.74
11577 - ECMS, Inc.	INV681045	Turnout Repairs	Paid by Check # 101908		02/28/2023	03/06/2023	03/06/2023		03/10/2023	1,656.73
11810 - Jujhar Kaur Khalsa - Rescue Instruction Operations	2302252	EMT/EMR Skills for G. Sales	Paid by Check # 101914		03/08/2023	03/08/2023	03/08/2023		03/10/2023	250.00
Account **6400.100 - Material & Suppl CSA 74 Funded** Totals							Invoice Transactions	4		$5,275.76

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Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund **100 - General Fund**										
Department **250 - Fire**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6400.737 - Material & Suppl Tools & Equip**										
10601 - Vapor Cleaners, Inc.	VO-01-010371	Dry Cleaning & Alternations for J. Alvarenga Class A Uniform	Paid by Check # 101935		02/03/2023	03/06/2023	03/06/2023		03/10/2023	35.70
10601 - Vapor Cleaners, Inc.	VO-01-010355	Dry Cleaning & Alternations for J. Alvarenga Class A Uniform	Paid by Check # 101935		02/03/2023	03/06/2023	03/06/2023		03/10/2023	3.81
10601 - Vapor Cleaners, Inc.	VO-02-012289	Dry Cleaning & Alternations for S. Flores Class A Uniform	Paid by Check # 101935		02/27/2023	03/06/2023	03/06/2023		03/10/2023	61.20
				Account **6400.737 - Material & Suppl Tools & Equip** Totals			Invoice Transactions	3		$100.71
Account **6400.740 - Material & Suppl Special Dept Suppl**										
10927 - Ace Hardware - Fire Dept.	084465	Spray Lubricant for Ladder	Paid by Check # 101891		02/20/2023	03/07/2023	03/07/2023		03/10/2023	32.75
11393 - Carmel Roasters, Inc.	66172	FD Coffee (4 boxes)	Paid by Check # 101903		03/08/2023	03/08/2023	03/08/2023		03/10/2023	349.60
				Account **6400.740 - Material & Suppl Special Dept Suppl** Totals			Invoice Transactions	2		$382.35
Account **6400.796 - Material & Suppl Turnout Equip-Wildland Fires**										
10323 - L.N. Curtis & Sons	INV678984	Brush Turnout Coast, Med	Paid by Check # 101917		02/23/2023	03/06/2023	03/06/2023		03/10/2023	300.05
10323 - L.N. Curtis & Sons	INV679844	Medical Jacket, Small Dark Navy	Paid by Check # 101917		02/24/2023	03/06/2023	03/06/2023		03/10/2023	152.95
				Account **6400.796 - Material & Suppl Turnout Equip-Wildland Fires** Totals			Invoice Transactions	2		$453.00
Account **6600.455 - Other Charges Leased Parking**										
10253 - George T. Powell	03012023	Parking Rental Fees	Paid by Check # 101911		03/01/2023	03/08/2023	03/08/2023		03/10/2023	303.00
				Account **6600.455 - Other Charges Leased Parking** Totals			Invoice Transactions	1		$303.00
Account **6600.480 - Other Charges Medical Svc - Employee**										
10872 - Pinnacle Healthcare	416190	TB Test for RL	Paid by Check # 101927		02/21/2023	03/08/2023	03/08/2023		03/10/2023	20.00
				Account **6600.480 - Other Charges Medical Svc - Employee** Totals			Invoice Transactions	1		$20.00
				Sub-Division **00 - Non-Subdiv** Totals			Invoice Transactions	26		$11,595.76
				Division **000 - Non-Div** Totals			Invoice Transactions	26		$11,595.76
				Department **250 - Fire** Totals			Invoice Transactions	26		$11,595.76

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Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund **100 - General Fund**										
Department **310 - Public Works**										
Division **311 - Buildings & Grounds**										
Sub-Division **00 - Non-Subdiv**										
Account **6360.065 - Maint & Repairs Bdg NonFlagship**										
10728 - Ace Hardware-Public Works	084527	Paint Council Chambers	Paid by Check # 101893		02/24/2023	02/24/2023	02/24/2023		03/10/2023	54.60
10728 - Ace Hardware-Public Works	084534	Council Chambers	Paid by Check # 101893		02/24/2023	02/24/2023	02/24/2023		03/10/2023	131.09
10728 - Ace Hardware-Public Works	084529	Council Chambers	Paid by Check # 101893		02/24/2023	02/24/2023	02/24/2023		03/10/2023	12.00
10728 - Ace Hardware-Public Works	084533	Council Chambers	Paid by Check # 101893		02/24/2023	02/24/2023	02/24/2023		03/10/2023	69.87
10728 - Ace Hardware-Public Works	084535	Council Chambers	Paid by Check # 101893		02/24/2023	02/24/2023	02/24/2023		03/10/2023	19.65
10728 - Ace Hardware-Public Works	084571	Shop Supplies	Paid by Check # 101893		03/02/2023	02/24/2023	02/24/2023		03/10/2023	25.12
10728 - Ace Hardware-Public Works	084554	Council Chambers	Paid by Check # 101893		02/27/2023	02/24/2023	02/24/2023		03/10/2023	36.82
10728 - Ace Hardware-Public Works	084444	Glue	Paid by Check # 101893		02/16/2023	03/03/2023	03/03/2023		03/10/2023	15.27
10728 - Ace Hardware-Public Works	084550	Cleaning Supplies	Paid by Check # 101893		02/27/2023	03/03/2023	03/03/2023		03/10/2023	46.94
10728 - Ace Hardware-Public Works	084590	Buildings and Grounds	Paid by Check # 101893		03/03/2023	03/03/2023	03/03/2023		03/10/2023	98.30
10728 - Ace Hardware-Public Works	084586	Locks	Paid by Check # 101893		03/03/2023	03/03/2023	03/03/2023		03/10/2023	14.73
10034 - American Supply Co.	0175115	City Supply	Paid by Check # 101896		02/28/2023	03/03/2023	03/03/2023		03/10/2023	1,861.84
10152 - Collins Electric Co., Inc.	S2230125-1	Troubleshoot and Repair Light Pole at LGT	Paid by Check # 101905		02/22/2023	02/24/2023	02/24/2023		03/10/2023	753.55
10181 - Dave's Repair Service	34516DG	3040 Lake Drive Troubleshooting	Paid by Check # 101907		01/11/2023	02/24/2023	02/24/2023		03/10/2023	90.00
			Account **6360.065 - Maint & Repairs Bdg NonFlagship** Totals					Invoice Transactions	14	$3,229.78
Account **6360.070 - Maint & Repairs Bdg Public Safety**										
10032 - American Floors	18421	Carpet (Rec)	Paid by Check # 101895		02/23/2023	03/06/2023	03/06/2023		03/10/2023	699.00
			Account **6360.070 - Maint & Repairs Bdg Public Safety** Totals					Invoice Transactions	1	$699.00
Account **6360.440 - Maint & Repairs Landscape General**										
10250 - Gavilan Pest Control	0151727	Preston Park Squirrels	Paid by Check # 101910		02/17/2023	03/03/2023	03/03/2023		03/10/2023	180.00
10250 - Gavilan Pest Control	015662	3126 Shoemaker at Pond Rodents	Paid by Check # 101910		02/17/2023	03/03/2023	03/03/2023		03/10/2023	80.00
			Account **6360.440 - Maint & Repairs Landscape General** Totals					Invoice Transactions	2	$260.00

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Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund **100 - General Fund**										
Department **310 - Public Works**										
Division **311 - Buildings & Grounds**										
Sub-Division **00 - Non-Subdiv**										
Account **6380.500 - Utilities Water & Sewer**										
10349 - Marina Coast Water District	000056094 021623	2660 5th Ave	Paid by Check # 101920		02/16/2023	03/06/2023	03/06/2023		03/10/2023	436.02
10349 - Marina Coast Water District	000056045 021623	3100 Preston Drive	Paid by Check # 101920		02/16/2023	03/06/2023	03/06/2023		03/10/2023	182.64
10349 - Marina Coast Water District	000056046 021623	3100 Preston Drive	Paid by Check # 101920		02/16/2023	03/06/2023	03/06/2023		03/10/2023	156.44
10349 - Marina Coast Water District	000056006 021623	188 Seaside Circle	Paid by Check # 101920		02/16/2023	03/06/2023	03/06/2023		03/10/2023	45.82
10349 - Marina Coast Water District	000056042 021623	3040 Lake Drive	Paid by Check # 101920		02/16/2023	03/06/2023	03/06/2023		03/10/2023	286.88
10349 - Marina Coast Water District	000056061 021623	Reservation/Locke Paddon Park	Paid by Check # 101920		02/16/2023	03/06/2023	03/06/2023		03/10/2023	81.91
10349 - Marina Coast Water District	000056090 021623	Locke Paddon Park	Paid by Check # 101920		02/16/2023	03/06/2023	03/06/2023		03/10/2023	62.91
			Account **6380.500 - Utilities Water & Sewer** Totals					Invoice Transactions	7	$1,252.62
Account **6400.155 - Material & Suppl Dump Fees**										
10043 - Aramark Uniform Service	5110177868	PW Uniforms	Paid by Check # 101898		03/01/2023	02/24/2023	02/24/2023		03/10/2023	130.05
			Account **6400.155 - Material & Suppl Dump Fees** Totals					Invoice Transactions	1	$130.05
			Sub-Division **00 - Non-Subdiv** Totals					Invoice Transactions	25	$5,571.45
			Division **311 - Buildings & Grounds** Totals					Invoice Transactions	25	$5,571.45
Division **313 - Vehicle Maint**										
Sub-Division **00 - Non-Subdiv**										
Account **6360.690 - Maint & Repairs Supplies**										
10292 - Interstate Battery	120126730	Batteries	Paid by Check # 101912		03/01/2023	03/03/2023	03/03/2023		03/10/2023	294.50
10428 - Monterey Tire Service	1-110794	PW Vehicle	Paid by Check # 101922		02/28/2023	03/03/2023	03/03/2023		03/10/2023	214.73
10403 - NAPA Auto Parts - former Monterey Auto Supply	967010	PW Vehicle	Paid by Check # 101923		02/28/2023	03/03/2023	03/03/2023		03/10/2023	23.30
			Account **6360.690 - Maint & Repairs Supplies** Totals					Invoice Transactions	3	$532.53
Account **6360.850 - Maint & Repairs Vehicle**										
10428 - Monterey Tire Service	1-110458	Tires	Paid by Check # 101922		02/02/2023	03/03/2023	03/03/2023		03/10/2023	167.81
10528 - Salinas Valley Ford	96216	Ford F450 White	Paid by Check # 101929		12/23/2022	03/03/2023	03/03/2023		03/10/2023	3,088.92

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Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund **100 - General Fund**										
Department **310 - Public Works**										
Division **313 - Vehicle Maint**										
Sub-Division **00 - Non-Subdiv**										
Account **6360.850 - Maint & Repairs Vehicle**										
10528 - Salinas Valley Ford	98695	Ford Escape Hybrid 09 Green (Rec)	Paid by Check # 101929		02/13/2023	03/06/2023	03/06/2023		03/10/2023	571.01
Account **6360.850 - Maint & Repairs Vehicle** Totals								Invoice Transactions	3	$3,827.74
Sub-Division **00 - Non-Subdiv** Totals								Invoice Transactions	6	$4,360.27
Division **313 - Vehicle Maint** Totals								Invoice Transactions	6	$4,360.27
Department **310 - Public Works** Totals								Invoice Transactions	31	$9,931.72
Department **410 - Planning**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6300.570 - Prof Svc Other**										
11762 - Raimi + Associates, Inc	23-5609	MODS professional services from 01/01/2023 to 01/31/2023	Paid by EFT # 3059		02/28/2023	03/01/2023	03/01/2023		03/10/2023	11,851.13
Account **6300.570 - Prof Svc Other** Totals								Invoice Transactions	1	$11,851.13
Account **6400.352 - Material & Suppl IT - Software (non-capitalize)**										
10046 - ARC (Former San Jose Blue)	12016066	ARC 2/27/23	Paid by Check # 101899		02/27/2023	03/08/2023	03/08/2023		03/10/2023	259.00
Account **6400.352 - Material & Suppl IT - Software (non-capitalize)** Totals								Invoice Transactions	1	$259.00
Account **6400.565 - Material & Suppl Office Supplies**										
10732 - Office Depot-General Account	293036596001	Office Depot Planning Supplies	Paid by Check # 101925		02/22/2023	03/06/2023	03/06/2023		03/10/2023	26.70
Account **6400.565 - Material & Suppl Office Supplies** Totals								Invoice Transactions	1	$26.70
Account **6600.700 - Other Charges Refunds of Fees/Charges**										
11808 - JAJ Roofing - Citadel Roofing and Solar	7-7-22	Refund for Permit B22-000623	Paid by Check # 101913		02/24/2023	02/24/2023	02/24/2023		03/10/2023	551.50
11807 - Shirley Roberson	12-19-22	Refund for Permit B22-001037	Paid by Check # 101931		02/24/2023	02/24/2023	02/24/2023		03/10/2023	128.00
Account **6600.700 - Other Charges Refunds of Fees/Charges** Totals								Invoice Transactions	2	$679.50
Sub-Division **00 - Non-Subdiv** Totals								Invoice Transactions	5	$12,816.33
Division **000 - Non-Div** Totals								Invoice Transactions	5	$12,816.33
Department **410 - Planning** Totals								Invoice Transactions	5	$12,816.33

Accounts Payable by G/L Distribution Report

Payment Date Range 03/10/23 - 03/10/23

Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund **100 - General Fund**										
Department **430 - Building Inspection**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6380.120 - Utilities Comm Mobile & Pager**										
10603 - Verizon Wireless	9928056951	Verizon Wireless Feb 2023 (972476364-0001)	Paid by Check # 101942		02/18/2023	03/06/2023	03/06/2023		03/10/2023	40.44
Account **6380.120 - Utilities Comm Mobile & Pager** Totals								Invoice Transactions 1		$40.44
Sub-Division **00 - Non-Subdiv** Totals								Invoice Transactions 1		$40.44
Division **000 - Non-Div** Totals								Invoice Transactions 1		$40.44
Department **430 - Building Inspection** Totals								Invoice Transactions 1		$40.44
Department **510 - Recreation & Culture**										
Division **100 - Admin**										
Sub-Division **00 - Non-Subdiv**										
Account **6360.344 - Maint & Repairs IT - Office Equip & PC Upgrades**										
10153 - Comcast	02-14-23	8155 10 029 0106172	Paid by Check # 101906		02/14/2023	02/22/2023	02/22/2023		03/10/2023	152.44
Account **6360.344 - Maint & Repairs IT - Office Equip & PC Upgrades** Totals								Invoice Transactions 1		$152.44
Account **6360.360 - Maint & Repairs Janitorial**										
10080 - Branch's Janitorial	228545	Custodial Services for February 2023	Paid by Check # 101901		02/22/2023	02/28/2023	02/28/2023		03/10/2023	797.39
Account **6360.360 - Maint & Repairs Janitorial** Totals								Invoice Transactions 1		$797.39
Account **6380.150 - Utilities Comm Phone System**										
10603 - Verizon Wireless	9927947639	542484588-00001	Paid by Check # 101942		02/17/2023	03/01/2023	03/01/2023		03/10/2023	203.64
Account **6380.150 - Utilities Comm Phone System** Totals								Invoice Transactions 1		$203.64
Sub-Division **00 - Non-Subdiv** Totals								Invoice Transactions 3		$1,153.47
Division **100 - Admin** Totals								Invoice Transactions 3		$1,153.47
Division **511 - Youth**										
Sub-Division **00 - Non-Subdiv**										
Account **6360.360 - Maint & Repairs Janitorial**										
10080 - Branch's Janitorial	228545	Custodial Services for February 2023	Paid by Check # 101901		02/22/2023	02/28/2023	02/28/2023		03/10/2023	370.19
Account **6360.360 - Maint & Repairs Janitorial** Totals								Invoice Transactions 1		$370.19
Account **6400.660 - Material & Suppl Recr Youth Progr**										
10726 - Ace Hardware-Parks&Recreation	083351	107	Paid by Check # 101892		10/19/2022	02/22/2023	02/22/2023		03/10/2023	54.60
Account **6400.660 - Material & Suppl Recr Youth Progr** Totals								Invoice Transactions 1		$54.60
Sub-Division **00 - Non-Subdiv** Totals								Invoice Transactions 2		$424.79
Division **511 - Youth** Totals								Invoice Transactions 2		$424.79

Accounts Payable by G/L Distribution Report

Payment Date Range 03/10/23 - 03/10/23

Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund **100 - General Fund**										
Department **510 - Recreation & Culture**										
Division **512 - Teen**										
Sub-Division **00 - Non-Subdiv**										
Account **6360.360 - Maint & Repairs Janitorial**										
10080 - Branch's Janitorial	228545	Custodial Services for February 2023	Paid by Check # 101901		02/22/2023	02/28/2023	02/28/2023		03/10/2023	521.70
Account **6360.360 - Maint & Repairs Janitorial** Totals								Invoice Transactions 1		$521.70
Sub-Division **00 - Non-Subdiv** Totals								Invoice Transactions 1		$521.70
Division **512 - Teen** Totals								Invoice Transactions 1		$521.70
Division **513 - Senior**										
Sub-Division **00 - Non-Subdiv**										
Account **6360.360 - Maint & Repairs Janitorial**										
10080 - Branch's Janitorial	228545	Custodial Services for February 2023	Paid by Check # 101901		02/22/2023	02/28/2023	02/28/2023		03/10/2023	370.19
Account **6360.360 - Maint & Repairs Janitorial** Totals								Invoice Transactions 1		$370.19
Sub-Division **00 - Non-Subdiv** Totals								Invoice Transactions 1		$370.19
Division **513 - Senior** Totals								Invoice Transactions 1		$370.19
Division **514 - Sports**										
Sub-Division **00 - Non-Subdiv**										
Account **6400.656 - Material & Suppl Recr Sports Prog**										
10726 - Ace Hardware-Parks&Recreation	083295	107	Paid by Check # 101892		10/13/2022	02/22/2023	02/22/2023		03/10/2023	33.83
Account **6400.656 - Material & Suppl Recr Sports Prog** Totals								Invoice Transactions 1		$33.83
Sub-Division **00 - Non-Subdiv** Totals								Invoice Transactions 1		$33.83
Division **514 - Sports** Totals								Invoice Transactions 1		$33.83
Department **510 - Recreation & Culture** Totals								Invoice Transactions 8		$2,503.98
Fund **100 - General Fund** Totals								Invoice Transactions 112		$91,298.35

Accounts Payable by G/L Distribution Report

Payment Date Range 03/10/23 - 03/10/23

Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund **220 - Gas Tax**										
Department **000 - Non-Dept**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6380.120 - Utilities Comm Mobile & Pager**										
10603 - Verizon Wireless	9928056951	Verizon Wireless Feb 2023 (972476364-0001)	Paid by Check # 101942		02/18/2023	03/06/2023	03/06/2023		03/10/2023	430.60
Account **6380.120 - Utilities Comm Mobile & Pager** Totals								Invoice Transactions	1	$430.60
Account **6380.300 - Utilities Gas & Electric**										
10463 - Pacific Gas & Electric	Feb 2023	PG&E - 3982644483-6	Paid by Check # 101926		02/14/2023	03/07/2023	03/07/2023		03/10/2023	13,291.62
Account **6380.300 - Utilities Gas & Electric** Totals								Invoice Transactions	1	$13,291.62
Account **6380.500 - Utilities Water & Sewer**										
10349 - Marina Coast Water District	000056040 021623	Hilo Ave	Paid by Check # 101920		02/16/2023	03/06/2023	03/06/2023		03/10/2023	28.34
10349 - Marina Coast Water District	000056028 021623	California at Jerry Court	Paid by Check # 101920		02/16/2023	03/06/2023	03/06/2023		03/10/2023	38.22
Account **6380.500 - Utilities Water & Sewer** Totals								Invoice Transactions	2	$66.56
Account **6400.230 - Material & Suppl Fuel - Gas and Diesel**										
10233 - Fastenal Company	CASAL 158098	City Supply	Paid by EFT # 3057		03/03/2023	03/06/2023	03/06/2023		03/10/2023	379.36
Account **6400.230 - Material & Suppl Fuel - Gas and Diesel** Totals								Invoice Transactions	1	$379.36
Account **6400.750 - Material & Suppl Street Material (non-capitalize)**										
10043 - Aramark Uniform Service	5110177869	PW Shop Supplies	Paid by Check # 101898		03/01/2023	02/24/2023	02/24/2023		03/10/2023	62.36
Account **6400.750 - Material & Suppl Street Material (non-capitalize)** Totals								Invoice Transactions	1	$62.36
Sub-Division **00 - Non-Subdiv** Totals								Invoice Transactions	6	$14,230.50
Division **000 - Non-Div** Totals								Invoice Transactions	6	$14,230.50
Department **000 - Non-Dept** Totals								Invoice Transactions	6	$14,230.50
Fund **220 - Gas Tax** Totals								Invoice Transactions	6	$14,230.50

Accounts Payable by G/L Distribution Report

Payment Date Range 03/10/23 - 03/10/23

Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund **223 - FORA Dissolution**										
Department **000 - Non-Dept**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6300.570 - Prof Svc Other**										
11489 - Wallace Group, Inc.	58756	Program Management	Paid by Check # 101936		02/28/2023	03/03/2023	03/03/2023		03/10/2023	1,250.88
				Account **6300.570 - Prof Svc Other** Totals			Invoice Transactions	1		$1,250.88
				Sub-Division **00 - Non-Subdiv** Totals			Invoice Transactions	1		$1,250.88
				Division **000 - Non-Div** Totals			Invoice Transactions	1		$1,250.88
				Department **000 - Non-Dept** Totals			Invoice Transactions	1		$1,250.88
				Fund **223 - FORA Dissolution** Totals			Invoice Transactions	1		$1,250.88

Accounts Payable by G/L Distribution Report

Payment Date Range 03/10/23 - 03/10/23

Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund **422 - Capital Projects - Measure X**										
Department **000 - Non-Dept**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6300.570 - Prof Svc Other**										
11489 - Wallace Group, Inc.	58756	Program Management	Paid by Check # 101936		02/28/2023	03/03/2023	03/03/2023		03/10/2023	4,570.00
				Account **6300.570 - Prof Svc Other** Totals			Invoice Transactions	1		$4,570.00
				Sub-Division **00 - Non-Subdiv** Totals			Invoice Transactions	1		$4,570.00
				Division **000 - Non-Div** Totals			Invoice Transactions	1		$4,570.00
				Department **000 - Non-Dept** Totals			Invoice Transactions	1		$4,570.00
				Fund **422 - Capital Projects - Measure X** Totals			Invoice Transactions	1		$4,570.00

Accounts Payable by G/L Distribution Report

Payment Date Range 03/10/23 - 03/10/23

Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund **462 - City Capital Projects**										
Department **000 - Non-Dept**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6300.570 - Prof Svc Other**										
11775 - Axiom Home Tech	207186	Marina Public Library	Paid by EFT # 3054		03/06/2023	03/06/2023	03/06/2023		03/10/2023	33,802.63
11762 - Raimi + Associates, Inc	23-5622	Services from 01/01/2023 to 01/31/2023	Paid by EFT # 3059		03/06/2023	03/06/2023	03/06/2023		03/10/2023	17,597.55
11489 - Wallace Group, Inc.	58756	Program Management	Paid by Check # 101936		02/28/2023	03/03/2023	03/03/2023		03/10/2023	18,891.16
10316 - Kimley-Horn & Associates	097789008-1222	Imjin Parkway PS&E	Paid by Check # 101916		12/31/2023	02/24/2023	02/24/2023		03/10/2023	6,040.50
				Account **6300.570 - Prof Svc Other** Totals			Invoice Transactions	4		$76,331.84
				Sub-Division **00 - Non-Subdiv** Totals			Invoice Transactions	4		$76,331.84
				Division **000 - Non-Div** Totals			Invoice Transactions	4		$76,331.84
				Department **000 - Non-Dept** Totals			Invoice Transactions	4		$76,331.84
				Fund **462 - City Capital Projects** Totals			Invoice Transactions	4		$76,331.84

Accounts Payable by G/L Distribution Report

Payment Date Range 03/10/23 - 03/10/23

Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund **555 - Marina Airport**										
Department **000 - Non-Dept**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6360.050 - Maint & Repairs Building**										
10183 - Marina Backflow Co.	2551	741 Neeson Rd Repairs and Test on Backflow Device	Paid by Check # 101919		03/06/2023	03/08/2023	03/08/2023		03/10/2023	515.25
				Account **6360.050 - Maint & Repairs Building** Totals				Invoice Transactions	1	$515.25
Account **6380.150 - Utilities Comm Phone System**										
10758 - AT & T CALNET3	000019581879	Fire Alarms Hangars Bldgs 524 & 533 (9391023443)	Paid by Check # 101900		02/28/2023	03/08/2023	03/08/2023		03/10/2023	52.55
10758 - AT & T CALNET3	000019561880	Fire Alarms Hangar Bldgs 524 & 533 (9391023444)	Paid by Check # 101900		02/28/2023	03/08/2023	03/08/2023		03/10/2023	52.55
10758 - AT & T CALNET3	000019561885	AWOS Auto Weather Station	Paid by Check # 101900		02/28/2023	03/08/2023	03/08/2023		03/10/2023	29.23
				Account **6380.150 - Utilities Comm Phone System** Totals				Invoice Transactions	3	$134.33
Account **6380.300 - Utilities Gas & Electric**										
10603 - Verizon Wireless	9928056951	Verizon Wireless Feb 2023 (972476364-0001)	Paid by Check # 101942		02/18/2023	03/06/2023	03/06/2023		03/10/2023	34.96
				Account **6380.300 - Utilities Gas & Electric** Totals				Invoice Transactions	1	$34.96
Account **6400.232 - Material & Suppl Fuel - Aviation Jet A**										
10227 - Epic Aviation	7669799	Jet A Fuel	Paid by Check # 101909		03/02/2023	03/06/2023	03/06/2023		03/10/2023	29,148.43
				Account **6400.232 - Material & Suppl Fuel - Aviation Jet A** Totals				Invoice Transactions	1	$29,148.43
				Sub-Division **00 - Non-Subdiv** Totals				Invoice Transactions	6	$29,832.97
				Division **000 - Non-Div** Totals				Invoice Transactions	6	$29,832.97
				Department **000 - Non-Dept** Totals				Invoice Transactions	6	$29,832.97
				Fund **555 - Marina Airport** Totals				Invoice Transactions	6	$29,832.97
				Grand Totals				Invoice Transactions	130	$217,514.54

Accounts Payable by G/L Distribution Report

Payment Date Range 03/17/23 - 03/17/23

Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund **100 - General Fund**										
Department **120 - City Mgr/HR/Risk**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6300.305 - Prof Svc HR - Citywide Recruit/Background**										
11787 - Robert Hall Bob Hall & Associates	1157	Human Resources Director Recruitment - Milestone 2	Paid by Check # 101947		03/13/2023	03/13/2023	03/13/2023		03/17/2023	6,500.00
10872 - Pinnacle Healthcare	418770	Pinnacle Healthcare - Pre Emp Px	Paid by Check # 101965		03/02/2023	03/08/2023	03/08/2023		03/17/2023	50.00
10872 - Pinnacle Healthcare	415520	Pinnacle Healthcare - Pre Emp Px	Paid by Check # 101965		02/17/2023	03/08/2023	03/08/2023		03/17/2023	202.00
				Account **6300.305 - Prof Svc HR - Citywide Recruit/Background** Totals				Invoice Transactions	3	$6,752.00
				Sub-Division **00 - Non-Subdiv** Totals				Invoice Transactions	3	$6,752.00
				Division **000 - Non-Div** Totals				Invoice Transactions	3	$6,752.00
				Department **120 - City Mgr/HR/Risk** Totals				Invoice Transactions	3	$6,752.00
Department **125 - I. T.**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6360.076 - Maint & Repairs Copier**										
10406 - Monterey Bay Systems	441208	City Hall Copier Staples	Paid by Check # 101975		02/07/2023	03/10/2023	03/10/2023		03/17/2023	372.55
10592 - U.S. Bank Equipment Finance-USbancorp	495363970	CDD Copier Lease Payment - March 2023	Paid by Check # 101972		02/27/2023	03/06/2023	03/06/2023		03/17/2023	216.32
				Account **6360.076 - Maint & Repairs Copier** Totals				Invoice Transactions	2	$588.87
				Sub-Division **00 - Non-Subdiv** Totals				Invoice Transactions	2	$588.87
				Division **000 - Non-Div** Totals				Invoice Transactions	2	$588.87
				Department **125 - I. T.** Totals				Invoice Transactions	2	$588.87
Department **130 - Finance**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6300.216 - Prof Svc Fin - Accounting Services**										
10511 - Richard B. Standridge	2023-00000936	Service 2/27-3/9/2023	Paid by EFT # 3082		03/10/2023	03/10/2023	03/10/2023		03/17/2023	3,182.50
				Account **6300.216 - Prof Svc Fin - Accounting Services** Totals				Invoice Transactions	1	$3,182.50
Account **6600.625 - Other Charges Printing Svc**										
10028 - Altec	1227619	AP CHECK - 3000 QTY	Paid by Check # 101945		03/13/2023	03/14/2023	03/14/2023		03/17/2023	797.88
				Account **6600.625 - Other Charges Printing Svc** Totals				Invoice Transactions	1	$797.88
				Sub-Division **00 - Non-Subdiv** Totals				Invoice Transactions	2	$3,980.38
				Division **000 - Non-Div** Totals				Invoice Transactions	2	$3,980.38
				Department **130 - Finance** Totals				Invoice Transactions	2	$3,980.38

Accounts Payable by G/L Distribution Report

Payment Date Range 03/17/23 - 03/17/23

Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund **100 - General Fund**										
Department **150 - City Attorney**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6300.450 - Prof Svc Legal - City Attorney Other Svc**										
10257 - Goldfarb & Lipman	462470	Affordable Housing - February 2023	Paid by EFT # 3081		03/10/2023	03/13/2023	03/13/2023		03/17/2023	288.00
10257 - Goldfarb & Lipman	462468	Marina Heights - February 2023	Paid by EFT # 3081		03/13/2023	03/13/2023	03/13/2023		03/17/2023	3,414.00
10257 - Goldfarb & Lipman	462467	General Files - February 2023	Paid by EFT # 3081		03/13/2023	03/13/2023	03/13/2023		03/17/2023	224.00
				Account **6300.450 - Prof Svc Legal - City Attorney Other Svc** Totals				Invoice Transactions	3	$3,926.00
				Sub-Division **00 - Non-Subdiv** Totals				Invoice Transactions	3	$3,926.00
				Division **000 - Non-Div** Totals				Invoice Transactions	3	$3,926.00
				Department **150 - City Attorney** Totals				Invoice Transactions	3	$3,926.00
Department **190 - Citywide Non-Dept**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6360.050 - Maint & Repairs Building**										
11456 - William A. Thayer Construction, Inc	2021-16-2	Marina City Hall Lobby	Paid by EFT # 3086		03/06/2023	03/08/2023	03/08/2023		03/17/2023	14,046.99
				Account **6360.050 - Maint & Repairs Building** Totals				Invoice Transactions	1	$14,046.99
Account **6380.300 - Utilities Gas & Electric**										
10463 - Pacific Gas & Electric	March 2023	PG&E 6793435313-6	Paid by Check # 101964		02/27/2023	03/14/2023	03/14/2023		03/17/2023	10,156.48
				Account **6380.300 - Utilities Gas & Electric** Totals				Invoice Transactions	1	$10,156.48
Account **6380.500 - Utilities Water & Sewer**										
10432 - Monterey One Water - former MRWPCA	12-000009 013123	208 Palm Ave	Paid by Check # 101963		01/31/2023	03/06/2023	03/06/2023		03/17/2023	210.76
				Account **6380.500 - Utilities Water & Sewer** Totals				Invoice Transactions	1	$210.76
Account **6400.635 - Material & Suppl Postage Shipping**										
10480 - Pitney Bowes	3105965068	Postage Meter Quarterly Lease Payment	Paid by Check # 101966		02/23/2023	03/06/2023	03/06/2023		03/17/2023	1,375.38
				Account **6400.635 - Material & Suppl Postage Shipping** Totals				Invoice Transactions	1	$1,375.38
Account **6600.452 - Other Charges Leased Copier**										
11451 - Monterey Bay Office Products - US Bank	495983561	City Hall Copier Lease Payment - March 2023	Paid by Check # 101960		03/04/2023	03/10/2023	03/10/2023		03/17/2023	380.20
				Account **6600.452 - Other Charges Leased Copier** Totals				Invoice Transactions	1	$380.20
				Sub-Division **00 - Non-Subdiv** Totals				Invoice Transactions	5	$26,169.81
				Division **000 - Non-Div** Totals				Invoice Transactions	5	$26,169.81
				Department **190 - Citywide Non-Dept** Totals				Invoice Transactions	5	$26,169.81

Accounts Payable by G/L Distribution Report

Payment Date Range 03/17/23 - 03/17/23

Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund **100 - General Fund**										
Department **210 - Police**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6300.570 - Prof Svc Other**										
10244 - Chaz Design	3581	Marina Police Department	Paid by Check # 101950		02/16/2023	03/14/2023	03/14/2023		03/17/2023	213.80
10244 - Chaz Design	3540	Marina Police Department	Paid by Check # 101950		02/16/2023	03/14/2023	03/14/2023		03/17/2023	631.67
10244 - Chaz Design	3555	Marina Police Department	Paid by Check # 101950		02/16/2023	03/14/2023	03/14/2023		03/17/2023	1,875.97
10342 - Monterey County Peace Officers Association-MCPOA	2023010R	Marina 2023	Paid by Check # 101962		03/05/2023	03/14/2023	03/14/2023		03/17/2023	420.00
10456 - Shred-it USA - Stericycle, Inc.	8003358658	Cust #1000200361	Paid by Check # 101970		02/18/2023	03/14/2023	03/14/2023		03/17/2023	407.18
				Account **6300.570 - Prof Svc Other** Totals			Invoice Transactions	5		$3,548.62
Account **6360.050 - Maint & Repairs Building**										
10239 - First Alarm	735868	Cust #9537 - Marina Public Safety Dept.	Paid by EFT # 3080		02/15/2023	03/14/2023	03/14/2023		03/17/2023	199.80
10239 - First Alarm	731861	Cust #9537 - Marina Public Safety Dept.	Paid by EFT # 3080		01/30/2023	03/14/2023	03/14/2023		03/17/2023	350.00
				Account **6360.050 - Maint & Repairs Building** Totals			Invoice Transactions	2		$549.80
Account **6380.120 - Utilities Comm Mobile & Pager**										
10603 - Verizon Wireless	9927979340	Acct #272493672-00001	Paid by EFT # 3084		02/18/2023	03/14/2023	03/14/2023		03/17/2023	1,727.71
				Account **6380.120 - Utilities Comm Mobile & Pager** Totals			Invoice Transactions	1		$1,727.71
Account **6380.300 - Utilities Gas & Electric**										
10463 - Pacific Gas & Electric	02-09-23	Acct #2652040767-2	Paid by Check # 101964		02/09/2023	03/14/2023	03/14/2023		03/17/2023	88.92
				Account **6380.300 - Utilities Gas & Electric** Totals			Invoice Transactions	1		$88.92
Account **6400.230 - Material & Suppl Fuel - Gas and Diesel**										
11324 - Wex Bank (former Chevron Fuel Cards)	86518491	Acct # 049-00-521501-7	Paid by EFT # 3085		01/23/2023	03/14/2023	03/14/2023		03/17/2023	161.49
11324 - Wex Bank (former Chevron Fuel Cards)	87299114	Acct #0496-00-521501-7	Paid by EFT # 3085		02/23/2023	03/15/2023	03/15/2023		03/17/2023	189.81
				Account **6400.230 - Material & Suppl Fuel - Gas and Diesel** Totals			Invoice Transactions	2		$351.30
Account **6400.565 - Material & Suppl Office Supplies**										
10498 - Quill Corporation	30874759	Acct # 7474999	Paid by Check # 101968		02/16/2023	03/14/2023	03/14/2023		03/17/2023	394.27
				Account **6400.565 - Material & Suppl Office Supplies** Totals			Invoice Transactions	1		$394.27
Account **6400.635 - Material & Suppl Postage Shipping**										
10235 - FedEx	8-042-96040	Acct #3995-9218-6	Paid by Check # 101953		02/17/2023	03/14/2023	03/14/2023		03/17/2023	152.54
				Account **6400.635 - Material & Suppl Postage Shipping** Totals			Invoice Transactions	1		$152.54

Accounts Payable by G/L Distribution Report

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Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund **100 - General Fund**										
Department **210 - Police**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6500.620 - Training & Travel POST**										
11715 - Savage Training Group LLC	1827	Supervisors Seminar 1/26-27 - C. Peliova	Paid by Check # 101969		11/09/2023	03/15/2023	03/15/2023		03/17/2023	412.08
				Account **6500.620 - Training & Travel POST** Totals				Invoice Transactions	1	$412.08
Account **6600.465 - Other Charges Live Scan**										
10193 - California Department of Justice	632869	Cust #110312	Paid by Check # 101948		02/03/2023	03/14/2023	03/14/2023		03/17/2023	32.00
10193 - California Department of Justice	639457	Cust #110312	Paid by Check # 101948		03/02/2023	03/14/2023	03/14/2023		03/17/2023	290.00
				Account **6600.465 - Other Charges Live Scan** Totals				Invoice Transactions	2	$322.00
Account **6600.625 - Other Charges Printing Svc**										
11790 - Quality Print & Copy	23366	Business Cards - Parra, Gamboa, Dela Cuadra, Ruelas	Paid by Check # 101967		02/17/2023	03/14/2023	03/14/2023		03/17/2023	415.15
				Account **6600.625 - Other Charges Printing Svc** Totals				Invoice Transactions	1	$415.15
				Sub-Division **00 - Non-Subdiv** Totals				Invoice Transactions	17	$7,962.39
				Division **000 - Non-Div** Totals				Invoice Transactions	17	$7,962.39
				Department **210 - Police** Totals				Invoice Transactions	17	$7,962.39
Department **250 - Fire**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6300.570 - Prof Svc Other**										
10841 - Carmel Fire Protection Associates - Art Black	123071	Letter Registration & Inspections for 2072 Abrams Court	Paid by Check # 101949		03/08/2023	03/14/2023	03/14/2023		03/17/2023	200.00
10841 - Carmel Fire Protection Associates - Art Black	123072	Letter Registration & Inspections for 2977 Bayonet Court	Paid by Check # 101949		03/08/2023	03/14/2023	03/14/2023		03/17/2023	200.00
10841 - Carmel Fire Protection Associates - Art Black	123073	Letter Registration & Inspections for 2979 Abrams Court	Paid by Check # 101949		03/08/2023	03/14/2023	03/14/2023		03/17/2023	200.00
10841 - Carmel Fire Protection Associates - Art Black	123074	Letter Registration & Inspections for 2981 Bayonet Court	Paid by Check # 101949		03/08/2023	03/14/2023	03/14/2023		03/17/2023	200.00
10841 - Carmel Fire Protection Associates - Art Black	123076	Letter Registration & Inspections for 2985 Bayonet Court	Paid by Check # 101949		03/09/2023	03/14/2023	03/14/2023		03/17/2023	200.00
10841 - Carmel Fire Protection Associates - Art Black	123075	Letter Registration & Inspections for 2983 Bayonet Court	Paid by Check # 101949		03/09/2023	03/14/2023	03/14/2023		03/17/2023	200.00

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Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund **100 - General Fund**										
Department **250 - Fire**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6300.570 - Prof Svc Other**										
10841 - Carmel Fire Protection Associates - Art Black	123082	Plan review & inspection at Brass Tap, 99 General Stillwell	Paid by Check # 101949		03/12/2023	03/14/2023	03/14/2023		03/17/2023	200.00
10841 - Carmel Fire Protection Associates - Art Black	2023-E	Apartment Inspections (30 Apts)	Paid by Check # 101949		03/10/2023	03/14/2023	03/14/2023		03/17/2023	2,250.00
				Account **6300.570 - Prof Svc Other** Totals				Invoice Transactions	8	$3,650.00
Account **6400.740 - Material & Suppl Special Dept Suppl**										
10927 - Ace Hardware - Fire Dept.	084678	Medium Hooks	Paid by Check # 101943		03/12/2023	03/14/2023	03/14/2023		03/17/2023	14.19
				Account **6400.740 - Material & Suppl Special Dept Suppl** Totals				Invoice Transactions	1	$14.19
				Sub-Division **00 - Non-Subdiv** Totals				Invoice Transactions	9	$3,664.19
				Division **000 - Non-Div** Totals				Invoice Transactions	9	$3,664.19
				Department **250 - Fire** Totals				Invoice Transactions	9	$3,664.19
Department **310 - Public Works**										
Division **311 - Buildings & Grounds**										
Sub-Division **00 - Non-Subdiv**										
Account **6360.065 - Maint & Repairs Bdg NonFlagship**										
10728 - Ace Hardware-Public Works	084609	Gorilla tape	Paid by Check # 101944		03/06/2023	03/06/2023	03/06/2023		03/17/2023	16.38
10728 - Ace Hardware-Public Works	084601	Threadlocker	Paid by Check # 101944		03/06/2023	03/06/2023	03/06/2023		03/17/2023	22.67
10728 - Ace Hardware-Public Works	084603	Tate Building	Paid by Check # 101944		03/06/2023	03/06/2023	03/06/2023		03/17/2023	55.25
10728 - Ace Hardware-Public Works	084626	Fasteners	Paid by Check # 101944		03/07/2023	03/08/2023	03/08/2023		03/17/2023	1.96
10728 - Ace Hardware-Public Works	084622	Hangers	Paid by Check # 101944		03/07/2023	03/08/2023	03/08/2023		03/17/2023	9.18
10728 - Ace Hardware-Public Works	084625	Fasteners	Paid by Check # 101944		03/07/2023	03/08/2023	03/08/2023		03/17/2023	15.01
10728 - Ace Hardware-Public Works	084624	Screws	Paid by Check # 101944		03/07/2023	03/08/2023	03/08/2023		03/17/2023	29.48
10728 - Ace Hardware-Public Works	084617	Play Sand	Paid by Check # 101944		03/07/2023	03/08/2023	03/08/2023		03/17/2023	76.37
10728 - Ace Hardware-Public Works	084604	Dulmat	Paid by Check # 101944		03/06/2023	03/08/2023	03/08/2023		03/17/2023	21.84
10728 - Ace Hardware-Public Works	084615	Sand and Screws	Paid by Check # 101944		03/07/2023	03/08/2023	03/08/2023		03/17/2023	77.47
10034 - American Supply Co.	0175116	PW	Paid by Check # 101946		02/28/2023	03/06/2023	03/06/2023		03/17/2023	71.78

Accounts Payable by G/L Distribution Report

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Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund **100 - General Fund**										
Department **310 - Public Works**										
Division **311 - Buildings & Grounds**										
Sub-Division **00 - Non-Subdiv**										
Account **6360.065 - Maint & Repairs Bdg NonFlagship**										
10250 - Gavilan Pest Control	0152279	211 Hillcrest Ave Rodents	Paid by Check # 101954		03/02/2023	03/06/2023	03/06/2023		03/17/2023	82.00
Account **6360.065 - Maint & Repairs Bdg NonFlagship** Totals								Invoice Transactions	12	$479.39
Account **6360.070 - Maint & Repairs Bdg Public Safety**										
10728 - Ace Hardware-Public Works	084619	PD Office	Paid by Check # 101944		03/07/2023	03/08/2023	03/08/2023		03/17/2023	16.38
10263 - Green Line	78126	Grease Trap	Paid by Check # 101955		02/24/2023	02/24/2023	03/06/2023		03/17/2023	1,360.00
Account **6360.070 - Maint & Repairs Bdg Public Safety** Totals								Invoice Transactions	2	$1,376.38
Account **6360.170 - Maint & Repairs Elevator Svc**										
10574 - TK Elevator	3007130847	Full Maintenance	Paid by Check # 101971		03/01/2023	03/06/2023	03/06/2023		03/17/2023	1,438.85
Account **6360.170 - Maint & Repairs Elevator Svc** Totals								Invoice Transactions	1	$1,438.85
Account **6380.500 - Utilities Water & Sewer**										
10349 - Marina Coast Water District	000056100 022823	9th Street (Irrigation) Parcels L&M	Paid by Check # 101959		02/28/2023	03/06/2023	03/06/2023		03/17/2023	182.64
10349 - Marina Coast Water District	000056099 022823	9th Street West of 2nd Avenue	Paid by Check # 101959		02/28/2023	03/08/2023	03/08/2023		03/17/2023	177.74
Account **6380.500 - Utilities Water & Sewer** Totals								Invoice Transactions	2	$360.38
Sub-Division **00 - Non-Subdiv** Totals								Invoice Transactions	17	$3,655.00
Division **311 - Buildings & Grounds** Totals								Invoice Transactions	17	$3,655.00
Division **313 - Vehicle Maint**										
Sub-Division **00 - Non-Subdiv**										
Account **6360.690 - Maint & Repairs Supplies**										
10825 - East Bay Tire Co.	1914995	Fire Truck 5412	Paid by Check # 101952		03/07/2023	03/08/2023	03/08/2023		03/17/2023	2,476.28
10292 - Interstate Battery	110107781	Batteries	Paid by Check # 101957		02/07/2023	03/08/2023	03/08/2023		03/17/2023	294.60
Account **6360.690 - Maint & Repairs Supplies** Totals								Invoice Transactions	2	$2,770.88
Sub-Division **00 - Non-Subdiv** Totals								Invoice Transactions	2	$2,770.88
Division **313 - Vehicle Maint** Totals								Invoice Transactions	2	$2,770.88
Department **310 - Public Works** Totals								Invoice Transactions	19	$6,425.88

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Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund **100 - General Fund**										
Department **410 - Planning**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6300.570 - Prof Svc Other**										
10189 - Denise Duffy & Associates	8334	Museum of Handcar Technology	Paid by Check # 101951		12/08/2022	03/14/2023	03/14/2023		03/17/2023	8,677.00
				Account **6300.570 - Prof Svc Other** Totals				Invoice Transactions	1	$8,677.00
Account **6300.610 - Prof Svc Planning - Consultant**										
10515 - Rincon Consultants, Inc.	46378	Marina Housing Element Update	Paid by EFT # 3083		03/10/2023	03/10/2023	03/10/2023		03/17/2023	17,177.75
10268 - Harris & Associates	56607	Harris & Associates January 29, 2023 to February 25, 2023	Paid by Check # 101956		03/09/2023	03/09/2023	03/09/2023		03/17/2023	8,157.50
10515 - Rincon Consultants, Inc.	46416	Marina On-Call GIS Services	Paid by EFT # 3083		03/10/2023	03/10/2023	03/10/2023		03/17/2023	807.50
				Account **6300.610 - Prof Svc Planning - Consultant** Totals				Invoice Transactions	3	$26,142.75
				Sub-Division **00 - Non-Subdiv** Totals				Invoice Transactions	4	$34,819.75
				Division **000 - Non-Div** Totals				Invoice Transactions	4	$34,819.75
				Department **410 - Planning** Totals				Invoice Transactions	4	$34,819.75
Department **430 - Building Inspection**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6300.070 - Prof Svc Building Plan Check & Inspection**										
10171 - CSG Consultants	B230257	CSG Building Plan Review Services 2/1/2023 - 2/28/2023	Paid by EFT # 3077		03/01/2023	03/15/2023	03/15/2023		03/17/2023	711.85
				Account **6300.070 - Prof Svc Building Plan Check & Inspection** Totals				Invoice Transactions	1	$711.85
Account **6300.100 - Prof Svc Code Enforcement**										
11477 - Cheryl Kent - DBA Fastrac	2023-25	Code Enforcement Investigations	Paid by Check # 101974		03/07/2023	03/08/2023	03/08/2023		03/17/2023	1,260.00
11477 - Cheryl Kent - DBA Fastrac	2023-30	Code Enforcement Investigations	Paid by Check # 101974		03/10/2023	03/10/2023	03/10/2023		03/17/2023	1,540.00
				Account **6300.100 - Prof Svc Code Enforcement** Totals				Invoice Transactions	2	$2,800.00
				Sub-Division **00 - Non-Subdiv** Totals				Invoice Transactions	3	$3,511.85
				Division **000 - Non-Div** Totals				Invoice Transactions	3	$3,511.85
				Department **430 - Building Inspection** Totals				Invoice Transactions	3	$3,511.85
				Fund **100 - General Fund** Totals				Invoice Transactions	67	$97,801.12

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Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund **110 - Vehicle and Equipment**										
Department **000 - Non-Dept**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6600.450 - Other Charges Leases & Rents**										
11491 - Enterprise FM Trust - Fleet Lease payments only	FBN4689041	Lease Payment/February 23	Paid by EFT # 3079		03/03/2023	03/08/2023	03/08/2023		03/17/2023	21,327.73
Account **6600.450 - Other Charges Leases & Rents** Totals							Invoice Transactions	1		$21,327.73
Sub-Division **00 - Non-Subdiv** Totals							Invoice Transactions	1		$21,327.73
Division **000 - Non-Div** Totals							Invoice Transactions	1		$21,327.73
Department **000 - Non-Dept** Totals							Invoice Transactions	1		$21,327.73
Fund **110 - Vehicle and Equipment** Totals							Invoice Transactions	1		$21,327.73

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Payment Date Range 03/17/23 - 03/17/23

Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund **220 - Gas Tax**										
Department **000 - Non-Dept**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6380.300 - Utilities Gas & Electric**										
10463 - Pacific Gas & Electric	March 2023	PG&E 6793435313-6	Paid by Check # 101964		02/27/2023	03/14/2023	03/14/2023		03/17/2023	616.86
				Account **6380.300 - Utilities Gas & Electric** Totals			Invoice Transactions	1		$616.86
Account **6380.500 - Utilities Water & Sewer**										
10349 - Marina Coast Water District	000056036 022823	2nd Ave/Divarty & Intergarrison	Paid by Check # 101959		02/28/2023	03/08/2023	03/08/2023		03/17/2023	177.74
10349 - Marina Coast Water District	000056037 022823	2nd Ave	Paid by Check # 101959		02/28/2023	03/08/2023	03/08/2023		03/17/2023	177.74
10349 - Marina Coast Water District	000056095 022823	2nd Ave	Paid by Check # 101959		02/28/2023	03/08/2023	03/08/2023		03/17/2023	177.74
				Account **6380.500 - Utilities Water & Sewer** Totals			Invoice Transactions	3		$533.22
				Sub-Division **00 - Non-Subdiv** Totals			Invoice Transactions	4		$1,150.08
				Division **000 - Non-Div** Totals			Invoice Transactions	4		$1,150.08
				Department **000 - Non-Dept** Totals			Invoice Transactions	4		$1,150.08
				Fund **220 - Gas Tax** Totals			Invoice Transactions	4		$1,150.08

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Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund **233 - Monterey Bay Estates AD**										
Department **000 - Non-Dept**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6380.300 - Utilities Gas & Electric**										
10463 - Pacific Gas & Electric	March 2023	PG&E 6793435313-6	Paid by Check # 101964		02/27/2023	03/14/2023	03/14/2023		03/17/2023	(27.51)
Account **6380.300 - Utilities Gas & Electric** Totals							Invoice Transactions 1			($27.51)
Sub-Division **00 - Non-Subdiv** Totals							Invoice Transactions 1			($27.51)
Division **000 - Non-Div** Totals							Invoice Transactions 1			($27.51)
Department **000 - Non-Dept** Totals							Invoice Transactions 1			($27.51)
Fund **233 - Monterey Bay Estates AD** Totals							Invoice Transactions 1			($27.51)

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Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund **235 - Cypress Cove II AD**										
Department **000 - Non-Dept**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6380.300 - Utilities Gas & Electric**										
10463 - Pacific Gas & Electric	March 2023	PG&E 6793435313-6	Paid by Check # 101964		02/27/2023	03/14/2023	03/14/2023		03/17/2023	(27.88)
Account **6380.300 - Utilities Gas & Electric** Totals							Invoice Transactions 1			($27.88)
Sub-Division **00 - Non-Subdiv** Totals							Invoice Transactions 1			($27.88)
Division **000 - Non-Div** Totals							Invoice Transactions 1			($27.88)
Department **000 - Non-Dept** Totals							Invoice Transactions 1			($27.88)
Fund **235 - Cypress Cove II AD** Totals							Invoice Transactions 1			($27.88)

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Payment Date Range 03/17/23 - 03/17/23

Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund **422 - Capital Projects - Measure X**										
Department **000 - Non-Dept**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6300.570 - Prof Svc Other**										
11037 - Don Chapin Company, Inc.	78146	Reservation Rd Grind/Pave/Crackfill/Stripe	Paid by EFT # 3078		02/28/2023	03/08/2023	03/08/2023		03/17/2023	35,330.82
11037 - Don Chapin Company, Inc.	78121	Reservation Road Grind/Pave/Crackfill & Stipe	Paid by EFT # 3078		02/28/2023	03/08/2023	03/08/2023		03/17/2023	14,995.40
				Account **6300.570 - Prof Svc Other** Totals			Invoice Transactions 2			$50,326.22
				Sub-Division **00 - Non-Subdiv** Totals			Invoice Transactions 2			$50,326.22
				Division **000 - Non-Div** Totals			Invoice Transactions 2			$50,326.22
				Department **000 - Non-Dept** Totals			Invoice Transactions 2			$50,326.22
				Fund **422 - Capital Projects - Measure X** Totals			Invoice Transactions 2			$50,326.22

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Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund **462 - City Capital Projects**										
Department **000 - Non-Dept**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6300.570 - Prof Svc Other**										
10316 - Kimley-Horn & Associates	097789008-0123	Imjin Parkway PS&E	Paid by Check # 101958		01/31/2023	03/08/2023	03/08/2023	03/08/2023	03/17/2023	11,956.50
10268 - Harris & Associates	56523	Imjin Parkway Improvement Plan	Paid by Check # 101956		03/06/2023	03/06/2023	03/06/2023		03/17/2023	8,582.55
10462 - Pacific Crest Engineering	11901	Glorya Jean Tate Park Site Improvements and Pump Track	Paid by Check # 101976		02/28/2023	03/06/2023	03/06/2023		03/17/2023	187.20
11266 - Verde Design, Inc.	7-2207300	Glorya Jean Tate Park Improvements Project	Paid by Check # 101973		03/03/2023	03/06/2023	03/06/2023		03/17/2023	8,989.95
11266 - Verde Design, Inc.	2-2121702	Dunes Park Development Project	Paid by Check # 101973		03/03/2023	03/06/2023	03/06/2023		03/17/2023	7,747.97
				Account **6300.570 - Prof Svc Other** Totals			Invoice Transactions	5		$37,464.17
				Sub-Division **00 - Non-Subdiv** Totals			Invoice Transactions	5		$37,464.17
				Division **000 - Non-Div** Totals			Invoice Transactions	5		$37,464.17
				Department **000 - Non-Dept** Totals			Invoice Transactions	5		$37,464.17
				Fund **462 - City Capital Projects** Totals			Invoice Transactions	5		$37,464.17

Accounts Payable by G/L Distribution Report

Payment Date Range 03/17/23 - 03/17/23

Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund **555 - Marina Airport**										
Department **000 - Non-Dept**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6380.300 - Utilities Gas & Electric**										
10463 - Pacific Gas & Electric	103-6.Jan23	3200 Imjin Rd (8030427103-6)	Paid by Check # 101964		01/09/2023	03/13/2023	03/13/2023		03/17/2023	4,055.77
10463 - Pacific Gas & Electric	103-6.Mar23	3200 Imjin Rd (8030427103-6)	Paid by Check # 101964		03/10/2023	03/13/2023	03/13/2023		03/17/2023	4,064.70
10463 - Pacific Gas & Electric	098-7.Mar23	761 Neeson Rd Bldg 524 (6800558098-7)	Paid by Check # 101964		03/07/2023	03/14/2023	03/14/2023		03/17/2023	6,621.95
				Account **6380.300 - Utilities Gas & Electric** Totals			Invoice Transactions	3		$14,742.42
				Sub-Division **00 - Non-Subdiv** Totals			Invoice Transactions	3		$14,742.42
				Division **000 - Non-Div** Totals			Invoice Transactions	3		$14,742.42
				Department **000 - Non-Dept** Totals			Invoice Transactions	3		$14,742.42
				Fund **555 - Marina Airport** Totals			Invoice Transactions	3		$14,742.42
				Grand Totals			Invoice Transactions	84		$222,756.35

Accounts Payable by G/L Distribution Report

Payment Date Range 03/10/23 - 03/10/23

Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund **723 - FORA Dissolution Administration**										
Department **000 - Non-Dept**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6600.730 - Other Charges Bonds Admin Expense**										
10948 - Applied Best Practices	28095	FORA - Continuing Disclosure Dissemination Services	Paid by Check # 101897		03/07/2023	03/08/2023	03/08/2023		03/10/2023	500.00
10315 - Keyser Marston Associates	0037644	FORA Feb 2023 Prof Srvs	Paid by Check # 101915		03/06/2023	03/07/2023	03/07/2023		03/10/2023	1,080.00
Account **6600.730 - Other Charges Bonds Admin Expense** Totals							Invoice Transactions 2			$1,580.00
Sub-Division **00 - Non-Subdiv** Totals							Invoice Transactions 2			$1,580.00
Division **000 - Non-Div** Totals							Invoice Transactions 2			$1,580.00
Department **000 - Non-Dept** Totals							Invoice Transactions 2			$1,580.00
Fund **723 - FORA Dissolution Administration** Totals							Invoice Transactions 2			$1,580.00

Accounts Payable by G/L Distribution Report

Payment Date Range 03/10/23 - 03/10/23

Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund **758 - Successor Agency Oblig Retiremt**										
Department **000 - Non-Dept**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6650.010 - ROPS #10-Financial, RE Advisory Svc**										
10948 - Applied Best Practices	28094	Filed FY 2021-22 CDAR on EMMA (Dissemination Services)	Paid by Check # 105		03/07/2023	03/08/2023	03/08/2023		03/10/2023	350.00
10315 - Keyser Marston Associates	0037643	Feb 2023 Prof Srvs	Paid by Check # 106		03/06/2023	03/07/2023	03/07/2023		03/10/2023	1,080.00
				Account **6650.010 - ROPS #10-Financial, RE Advisory Svc** Totals				Invoice Transactions	2	$1,430.00
Account **6650.015 - ROPS #15- Website Hosting Services**										
10143 - Civicplus	229349_SA	Website Hosting - July-Sept. 2022	Paid by Check # 107		07/01/2022	03/02/2023	03/02/2023		03/10/2023	350.91
10143 - Civicplus	241677_SA	Website Hosting - October-December 2022	Paid by Check # 107		10/01/2022	03/02/2023	03/02/2023		03/10/2023	350.19
10143 - Civicplus	249136_SA	Website Hosting - January-March 2023	Paid by Check # 107		01/01/2023	03/02/2023	03/02/2023		03/10/2023	350.91
10143 - Civicplus	252267_SA	Finance Charges - Past Due Invoices	Paid by Check # 107		12/31/2022	03/02/2023	03/02/2023		03/10/2023	10.89
10143 - Civicplus	242718_SA	Finance Charges - Past Due Invoices	Paid by Check # 107		09/30/2022	03/02/2023	03/02/2023		03/10/2023	10.56
10143 - Civicplus	246534_SA	Finance Charges - Past Due Invoices	Paid by Check # 107		10/31/2022	03/02/2023	03/02/2023		03/10/2023	5.36
10143 - Civicplus	249677_SA	Finance Charges - Past Due Invoices	Paid by Check # 107		11/30/2022	03/02/2023	03/02/2023		03/10/2023	5.19
10143 - Civicplus	254140_SA	Finance Charges - Past Due Invoices	Paid by Check # 107		01/31/2023	03/02/2023	03/02/2023		03/10/2023	10.97
				Account **6650.015 - ROPS #15- Website Hosting Services** Totals				Invoice Transactions	8	$1,094.98
Account **6650.038 - ROPS #38-Bond Issuance Costs**										
10315 - Keyser Marston Associates	0037643	Feb 2023 Prof Srvs	Paid by Check # 106		03/06/2023	03/07/2023	03/07/2023		03/10/2023	1,815.00
				Account **6650.038 - ROPS #38-Bond Issuance Costs** Totals				Invoice Transactions	1	$1,815.00
				Sub-Division **00 - Non-Subdiv** Totals				Invoice Transactions	11	$4,339.98
				Division **000 - Non-Div** Totals				Invoice Transactions	11	$4,339.98
				Department **000 - Non-Dept** Totals				Invoice Transactions	11	$4,339.98
				Fund **758 - Successor Agency Oblig Retiremt** Totals				Invoice Transactions	11	$4,339.98
				Grand Totals				Invoice Transactions	13	$5,919.98

DRAFT

Agenda Item: **10b(1)**
City Council Meeting of
March 21, 2023

MINUTES

Tuesday, March 7, 2023 **5:00 P.M. Closed Session**
6:30 P.M. Open Session

REGULAR MEETING

CITY COUNCIL, AIRPORT COMMISSION, MARINA ABRAMS B NON-PROFIT CORPORATION, PRESTON PARK SUSTAINABLE COMMUNITY NON-PROFIT CORPORATION, SUCCESSOR AGENCY OF THE FORMER MARINA REDEVELOPMENT AGENCY AND MARINA GROUNDWATER SUSTAINABILITY AGENCY

THIS MEETING WILL BE HELD IN PERSON AND VIRTUALLY (HYBRID).

Council Chambers
211 Hillcrest Avenue
Marina, California

AND

Zoom Meeting URL: https://zoom.us/j/730251556
Zoom Meeting Telephone Only Participation: 1-669-900-9128 - Webinar ID: 730 251 556

PARTICIPATION

You may participate in the City Council meeting in person or in real-time by calling Zoom Meeting via the weblink and phone number provided at the top of this agenda. Instructions on how to access, view and participate in remote meetings are provided by visiting the City's home page at https://cityofmarina.org/. Attendees can make oral comments during the meeting by using the "Raise Your Hand" feature in the webinar or by pressing *9 on your telephone keypad if joining by phone only.

The most effective method of communication with the City Council is by sending an email to marina@cityofmarina.org Comments will be reviewed and distributed before the meeting if received by 5:00 p.m. on the day of the meeting. All comments received will become part of the record. Council will have the option to modify their action on items based on comments received.

1. CALL TO ORDER

2. ROLL CALL & ESTABLISHMENT OF QUORUM: (City Council, Airport Commissioners, Marina Abrams B Non-Profit Corporation, Preston Park Sustainable Communities Nonprofit Corporation, Successor Agency of the Former Redevelopment Agency Members and Marina Groundwater Sustainability Agency)

   MEMBERS PRESENT: Liesbeth Visscher, Brian McCarthy, Kathy Biala, Mayor Pro-Tem/Vice Chair Cristina Medina Dirksen, Mayor/Chair Bruce C. Delgado

3. PUBLIC COMMENTS ON CLOSED SESSION: None

Heidi Quinn announced that Closed Session item 3b(i), Desert Star System will not be discussed this evening.

4. CLOSED SESSION:

   a. Conference with Legal Counsel, potential litigation, exposure to litigation per: "Conference with Legal Counsel – anticipated litigation, significant exposure to litigation pursuant to paragraph (d)(2) of CA Govt. Code sec. 54956.9 – One potential case

   b. Real Property Negotiation (Govt. Code Section 54956.8)

      ~~i. Property: Desert Star Systems, 3261 Imjin Road, Marina, CA~~
      ~~Negotiating Party: Marco Flagg~~
      ~~Negotiator(s): City Manager~~
      ~~Terms: Price and Terms~~

      ii. Property: Las Animas Concrete, LLC, 499 Ninth Street, Marina, CA
      Negotiating Party: Bart and Paula Bruno
      Negotiator(s): City Manager
      Terms: Price and Terms

      iii. Property: Commercial property at southeast corner of Del Monte Blvd. and Palm Avenue (APN 032-303-038)
      Negotiating Party: George Powell
      Negotiator(s): City Manager
      Terms: Price and Terms

      iv. Property: 3200-C, Imjin Road, Marina, CA, designated as a portion of APN: 031-112-001-000
      Negotiating Party: Joby Aero Inc.
      Negotiator(s): City Manager
      Terms: Price and Terms

6:30 PM - RECONVENE OPEN SESSION AND REPORT ON ANY ACTIONS TAKEN IN CLOSED SESSION

Heidi Quinn, Interim City Attorney reported out Closed Session: Council met in Closed Session with regard to the matters listed. Council received updates, directions were given and no reportable action was taken.

5. MOMENT OF SILENCE & PLEDGE OF ALLEGIANCE (Please stand)

6. SPECIAL PRESENTATIONS: None

7. COUNCIL AND STAFF ANNOUNCEMENTS:

- Council Member McCarthy – Reflected on the amount of time that has passed since we last met in person and the changes since then. We should acknowledge all that we've been through, and excited of what the future holds.
- Mayor Delgado – Made comments about last weekend's Hilltop Park panting of some 600 plants and the project is going well. Last Hilltop planting event will be held on April 1st from 10:00am-1:00pm. Commented on the tagging/graffiti that happened at Vince DiMaggio Park and raising funds to paint a mural along the wall, which is sponsored by Marina Youth Arts and done by Kenny Curtis and high school students.
- Mayor Pro Tem Medina Dirksen – Spoke about the Battle of the Badges between Marina PAL and Salinas PAL held on Saturday. Gave a shoutout to the volunteers who came to spruce up the Los Arboles sports complex in preparation for the softball baseball softball

season. Announced on March 18th at 11:00am is the Irish Heritage luncheon at the Community Center.

- Council Member Biala – Announced Earth Day Event on April 15th at Locke Paddon Park. Also announced on June 24th from 10:00am-5:00pm will be the Multi-Cultural Festival, which is still in the planning stages.

8. PUBLIC COMMENT**:** *Any member of the public may comment on any matter within the City Council's jurisdiction that is not on the agenda. This is the appropriate place to comment on items on the Consent Agenda. Action will not be taken on items not on the agenda. Comments are limited to a maximum of three (3) minutes. General public comment may be limited to thirty (30) minutes and/or continued to the end of the agenda. Any member of the public may comment on any matter listed on this agenda at the time the matter is being considered by the City Council. Whenever possible, written correspondence should be submitted to the Council in advance of the meeting, to provide adequate time for its consideration.*

- Nathan Masten – Spoke about the cars that continue to speed up and down Vista Del Camino and the danger they pose. Asked if something could be done to help reduce the speeds in which people travel. Possible paid the posted speed limit on the road. Noted there are multiple families on this road with small children unable to play in front of their homes.
- Mike – Agrees with and supports previous speaker regarding the dangerous speeds the vehicles travel along Vista Del Camino.
- Grace Silva-Santella – Thanked council for allowing the hybrid meeting. Spoke about the Friends of the Marina Library held a successful book sale last weekend and raised $5,300 and thanked all those who supported the sale. Announced a 6-week art History series coming to the library on Wednesday's at 6:00pm. On Saturday there will be a movie called Minari being showed. The third Saturday of every as month the library staff will be doing a classic movie.
- Paul Lagresky – Blue Zones Project will be celebrating the school site approval of the Marina Vista Elementary Arts Academy on Thursday, March 9th at 10:00am. Marina Vista is the second school in the MPUSD to become Blue Zone approved.

9. CONSENT AGENDA FOR THE SUCCESSOR AGENCY TO THE FORMER MARINA REDEVELOPMENT AGENCY: *Background information has been provided to the Successor Agency of the former Redevelopment Agency on all matters listed under the Consent Agenda, and these items are considered to be routine and non-controversial. All items under the Consent Agenda are normally approved by one motion. Prior to such a motion being made, any member of the public or City Council may ask a question or make a comment about an agenda item and staff may provide a response. If discussion or a lengthy explanation is required, the Council may remove an item from the Consent Agenda for individual consideration. If an item is pulled for discussion, it will be placed at the end of Other Action Items Successor Agency to the former Marina Redevelopment Agency.*

10. CONSENT AGENDA: *These items are considered to be routine and non-controversial. All items under the Consent Agenda may be approved by one motion. Prior to such a motion being made, any member of City Council may ask a question or make a comment about an agenda item and staff may provide a response. If discussion or a lengthy explanation is required, Council may remove the item from the Consent Agenda and it will be placed at the end of Other Action Items.*

a. ACCOUNTS PAYABLE: *(Not a Project under CEQA per Article 20, Section 15378)*

(1) Accounts Payable Check Numbers 101797- 101890, totaling $832,572.44.

b. MINUTES: *(Not a Project under CEQA per Article 20, Section 15378)*

(1) February 22, 2023, Regular City Council Meeting

c. CLAIMS AGAINST THE CITY: None

d. AWARD OF BID: None

e. CALL FOR BIDS: None

f. ADOPTION OF RESOLUTIONS:

(1) Adopt **Resolution No 2023-22**, amending Section 4.105-Emergency Preparedness, of the General Plan (2000). The proposed project is exempt from CEQA pursuant to Sections 15060(c)(2) and 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines because the amendment will not result in a significant negative impact to the environment.

g. APPROVAL OF AGREEMENTS: None

h. ACCEPTANCE OF PUBLIC IMPROVEMENTS: None

i. MAPS: None

j. REPORTS: (RECEIVE AND FILE): None

k. FUNDING & BUDGET MATTERS: None

l. APPROVE ORDINANCES (WAIVE SECOND READING): None

m. APPROVE APPOINTMENTS: None

Mayor Pro Tem Medina Dirksen had minor correction to item 10b(1), page three and gave correct spelling for public speaker's name.

Council Member McCarthy had a question for item 10f(1) relating to flooding and room for improvements.

Council Member Biala, item 10f(1) asked for clarification on the graph on page 11.

BIALA/MEDINA DIRKSEN: TO APPROVE THE CONSENT AGENDA WITH CORRECTIONS TO 10b(1). 5-0-0-0 Motion Passes

11. PUBLIC HEARINGS: *In the Council's discretion, the applicant/proponent of an item may be given up to ten (10) minutes to speak. All other persons may be given up to three (3) minutes to speak on the matter.*

a. Read by title only and waive further reading and approve the first reading of **Ordinance No. 2023-03**, amending Sections 17.38.070 and 17.38.090 of the Marina Municipal Code to modify the parking standards in the MH-R District for the Townhomes in Sea Haven; and read by title only and waive further reading and approve the first reading **of Ordinance No. 2023-04**, approving the Second Amendment to the Development Agreement for Sea Haven pursuant to Chapter 4.04 of the Marina Municipal Code.

Public Comments:

- Jaqueline Gonzales – Sea Haven resident. Spoke about people parking on the streets and the HOA not enforcing the parking restrictions. Spoke about the 9-foot wide garage and not being able to open the car doors. Spoke about not being able to use garage for storage. Does not support the text amendment.
- Zinnia Kilkenny – Commented that the streets are dangerously narrow and that the HOA not enforcing the parking rules. Stated it would be hard for emergency vehicles to go down the streets if there are cards parked on both sides of the road. Noted parking spaces designated for the park is not a viable solution for car overflow. I respectfully request the City Council deny this amendment.
- Denise Turley – Concerned about the width of the street and cars parking on both sides. Asked if consideration was given to MST Rides buses who need to pick up passengers. Asked if the Fire Chief could weigh in on the proper garage width. Asked for clarification on the word Todes.
- Dell Cooper – Commented on how the previous developer planned the houses and townhomes. Spoke about the CC&R's and homeowner restrictions. Commented on present building insisting the "escape clause" and about the lack of parking.
- Jeff Markham – Asked if it was possible to identify areas close by where tradespeople could use lots to park their trade vehicles and use them in the morning when they have to go to work, like in Preston Park?
- Grace Silva-Santella – Commented on it not being a good idea to have overflow parking at the planned Sea Haven Park. Spoke about the use of the Surf Bus Line in the Sea Haven housing area as justification to modify a project. Noted most household have 2 vehicles or more.
- Lou Miramontes – Spoke about current developers knowing they had to build affordable housing prior to their acquisition, it's an economic choice. Asked the city propose to the developer that they reconsider some of their empty lots for additional parking. Commented on the Surf Bus Line.
- Dave – Spoke about the number of townhomes to be constructed, with congestion associated with it and getting emergency vehicles through the narrow streets. Spoke about the Sea Haven HOA enforcement of parking. Suggested an overflow parking area.

MCCARTHY/VISSCHER: TO READ BY TITLE ONLY AND WAIVE FURTHER READING AND APPROVE THE FIRST READING OF ORDINANCE NO. 2023-03, AMENDING SECTIONS 17.38.070 AND 17.38.090 OF THE MARINA MUNICIPAL CODE TO MODIFY THE PARKING STANDARDS IN THE MH-R DISTRICT FOR THE TOWNHOMES IN SEA HAVEN; AND READ BY TITLE ONLY AND WAIVE FURTHER READING AND APPROVE THE FIRST READING OF ORDINANCE NO. 2023-04, APPROVING THE SECOND AMENDMENT TO THE DEVELOPMENT AGREEMENT FOR SEA HAVEN PURSUANT TO CHAPTER 4.04 OF THE MARINA MUNICIPAL CODE. 5-0-0-0 Motion Passes by Roll Call Vote

b. Open a public hearing, take public testimony, and consider introducing Ordinance No. 2023-05, amending Section 17.46 (Signs) of the Marina Municipal Code. *The proposed amendments are exempt from CEQA per section 15061(b)(3).* ***Continued to March 21, 2023***

c. Introduction of Ordinance No. 2023-06, amending the Accessory Dwelling Unit (ADU) Ordinance, Marina Municipal Code (MMC), Chapter 17.42.040, bringing these sections into compliance with recent changes in state law. *The proposed amendments are exempt from the California Environmental Quality Act (CEQA) per Sec. 15303(a).* ***Continued to March 21, 2023***

12. OTHER ACTIONS ITEMS OF THE SUCCESSOR AGENCY TO THE FORMER MARINA REDEVELOPMENT AGENCY: *Action listed for each Agenda item is that which is requested by staff. The Successor Agency may, at its discretion, take action on any items. Members of the public may be given up to three (3) minutes to speak.*

13. OTHER ACTION ITEMS: *Action listed for each Agenda item is that which is requested by staff. The City Council may, at its discretion, take action on any items. Members of the public may be given up to three (3) minutes to speak.*

Note: No additional major projects or programs should be undertaken without review of the impacts on existing priorities (Resolution No. 2006-79 – April 4, 2006).

a. Adopting **Resolution No. 2023-23**, authorizing the mayor to sign a support letter for the 2022 Assistance to Firefighter Grant Program Staffing for Adequate Fire and Emergency Response for five full time firefighters; and consider authorizing the mayor to sign a support letter for the 2022 Assistance to Firefighters Grant Program Staffing for Adequate Fire and Emergency Response for Reserve Firefighters Safer Grant.

Public Comments:

- Denise Turley – Asked how does the grant effect overtime?
- Mark Sweeney – Spoke in support of the SAFER Grant. The grant will help fund additional fire fighters for three years and provides an increased safety for the members of our Fire department.

MEDINA DIRKSEN/BIALA: TO ADOPT RESOLUTION NO. 2023-23, AUTHORIZING THE MAYOR TO SIGN A SUPPORT LETTER FOR THE 2022 ASSISTANCE TO FIREFIGHTER GRANT PROGRAM STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE FOR FIVE FULL TIME FIREFIGHTERS; AND CONSIDER AUTHORIZING THE MAYOR TO SIGN A SUPPORT LETTER FOR THE 2022 ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE FOR RESERVE FIREFIGHTERS SAFER GRANT. 5-0-0-0 Motion Passes

b. Adopting Resolution No. 2023-, authorizing the City Manager, or his designee, to negotiate a Memorandum of Understanding (MOU) with the Marina Equestrian Association (MEA) for the provision of equestrian boarding and related uses, and directing the City Manager to return to Council with a resolution to consider adoption of a mutually agreeable MOU between the City and MEA. ***Continued to March 21, 2023***

14. COUNCIL & STAFF INFORMATIONAL REPORTS:

a. Monterey County Mayor's Association [Mayor Bruce Delgado]

b. Council reports on meetings and conferences attended (Gov't Code Section 53232).

15. ADJOURNMENT: The meeting adjourned at 10:25 PM

_____
Anita Sharp, Deputy City Clerk

ATTEST:

_____
Bruce C. Delgado, Mayor

DRAFT

Agenda Item: **10b(2)**
City Council Meeting of
March 21, 2023

MINUTES

Tuesday, March 14, 2023 **8:30 A.M. – 12:00 P.M. Open Session**

SPECIAL MEETING
CITY COUNCIL

Council Chambers
211 Hillcrest Avenue
Marina, California

1. CALL TO ORDER

2. ROLL CALL & ESTABLISHMENT OF QUORUM: (City Council, Airport Commissioners, Marina Abrams B Non-Profit Corporation, Preston Park Sustainable Communities Nonprofit Corporation, Successor Agency of the Former Redevelopment Agency Members and Marina Groundwater Sustainability Agency)

   MEMBERS PRESENT: Liesbeth Visscher, Brian McCarthy, Mayor/Chair Bruce C. Delgado

   MEMBERS ABSENT: Kathy Biala, Mayor Pro-Tem/Vice Chair Cristina Medina Dirksen

3. MOMENT OF SILENCE & PLEDGE OF ALLEGIANCE (Please stand)

4. OTHER ACTION ITEMS:

   a. City Council to participate and provide feedback on a Marina High School Leadership Project.

The City Council listened to the eight Marina High School Leadership Projects from the following students:

- Tristian Roque and Gary Quinones - Water City Roller Rink Property Pitch
- Elizabeth Garcia, Brenda Martinez, Aida Simmon and Samantha Concepcion – Blankets of Hope
- Akbar Prasley and Johnny Nguyen – Expansion of Donation Stations around Marina
- Annabella Merlin and Andre DeRuna – Beach Cleanup
- Maria Lopes – Substance Abuse Center
- Mia Gallo and Marlene Angels – Animal Care Facility in Marina
- Daisy Preciado Escobedo – Community Help Center
- Brilynn Guevara – Opioid Overdoes “Narcan Vending Machines”.

The City Council asked questions of each presenter and suggested to each to attend the budget retreat meeting in April.

5. ADJOURNMENT: The meeting adjourned at 11:18 A.M.

Anita Sharp, Deputy City Clerk

ATTEST:

Bruce C. Delgado, Mayor

CITY OF MARINA
HUMAN RESOURCES & RISK DEPARTMENT
211 Hillcrest Avenue
Marina, CA 93933
Phone: 831.884.1283
Fax: 831.384.0860

Received
2/27/23
Cat

CLAIM FORM

This form is provided pursuant to Government Code Section 910.4 and shall be used by any person presenting a claim to the City of Marina under Government Code Section 810 et seq., except as provided in Government Code Sections 905 and 905.1. If additional space is needed for any of the required information, please attach additional sheets and note your name, date of claim and City of Marina.

SECTION 1: CLAIMANT INFORMATION

William James-Lunsford (a minor) — [redacted]
Name of Claimant — Telephone Number (include area code)

[redacted]
Mailing Address — City — CA — Zip Code

SECTION 2: NOTICES

The person presenting this claim desires that notices be sent to the following address:

William James-Lunsford c/0 KJ Injury & Accident Lawyers, PC — (888) 775-5529
Name of Claimant — Telephone Number (include area code)

P.O. Box 641249 — Los Angeles — CA — 90066-6249
Mailing Address — City — CA — Zip Code

SECTION 3: CLAIM INFORMATION

Date of the occurrence/transaction which gave rise to the claim: 08/26/2022
Month, Day & Year

Provide the location of the occurrence/transaction which gave rise to the claim. If applicable, include street address, city or county, highway number, mile post number and direction of travel.

Blanco Road and Research Drive in Marina, CA 93933 County of Monterey

Please see attached traffic colison report for additional details

Explain the circumstances of the occurrence or transaction which gave rise to the claim. State all facts that support your claim against the City of Marina and why you believe the City of Marina is responsible for the alleged damage or injury.

Wrongful death claim brought by surviving child of Ronald Guy-James. Mr. Guy-James was a passenger in a vehicle that collided with a traffic light pole causing the vehicle to ignite and kill all the occupants of the vehicle. Please see attached traffic collision report. Claim consist of, but not limited to: dangerous condition of public property, defective roadway design, negligent maintenance of public property and/or roadway, inadequate/ defective traffic controls, improper speed limit signs.

Provide a general description of the indebtedness, obligation, injury, damage or loss incurred so far as it may be known at the time of presentation of the claim.

Wrongful death claimn

Provide the name(s) of the City of Marina employee(s) causing the injury, damage or lost, if known.

Unknown at this time

Provide the amount claimed if said amount totals less than ten thousand dollars ($10,000.00) as of the date presentation of the claim (including the estimated amount of any prospective injury, damage, or lost , insofar as it may be known at the time of the presentation of the claim), together with the basis of computation of the amount claim.

Amount Claimed: $ 50,000,000.00

Basis for computation: Wrongful death claim

If the amount claimed exceeds ten thousand dollars ($10,000.00), do not provide the dollar amount of the claim. However, please indicate below whether the claim would be a limited civil case. A **Limited Civil Case** is one where the amount claimed does not exceed twenty-five thousand dollars ($25,000.00). **Non-Limited Civil Case** is one where the amount may exceed twenty-five thousand dollars ($25,000.00)

_____ Limited Civil Case X Non-Limited Civil Case

SECTION 4: INSURANCE INFORMATION (OPTIONAL – MAY BE COMPLETE IF CLAIM INVOLVES A MOTOR VEHICLE)

Has a claim for the alleged damage/injury been filled or will it be filed with your insurance carrier?

☐ Yes (If marked, please provide information below. ☒ No

Name of Insurance Carrier ( ) Telephone Number (include area code)

Mailing Address City State Zip Code

Policy Number: _____ Deductible: $_____

Name of registered owner(s) of the vehicle: _____

Vehicle Make: _____ Model: _____ Year: _____

SECTION 5: REPRESENTATIVE INFORMATION (OPTIONAL – MAY BE COMPLETED IF FILED BY ATTORNEY OR REPRESENTATIVE)

Kate Jamsheed, Esq. (888)775-5529

Name of Attorney/Representative Telephone Number (include area code)

P.O. Box 641249 Los Angeles CA 90064

Mailing Address City State Zip Code

Is the claim filed on behalf of minor? ☒ Yes ☐ No If yes, please indicate:

Relationship to minor: Attorney Minor's date of birth: 06/26/2007

Month, Day & Year

SECTION 6: ADVISORY - CONDITION OF A FELONY

Section 72 of the Penal Code provides that "every person who, with intent to defraud, presents for allowance or for payment to any State Board or Officer, or to any county, town, city, district, ward, or village, board or officer, authorized to allow or pay the same if genuine, any false or fraudulent claim, bill, account, voucher, or writing, is guilty of a felony."

SECTION 7: CLAIMANT'S SIGNATURE (OR REPRESENTATIVE)

Kate Jamsheed, Esq. obo William James-Lunsford — 02/22/2023

Signature of Claimant or Claimant's Attorney /Representative — Date

SECTION 8: SUBMISSION OF CLAIM FORM

Completed claim forms must be submitted by personal delivery or by United States mail, postage paid, to the following address:

City of Marina
Attention: Risk Management Department
211 Hillcrest Avenue
Marina, CA 93933

This form must be completed in detail and provide pertinent information required to process the claim and avoid delays. Missing and incomplete information is necessary in order to advance your claim through the City's claims handling process in a timely manner.

You will receive a notification from Marina's Risk Manager regarding the initial handling of your claim. The Risk Management Department will provide a copy of your claim to the Claims Adjuster at MBASIA (Monterey Bay Area Self Insurance Authority), the City's Risk Management Authority. The Claims Adjuster will also notify you that your claim has been received and is being investigated. You may contact the Claims Adjuster, NAME, directly at PHONE NUMBER after you are notified your claim was received in that office.

March 6, 2023, Item No. **10f(1)**

Honorable Mayor and Members of the Marina City Council

City Council Meeting of March 21, 2023

CITY COUNCIL CONSIDER ADOPTING RESOLUTION NO. 2023-, APPROVING DESIGNATING PARKING LOT AND STREET AT THE MARINA LIBRARY AS AREAS WHERE OVERNIGHT PARKING OR CAMPING SHALL BE PROHIBITED PURSUANT TO MUNICIPAL CODE SECTION 10.40.150

REQUEST:

It is requested that the City Council consider:

1. Adopting Resolution No. 2023-, approving designating parking lot and street at the Marina Library as areas where overnight parking or camping shall be prohibited pursuant to Municipal Code Section 10.40.150.

BACKGROUND:

City Council can designate areas where parking or camping shall be prohibited pursuant to Municipal Code Section 10.40.150.

10.40.150 Parking or camping prohibited.

"No person shall stop, stand, park or leave stored any vehicle of any type between the hours of one a.m. and six a.m. of any day of the week in areas designated by resolution of the city council and appropriate signs are emplaced by the city traffic engineer. (Ord. 91-8 § 1, 1993)"

The City has received a number of complaints of people camping and parking overnight at the Marina Library.

ANALYSIS:

After review by the Traffic Advisory Committee and to improve the safety of residents, especially in the adjacent areas, it is recommend that parking and camping be prohibited at the Marina library parking lot, the adjacent cul-de-sac and parts of Seaside Circle from 1:00A.M. to 6:00A.M. Installing signs will enable the Marina police department to enforce the overnight parking and camping prohibition.

FISCAL IMPACT:

It's estimated the cost of signs will be approximately $1,000 and can be funded from the current Public Works budget.

CONCLUSION:

This request is submitted for City Council consideration and action.

Respectfully submitted,

_____

Michaelle Mowery
Administrative Assistant II / Department of Public Works
City of Marina

REVIEWED/CONCUR:

_____
Brian McMinn, P.E., PLS.
Public Works Director & City Engineer
City of Marina

_____
Layne Long
City Manager
City of Marina

RESOLUTION NO. 2023-

A REOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA APPROVING DESIGNATING PARKING LOT AND STREET AT THE MARINA LIBRARY AS AREAS WHERE OVERNIGHT PARKING OR CAMPING SHALL BE PROHIBITED PURSUANT TO MUNICIPAL CODE SECTION 10.40.150

WHEREAS, A number of overnight parking and camping complaints have been reported to the City. The complaints are often reported after hours and often appear to be vehicles or people transitory in nature.

WHEREAS, pursuant to Municipal Code Section 10.40.150 City of Marina may designate an area where parking or camping in any vehicle shall be prohibited between the hours of one (1:00) A.M. and six (6:00) A.M. of any day of the week.

WHEREAS, the provisions of this resolution shall not apply to an area unless and until the appropriate signs have been installed by the City traffic engineer.

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Marina does hereby:

1. Approve a designating parking lot at the Marina Library, the adjacent cul-de-sac and parts of Seaside Cirecle as areas where overnight parking or camping shall be prohibited pursuant to Municipal Code Section 10.40.150;

PASSES AND ADOPTED, by the City Council of the City of Marina at a regular meeting duly held on March 21 2023 by the following vote:

AYES, COUNCIL MEMBERS:
NOES, COUNCIL MEMBERS:
ABSENT, COUNCIL MEMBERS:
ABSTAIN, COUNCIL MEMBERS:

_____
Bruce C. Delgado, Mayor

ATTEST:

_____
Anita Sharp, Deputy City Clerk

March 10, 2023 Item No. **10f(2)**

Honorable Mayor and Members of the Marina City Council

City Council Meeting of March 21, 2023

CITY COUNCIL CONSIDER ADOPTING RESOLUTION NO. 2023-, RATIFYING EXHIBIT A, AS CORRECTED, TO ORDINANCE NO. 2022-06, TITLE 15 OF THE MARINA MUNICIPAL CODE

REQUEST:

It is requested that the City Council:

1. Adopt Resolution No. 2023-, ratifying **EXHIBIT A**, as corrected, to Ordinance 2022-06, and direct its codification.
2. Direct the City Clerk to file a copy of this corrected Exhibit A to Ordinance 2022-06 with the California Building Standards Commission of the State of California.

BACKGROUND:

The California Building Standards Commission's (CBSC) latest editions of the construction codes (Codes) for the State of California became effective for every state agency and local municipality as of January 1, 2023. Typically, the CBSC reviews and revises the Codes every three years.

At the regularly held City Council meeting held on November 15, 2022, the City Council adopted Ordinance 2022-06, which included the latest CBSC editions as modifications of the Marina Municipal Code ("MMC") in **Exhibit A**.

City staff subsequently discovered that an incorrect version of **Exhibit A** had inadvertently been attached to the Ordinance, and contained clerical errors as detailed below. During the Council meetings at the first and second reading of Ordinance 2022-06, neither staff nor Council discussed or intended to approve the incorrect version of Exhibit A. Staff now seeks Council's ratification of the corrected Exhibit A to Ordinance 2022-06.

ANALYSIS:

The correct version of **Exhibit A**, as attached to this report, differs from the prior Exhibit presented in November in the following regard:

- **Plumbing Code**

  Section 15.24.030 of the MMC, pertaining to the Plumbing Code, references CPC Appendix G, which neither staff nor Council discussed or intended to adopt. This reference has been removed.

  15.24.030 Portions of California Plumbing Code which are not approved, adopted, or incorporated by reference. The following portions of the California Plumbing Code or CPC, 2022 edition, or of the appendix thereto, are not approved or adopted or incorporated in this Chapter by reference, and shall not be deemed to be a part of this Chapter nor a part of the plumbing code of the City of Marina:

Chapter 1 – Division II and all the Appendices with the exception of the following Appendix Chapters or portion thereof (which are approved, adopted and incorporated in this Chapter by reference):

~~*A. CPC Appendix G.*~~

B. CPC Appendix I.

- **Fire Code**

Section 15.32.030 of the MMC, pertaining to the Fire Code, did not include all the listed findings. In this section, the correct range of Sections are designated.

> ***15.32.030 Findings.***
> *The amendments set forth in Sections 15.32.040 through* ***15.32.930*** *are reasonably necessary because of the following local climatic, geological, and topographical conditions:*

Sections 15.32.150 and 15.32.160, pertaining to the Fire Code, had been removed from the Marina Municipal Code ("MMC") during the 2019 Code cycle, and were not intended to be included in Exhibit A. These additions were not intended by City staff or Council, and were not discussed. Accordingly, the correct version of Exhibit A, attached hereto, does not contain the following sections:

> ***15.32.150 Section 307.1.2 – Added***
> ***Section 307.1.2 is added to read as follows:***
> *The Chief of the Marina Fire Department shall prohibit all outdoor rubbish fires. No waste matter shall be disposed of by burning within the City of Marina.*

> ***15.32.160 Section 307.2.1.2 – Added***
> ***Section 307.2.1.2 is added to read as follows:***
> *Permit Required. No person shall kindle or maintain any open ground fire or authorize any such fire or authorize any such fire to be kindled or maintained for the purpose of preparation of food, such as in the case of a luau or barbecue or recreational fire without a permit from the Marina Fire Department. Other than one- and two-family residential dwelling units, applicant shall also need to secure a permit and/or clearance from the Monterey Bay Unified Air Pollution Control District.*

Section 15.32.580 of the 2019 Fire Code was not included with Ordinance 2022-06 and is not included in the corrected ordinance. This Section authorized a Cost Recovery surcharge by ordinance. Staff will bring to Council a resolution that will update the Fee Schedule thereby establishing a percentage of Fireworks sales for Cost Recovery. This will be done before any fireworks permits are issued this year.

> ***15.32.580 - Section 5609.1.6 – Added***
> ***Section 5609.1.6 is added to Chapter 56 of the California Fire Code to read as follows:***
>
> 5609.1.6 Safe and Sane Fireworks Cost Recovery Surcharge.

(a) All nonprofit retail booth locations shall assess a surcharge, on all retail sales of Safe and Sane Fireworks that occur in the City. The assessment shall be paid by the permittee upon presentment of an invoice by the City. The surcharge will be assessed to the public for each retail sale and is in addition to the retail price of the fireworks and will not be deducted from the permittees' net profit.

(b) The assessment is intended to raise sufficient funds for the City to pay for the cost of enforcement; inspection of stands; public education and awareness campaigns; enforcing the provisions of this Chapter, including extra personnel time, and cleanup of the Safe and Sane Fireworks trash and debris left behind each year. "Extra personnel time" shall be defined as employee or contracted employee time that the City would not otherwise incur but for the sale and use of Safe and Sane Fireworks. On or around the first regular City Council meeting in May of each year, the City Manager or his/her designee must submit to the City Council for its approval, a proposed budget for police, fire, administrative services and public works departments. The exact amount of the assessment shall be determined each year on or about the second regular City Council meeting in May of that year and notice sent to each of the permittees.. The fireworks wholesaler with whom each permittee has contracted shall be responsible for collecting the estimated assessment from their nonprofit organizations, advising the City of the amount of each estimated assessment collected, and holding the funds in trust pending notification by the City of the exact amount owed. After the City determines each permittee's share of the total annual sales volume, each permittee shall be billed for its share of the total assessment. A duplicate copy of each permittee's invoice will be sent to its fireworks wholesaler. Payment of the assessment by each permittee shall be due to the City 30 days after the issuance of the invoice. The expenses submitted are subject to review, audit and dispute by any permittee who has to pay the assessment that year. Any dispute of the assessment must be filed within 15 days of its receipt or any right to contest it will be deemed waived. The City Council is the final arbiter of any disputed assessment. The entire surcharge amount shall be deposited with the City. The City Council shall consider giving a credit toward future surcharge at the second City Council meeting of May.

(c) Failure by any permittee to pay the amount assessed to it by the City shall be cause to bar the permittee from selling Safe and Sane Fireworks in the future, until the assessment is paid in full. Furthermore, if the assessment is not paid by the due date, it shall be subject to 10% penalty for each month or portion of a month that it is late. (Ord. 2019-____§ 1 (Exh. A (16) (part)), 2019)

Exhibit A, as corrected, to Ordinance 2022-06 is attached to this report. **(EXHIBIT A).**

FISCAL IMPACT:
None.

CONCLUSION:

This request is submitted for City Council consideration and ratification.

Respectfully submitted,

_____
Doug McCoun
Fire Chief
City of Marina

_____
Dan Paolini, CBO
Chief Building Official
City of Marina

REVIEWED/CONCUR:

_____
Layne P. Long
City Manager
City of Marina

RESOLUTION NO. 2023-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA RATIFYING EXHIBIT A, AS CORRECTED, TO ORDINANCE NO. 2022-06, TITLE 15 OF THE MARINA MUNICIPAL CODE

WHEREAS, pursuant to Sections 17922, 17958, 17958.5 and 17958.7 of the California Health and Safety Code, the City of Marina ("City") may adopt the provisions of the California Building, Residential, Electrical, Mechanical, Plumbing, Energy, Green Building Standards, Existing Building, Historical, and Fire Codes with certain exceptions, modifications and additions to provisions of the California codes ("Codes"), which are reasonably necessary to protect the health, welfare and safety of the citizens of Marina because of local climatic, geological and topographical conditions;

WHEREAS, at a regular meeting on November 15, 2022, the City Council adopted Ordinance 2022-06, setting forth amendments to Title 15 of the Marina Municipal Code in Exhibit A attached thereto;

WHEREAS, City staff subsequently discovered an incorrect version of Exhibit A had inadvertently been attached to Ordinance 2022-06, which contained clerical errors requiring corrections; and

WHEREAS, staff proposes the Council ratify the correct version of Exhibit A to Ordinance 2022-06, attached hereto, and the Council desires to ratify the same; and

WHEREAS, this Resolution was found to be categorically exempt from environmental review, per the provisions of Section 15061(b) (3) of the Guidelines to the California Environmental Quality Act.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MARINA DOES HEREBY RESOLVE AS FOLLOWS:

1. The Recitals set forth above are true and correct and are incorporated into this Resolution by reference.
2. The Council hereby ratifies Exhibit A, as corrected, to Ordinance 2022-06 and directs its codification.
3. The Council directs the City Clerk to file a copy of this Ordinance with Exhibit A, as corrected, with the California Building Standards Commission of the State of California.
4. This Resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting duly held on the 21st day of March 2023 by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

_____
Bruce C. Delgado, Mayor

ATTEST:

_____
Anita Sharp, Deputy City Clerk

EXHIBIT A TO
ORDINANCE NO. 2022-06

AMENDMENTS TO TITLE 15 OF THE MARINA MUNICIPAL CODE
BUILDINGS AND CONSTRUCTION

Editor's Note: **Bold,** [bracketed] numbers and text are for identification purposes only and are not a part of the Title as amended.

1- Section 15.04.010 of the Marina Municipal Code is hereby repealed in its entirety and replaced to read as follows:

15.04.010 Definitions.

"Building code" means the California Building Code, or CBC, 2022 Edition, based on the 2021 International Building Code promulgated by the International Code Council, including the appendix thereto, together with those omissions, amendments, exceptions, and additions thereto as amended in Title 24 of the California Code of Regulations and as amended by the Marina Municipal Code known as the California Building Code. (CBC)

"Residential code" means the California Residential Code, or CRC 2022 Edition, based on the 2021 International Residential Code promulgated by the International Code Council including Appendices AF, AI, AL, AO, AR, AS, AV and AY together with those omissions, amendments, exceptions, and additions thereto as amended in Title 24 or the California Code of Regulations and as amended by the Marina Municipal Code known as the California Residential Code. (CRC)

"Electrical code" means the California Electric Code or CEC, 2022 Edition, based on the 2020 National Electrical Code edition promulgated by the National Fire Protection Association, as amended, and set forth in the California Building Standards Code, Title 24 of the California Code of Regulations, together with those omissions, amendments, exceptions, and additions thereto as amended by the Marina Municipal Code known as the California Electrical Code. (CEC)

"Mechanical code" means the California Mechanical Code or UMC, 2022 Edition, promulgated by the International Association of Plumbing and Mechanical Officials, including Appendices A, B, C, D, E F, and G thereto, together with those omissions, amendments, exceptions, and additions thereto as amended in Title 24 of the California Code of Regulations and in the Marina Municipal Code, known as California Mechanical Code (CMC).

"Plumbing code" means the California Plumbing Code or UPC, 2022 Edition, promulgated by the International Association of Plumbing and Mechanical Officials, including the Appendices G and I thereto, together with those omissions, amendments, exceptions, and additions thereto as amended in Title 24 of the California Code of Regulations and in the Marina Municipal Code, known as the California Plumbing Code (CPC).

"Fire code" means the California Fire Code or CFC, 2022 Edition, promulgated by the International Fire Code Institute, including the appendix sections, together with those omissions, amendments, exceptions, and additions there to as amended in Title 24 in the California Code of Regulations and in the Marina Municipal Code, known as the California Fire Code (CFC).

"Energy code" means the California Energy Code or CEC, 2022 Edition, promulgated by the California Building Standards Commission including the appendix sections, together with those omissions, amendments, exceptions, and additions there to as amended in Title 24 in the California Code of Regulations and in the Marina Municipal Code, known as the California Energy Code (CEC).

“Existing building code” means the California Existing Building Code, 2022 Edition, based on the 2021 International Existing Building Code and California Historical Building Code, promulgated by the International Code Council, including the appendix thereto. with those omissions, amendments, exceptions, and additions thereto as amended in Title 24 or the California Code of Regulations and as amended by the Marina Municipal Code known as the

“Green building standards code” means the California Green Building Standards Code, 2022 Edition promulgated by the California Building Standards Commission including the Appendices A-4 & A-5 thereto, together with those omissions, amendments, exceptions, and additions as amended in Title 24 in the California Code of Regulations and in the Marina Municipal Code.

“Housing code” means the Uniform Housing Code 1997, promulgated by the International Code Council, together with those omissions, amendments, exceptions, and additions thereto as amended in the Marina Municipal Code.

“Dangerous building code” means the Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition, promulgated by the International Code Council, together with those omissions, amendments, exceptions, and additions as amended by the Marina Municipal Code.

“Security code” means the Uniform Building Security Code, 1997 Edition, promulgated by the International Code Council, together with those omissions, amendments, exceptions, and additions thereto as amended in the Marina Municipal Code (UBSC).

“Emergency Work” means work that if not done immediately will affect the life safety of the occupant or cause damage the structure.

(Ord. 2022-___ § 1 (Exh. A (1)), 2022)”

2. Section 15.08.010 of the Marina Municipal Code is hereby repealed in its entirety and replaced to read as follows:

15.08.010 Adoption of technical provisions of California Building Code (CBC).

A. Except as otherwise provided for in this chapter, the California Building Code (CBC), 2022 Edition, Volumes I and II, including the appendices thereto, together with those omissions, amendments, exceptions, and additions thereto as amended in Title 24 of the California Code of Regulations are approved and adopted, and are incorporated in this chapter by reference and made a part hereof the same as if fully set forth herein.

B. One copy of the CBC has been filed for use and examination of the public in the office of the building official of the city of Marina.

(Ord. 2022-___ § 1 (Exh. A (2)), 2022)

3. Section 15.08.020 of the Marina Municipal Code is hereby repealed in its entirety and replaced to read as follows:

15.08.020 Section 105.3.2 e amended.

Section 105.3.2 shall be amended to read as follows:

105.3.2 Expiration of Plan Review. Applications for which no permit is issued within 180 days following the date of the application shall expire, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. The building official may extend the time for action by the applicant for a period not exceeding 180 days on written request by the applicant showing that circumstances beyond control of the applicant have prevented action from being taken and the extension has been submitted in writing prior to the expiration date.

If a permit has not been obtained after the first extension, additional extensions of 90 days may be granted provided the applicant submits this request in writing AND pays a fee of $500.00 for each requested 180 - day extension and the project has not changed in scope.

Exception: If a project has been approved by the City pending an outside agency approval prior to expiration, written extensions will not be required.

(Ord. 2022-___ § 1 (Exh. A (3)), 2022)

4. Section 15.08.025 of the Marina Municipal Code is hereby repealed in its entirety and replaced to read as follows:

15.08.025 Section 105.5 amended.
Section 105.5 shall be amended to read as follows:

105.5 Expiration of Permits. Every permit issued by the building official under the provisions of the technical codes shall expire and become null and void, if the project authorized by such permit has not achieved an approval for one of the required inspections identified in section 110.3 of the 2016 California Building Code within one year of such permit.

The building official may grant a one-time permit extension of 180 (one-hundred eighty) days provided the applicant submits a request in writing prior to the permit expiration and the project has not changed in scope. Additional extension requests of one hundred and eighty (180) days may be granted by the building official if the request is made in writing, the project has not changed in scope, the project has obtained at least one inspection approval AND the applicant pays a fee of $1,000 or the amount of the original building permit fee for each one hundred and eighty (180) day extension.

Before work can commence or recommence under an expired permit, a new permit application must be submitted, and permit obtained along with all applicable fees applied for this new project.
All existing projects are subject to this section and will be subject to the conditions listed above.

(Ord. 2022-___ § 1 (Exh. A (4)), 2022)

5. Section 15.08.040 of the Marina Municipal Code is hereby repealed in its entirety and replaced to read as follows:

15.08.040 Section 1505.1.1 amended.

A. Findings. The amendments set forth in this section are reasonably necessary because of the following local geological, topographical, and climactic conditions:

1. Marina is within a very active seismic area (Seismic Zone 4). Severe seismic action could disrupt communications, damage gas mains, cause extensive electrical hazards, and place extreme demands on the limited and widely dispersed resources of the fire department, resulting in failure to meet the fire and life safety needs of the community.

2. The local geographic, topographic, and climactic conditions pose an increased hazard in the acceleration, spread, magnitude, and severity of potential fires in the city of Marina and may cause a delayed fire response time, allowing further growth of a fire.

3. The types of roof coverings as set forth in the amendment are a more restrictive standard, which will better prevent fie damage, which can result from local conditions.

B. Section 1505.1.1 shall be amended to read as follows:

"Roof coverings within ALL fire hazard severity zones. Any new roof on a new or existing structure and any re-roofing of an existing structure of 50% or more of the total roof area within a one-year period shall be of a fire-retardant roof or class A roof.

(Ord. 2022-___ § 1 (Exh. A (5)), 2022)

6. Section 15.08.100 of the Marina Municipal Code is hereby repealed in its entirety and replaced to read as follows:

"**15.08.100 Portions of the California Building Code which are not approved, adopted, or incorporated by reference.**

The following portions of the California Building Code 2022 Edition or the appendices thereto, are not approved or adopted or incorporated in this chapter by reference and shall not be deemed to be a part of this chapter nor a part of the building code of the city of Marina.

Chapter 9 (All. See Chapter 9 of the California Fire Code, 2022 Edition with amendments.)

Appendices.
2022 CBC Appendix A (Qualifications)

2022 CBC Appendix B (Board of Appeals)

2022 CBC Appendix C (Ag Buildings)

2022 CBC Appendix D (Fire Districts)

2022 CBC Appendix G (Flood Proofing)

2022 CBC Appendix K (Flooding)

(Ord. 2022-___ § 1 (Exh. A (6)), 2022)

7. Section 15.12.010 of the Marina Municipal Code is hereby repealed and replaced in its entirety to read as follows:

15.12.010 Adoption of technical provisions of California Mechanical Code (CMC).

A. Except as otherwise provided for in this chapter, the California Mechanical Code, 2022 Edition, together with those omissions, amendments, exceptions and additions thereto as amended in Title 24 of the California Code of Regulations are approved and adopted and are hereby incorporated in this chapter by reference and made a part hereof the same as if fully set forth herein.

B. One copy of the CMC has been filed for use and examination of the public in the office of the building official of the city of Marina.

(Ord. 2022-____ § 1 (Exh. A (7)), 2022)"

8- Section 15.12.011 of the Marina Municipal Code is hereby repealed and replaced in its entirety to read as follows:

15.12.011 Portions of California Mechanical Code which are not approved, adopted, or incorporated by reference.

The following portions of the California Mechanical Code or CMC, 2022 Edition, or of the appendix thereto, are not approved or adopted or incorporated in this chapter by reference, and shall not be deemed to be a part of this chapter nor a part of the mechanical code of the city of Marina:

Chapter 1, Division II, and all of the appendix chapters with the exception of the following appendix chapters or portion thereof:

A. CMC Appendices A, B, C, D, E and F.

(Ord. 2022-____ § 1 (Exh. A (8)), 2022)

9. Chapter 15.14 of the Marina Municipal Code is hereby repealed and replaced in its entirety to read as follows:

Chapter 15.14 RESIDENTIAL CODE

Sections:

15.14.010 Adoption of technical provisions of California Residential Code (CRC).
15.14.020 Section R105.2 amended.
15.14.030 Section R106.5 amended.
15.14.040 Section R106.6 amended
15.14.050 Section Table R302.6 amended
15.14.060 Section R313 deleted
15.14.070 Section R403.1.3 amended
15.14.08 Section R902.1.1. amended15.14.100
Portions of California Residential Code which are and are not approved, adopted or incorporated by reference.

15.14.010 Adoption of technical provisions of California Residential Code (CRC

A. Except as otherwise provided for in this chapter, the California Residential Code, 2022 Edition, including the appendices thereto, together with those omissions, amendments, exceptions, and additions thereto are approved and adopted, and hereby incorporated in this chapter by reference and made a part hereof the same as if fully set forth herein

B. One copy of the CRC has been filed for use and examination of the public in the office of the building official of the city of Marina

C. Findings. The amendments set forth in Sections 15.14.020, 15.14.030, 15.14.040, 15.14.050, 15.14.060, 15.14.070, 15.14.080 and 15.14.090 are reasonably necessary because of the following local geological, topographical, and climatic conditions:

1. Marina is within a very active seismic area (Seismic Zone 4). Severe seismic action could disrupt communications, damage gas mains, cause extensive electrical hazards, and place extreme demands on the limited and widely dispersed resources of the fire department, resulting in failure to meet the fire and life safety needs of the community.

2. The local geographic, topographic, and climatic conditions pose an increased hazard in the acceleration, spread, magnitude, and severity of potential fires in the city of Marina, and may cause a delayed fire response time, allowing further growth of the fire

3. The type of residential construction provisions set forth in the amendments are more restrictive standards, which will better prevent fire and seismic damage, which can result from local conditions.

(Ord. 2022-____ § 1 (Exh. A (9)), 2022)

15.14.020 Section R105.2 "Work exempt from permit" amended.
Section R105.2 is amended to read as follows:

(10) Decks that are not more than 30 inches above grade, at any point.

(Ord. 2022-____ § 1 (Exh. A (9)), 2022)

15.14.030 Section R105.5 amended.
Section R105.5 is hereby amended to read as follows:

R105.5 Expiration of Permits. Every permit issued by the building official under the provisions of the technical codes shall expire and become null and void, if the project authorized by such permit has not achieved an approval for one of the required inspections identified in section 110.3 of the 2022 California Building Code within one year of such permit.

The building official may grant a one-time permit extension of 180 (one-hundred eighty) days provided the applicant submits a request in writing prior to the permit expiration and the project has not changed in scope. Additional extension requests of one hundred and eighty (180) days may be granted by the building official if the request is made in writing, the project has not changed in scope, the project has obtained at least one inspection approval AND the applicant pays a fee of $1,000 or the amount of the original building permit fee for each one hundred and eighty (180) day extension.

Before work can commence or recommence under an expired permit, a new permit application must be submitted, and permit obtained along with all applicable fees applied for this new project.

All existing projects are subject to this section and will be subject to the conditions listed above.

(Ord. 2022-____ § 1 (Exh. A (9)), 2022)

15.14.040 Section R106.6 amended.
Section R106.6 is hereby amended to read as follows:

R106.6 Expiration of Plan Review. Applications for which no permit is issued within 180 days following the date of the application shall expire and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. The building official may extend the time for action by the applicant for a period not exceeding 180 days on written request by the applicant showing that circumstances beyond control of the applicant have prevented action from being taken and the extension has been submitted in writing prior to the expiration date.

If a permit has not been obtained after the first extension, additional extensions of 90 days may be granted provided the applicant submits this request in writing and pays a fee of $500.00 for each requested 180 - day extension and the project has not changed in scope.
Exception: If a project has been approved by the City pending an outside agency approval prior to expiration, written extensions will not be required.

(Ord. 2022-____ § 1 (Exh. A (9)), 2022)

15.14.050 Table 302.6 amended.

Table R302.6 is amended to read as follows:

"Not less than 5/8" type X" in all columns in the table.

(Ord. 2022-____ § 1 (Exh. A (9)), 2022)

15.14.060 Section R403.1.3 amended.

Section R403.1.3 is hereby amended to read as follows:

R403.1.3 Seismic reinforcing. Concrete footings located in Seismic Design Categories D0, D1 and D2, as established in Table R301.2 (1), shall have minimum reinforcement of at least two continuous longitudinal reinforcing bars not smaller than No. 4 bars. Bottom reinforcement shall be located a minimum of 3 inches (76 mm) clear from the bottom of the footing.

In Seismic Design Categories D0, D1 and D2 where a construction joint is created between a concrete footing and a stem wall, a minimum of one No. 4 bar shall be installed at not more than 4 feet (1219 mm) on center. The vertical bar shall extend to 3 inches (76 mm) clear of the bottom of the footing, have a standard hook and extend a minimum of 14 inches (357 mm) into the stem wall.

In Seismic Design Categories D0, D1 and D2 where a grouted masonry stem wall is supported on a concrete footing and stem wall, a minimum of one No. 4 bar shall be installed at not more than 4 feet (1219 mm) on center. The vertical bar shall extend to 3 inches (76 mm) clear of the bottom of the footing and have a standard hook. In Seismic Design Categories D0, D1 and D2 masonry stem walls without solid grout and vertical reinforcing are not permitted.

> **Exception:** In detached one- and two-family *dwellings* which are three stories or less in height and constructed with stud bearing walls, isolated plain concrete footings supporting columns or pedestals are permitted.

(Ord. 2022-____ § 1 (Exh. A (9)), 2022)

15.14.070 Section R902.1.1 amended.

Section R902.1.1 is hereby amended to read as follows:

> Roof coverings within ALL fire hazard severity zones. Any new roof on a new or existing structure and any re-roofing of an existing structure of 50% or more of the total roof area within a one-year period shall be of a fire-retardant roof or Class A roof.

(Ord. 2022-____ § 1 (Exh. A (9)), 2022)

15.14.080 Section R902.1.2 amended.

Section R902.1.2 is hereby amended to read as follows:

> Roof coverings within ALL fire hazard severity zones. Any new roof on a new or existing structure and any re-roofing of an existing structure of 50% or more of the total roof area within a one-year period shall be of a fire-retardant roof or Class A roof.

(Ord. 2022-____ § 1 (Exh. A (9)), 2022)

15.14.090 Section R902.1.3 amended.

Section R902.1.3 is hereby amended to read as follows:

> Roof coverings within ALL fire hazard severity zones. Any new roof on a new or existing structure and any re-roofing of an existing structure of 50% or more of the total roof area within a one-year period shall be of a fire-retardant roof or Class A roof.

(Ord. 2022-____ § 1 (Exh. A (9)), 2022)

15.14.100

Portions of California Residential Code which are and are not approved, adopted, or incorporated by reference.

The following portions of the California Residential Code or CRC, 2022 Edition, or the appendix thereto, are not approved or adopted or incorporated in this chapter by reference, and shall not be deemed to be a part of this chapter nor a part of the residential code of the city of Marina:

A. Section R313 (All. See Chapter 9 of the California Fire Code, 2022 Edition with amendments.)

B. CRC Appendices AF, AI, AL, AO, AR, AS, AV, and AY.

(Ord. 2022-____ § 1 (Exh. A (9)), 2022)"

10. Chapter 15.18 of the Marina Municipal Code is hereby repealed and replaced in its entirety to read as follows:]

"Chapter 15.18 GREEN BUILDING STANDARDS CODE

Sections:

15.18.101 Adoption of California Green Building Standards Code (CGBSC).
15.18.020 Portions of California Green Building Standards Code which are not approved, adopted, or incorporated by reference.

15.18.010 Adoption of California Green Building Standards Code (CGBSC).

A. Except as otherwise provided for in this chapter, the California Green Building Standards Code, 2022 Edition, including the appendices thereto, together with those omissions, amendments, exceptions, and additions thereto are approved and adopted, and are hereby incorporated in this chapter by reference and made a part hereof the same as if fully set forth herein.

B. One copy of the CGBSC has been filed for use and examination of the public in the office of the building official of the city of Marina.

(Ord. 2022-06 § 1 (Exh. A (10)), 2022)

15.18.020 Portions of California Green Building Standards Code which are not approved, adopted, or incorporated by reference.

The following portions of the California Green Building Standards Code or CGBSC, 2022 Edition, or of the appendix thereto, are not approved or adopted or incorporated in this chapter by reference, and shall not be deemed to be a part of this chapter nor a part of the green building standards code of the city of Marina:

All of the appendix chapters with the exception of the following appendix chapters or portion thereof:

A. CGBSC Appendices A-4 and A-5.

(Ord. 2022-___ § 1 (Exh. A (10)), 2022)"

11. Chapter 15.22 of the Marina Municipal Code is hereby repealed and replaced in its entirety to read as follows]

"Chapter 15.22 EXISITING BUILDING CODE

Sections
15.22.010 Adoption of California Existing Building Code (CEBC).

15.22.010 Adoption of California Existing Building Code (CEBC).

A. The California Existing Building Code, 2022 edition is approved and adopted, and is hereby incorporated in this Chapter by reference and made a part hereof the same as if fully set forth herein.

B. One copy of the CEBC has been filed for use and examination of the public in the Office of the Building Official of the City of Marina."

(Ord. 2022-____ § 1 (Exh. A (11)), 2022)"

12. Section 15.24.010 of the Marina Municipal Code is repealed in its entirety and replaced to read as follows:]

"**15.24.010 Adoption of Technical Provisions of California Plumbing Code (CPC).**

A. Except as otherwise provided for in this Chapter, the California Plumbing Code, 2022 edition, including the appendices thereto, together with those omissions, amendments, exceptions and additions thereto as amended in Title 24 of the California Code of Regulations are approved and adopted, and are hereby incorporated in this Chapter by reference and made a part hereof the same as if fully set forth herein.

B One copy of the CPC has been filed for use and examination of the public in the Office of the Building Official of the City of Marina.

(Ord. 2022-____ § 1 (Exh. A (12)), 2022)"

13. Section 15.24.030 of the Marina Municipal Code is hereby repealed in its entirety and replaced to read as follows:]

"15.24.030 Portions of California Plumbing Code which are not approved, adopted, or incorporated by reference.

The following portions of the California Plumbing Code or CPC, 2022 edition, or of the appendix thereto, are not approved or adopted or incorporated in this Chapter by reference, and shall not be deemed to be a part of this Chapter nor a part of the plumbing code of the City of Marina:

Chapter 1 – Division II and all the Appendices with the exception of the following Appendix Chapters or portion thereof (which are approved, adopted and incorporated in this Chapter by reference):

A. CPC Appendix I.

(Ord. 2022-____ § 1 (Exh. A (13)), 2022)"

14. Chapter 15.28 of the Marina Municipal Code is hereby repealed in its entirety and replaced to read as follows:

"Chapter 15.28 ELECTRICAL CODE

Sections
15.28.010 Adoption of the technical provisions of the California Electrical Code

15.28.010 Adoption of Technical Provisions of California Electrical Code (CEC).

A. Except as otherwise provided for in this Chapter, the California Electrical Code, 2022 edition, together with those omissions, amendments, exceptions, and additions thereto as amended in Title 24 of the California Code of Regulations are approved and adopted and are hereby incorporated in this Chapter by reference and made a part hereof the same as if fully set forth herein.

B. One copy of the CEC has been filed for use and examination of the public in the Office of the Building Official of the City of Marina."

(Ord. 2022-____ § 1 (Exh. A (14)), 2022)"

15. Chapter 15.32 of the Municipal Code is hereby repealed in its entirety and replaced to read as follows:]

*"***Chapter 15.32 ADOPTION OF THE CALIFORNIA FIRE CODE (CFC)**

Sections:

15.32.050 Adoption of technical provisions of California Fire Code.
15.32.010 Definitions.
15.32.020 Bureau of fire prevention established.
15.32.030 Findings.
15.32.040 Section 101.1 Amended - Title
15.32.050 Section 101.2.1 Amended - Appendices
15.32.060 Section 102.1 Amended – Construction & Design Provisions
15.32.080 Section 103,.0 Added
15.32.090 Section 104.1.1 Added
15.32.100 Section 105.5.0 Added
15.32.110 Section 112.2 Amended.
15.32.120 Section 112.4 Amended
15.32.130 Section 113.4 Amended
15.32.140 Section 202 Amended
15.32.180 Section 503.2.7 Amended
15.32.190 Section 503.2.7.1 Added
15.32.200 Section 503.7 Added
15.32.210 Section 507.5.2 Amended
15.32.220 Section 605.3.1 Added
15.32.230 Section 605.3.1.1 Added
15.32.240 Section 901.1.1 Added
15.32.250 Section 901.2.2 Added
15.32.260 Section 901.4 Amended
15.32.270 Section 901.4.8 Added
15.32.280 Section 901.6.4 Added
15.32.290 Section 901.6.5 Added
15.32.300 Section 901.11 Added
15.32.310 Section 901.11.1 Added
15.32.320 Section 901.11.2 Added
15.32.330 Section 901.11.2.1 Added
15.32.340 Section 901.11.2.2 Added
15.32.350 Section 901.11.3 Added
15.32.360 Section 901.11.3.1 Added

15.32.370 Section 901.11.3.1.1 Added
15.32.380 Section 901.11.3.1.2 Added
15.32.390 Section 901.11.3.1.3 Added
15.32.400 Section 901.11.3.2 Added
15.32.410 Section 901.11.3.3 Added
15.32.420 Section 901.11.3.4 Added
15.32.430 Section 903.2 Amended
15.32.440 Section 903.2.8 Amended
15.32.450 Section 903.3.11.1 #7 Added
15.32.460 Section 903.3.1.1.2 Deleted
15.32.470 Section 903.3.1.2 Amended
15.32.480 Section 903.3.1.2.1 Amended
15.32.490 Section 903.3.1.2.3 Amended
15.32.500 Section 903.3.1.2.4 Amended
15.32.510 Section 903.3.1.2.5 Amended
15.32.520 Section 903.3.1.2.6 Amended
15.32.530 Section 903.3.1.2.7 Amended
15.32.540 Section 903.3.1.3 Amended
15.32.550 Section 903.3.1.3.1 Added
15.32.560 Section 903.3.1.3.2 Added
15.32.570 Section 903.3.1.3.3 Added
15.32.580 Section 903.3.1.3.4 Added
15.32.590 Section 903.3.1.3.5 Added
15.32.600 Section 903.3.1.3.5.1 Added
15.32.610 Section 903.3.1.3.6 Added
15.32.620 Section 903.3.1.3.7 Added
15.32.630 Section 903.4.1 Amended
15.32.640 Section 903.4.2 Amended
15.32.650 Section 903.4.2.1 Added
15.32.660 Section 903.4.3 Added
15.32.670 Section 904.13.2 Amended
15.32.680 Section 904.13.5.2 Amended
15.32.690 Section 907.1.6 Added
15.32.700 Section 907.2 Amended
15.32.710 Section 907.6.5 Amended
15.32.720 Section 907.6.6 Amended
15.32.730 Section 907.6.6.5 Added
15.32.740 Section 907.6.6.6 Added
15.32.750 Section 907.7.2 Amended
15.32.760 Section 1205.1.1 Added
15.32.770 Section 1205.1.1.1 Added
15.32.780 Section 1205.1.1.2 Added
15.32.790 Section 1205.1.1.3 Added
15.32.800 Section 1205.1.1.4 Added
15.32.810 Section 1205.2.1 Amended
15.32.820 Section 1205.2.1.4 Added
15.32.830 Section 1206.15 Added
15.32.840 Section 3905.3 Added
15.32.850 Section 5609.0 Added
15.32.860 Section 5609.1 Added
15.32.870 Section 5609.1.2 Added
15.32.880 Section 5609.1.3 Added
15.32.890 Section 5609.1.4 Added
15.32.900 Section 5609.1.5 Added
15.32.910 Appendix D D103.2 Amended
15.32.920 Appendix Q Added
15.32.930 Appendix R Added

15.32.050 Adoption of technical provisions of California Fire Code

A. Except as otherwise provided for in this chapter, the California Fire Code or CFC, 2022 Edition, promulgated by the International Fire Code Institute, including the appendix sections, together with those omissions, amendments, exceptions, and additions thereto as amended in Title 24 of the California Code of Regulations, are approved and adopted, and are incorporated in this chapter by reference and made a part hereof the same as if fully set forth herein.

B. One copy of the CFC has been filed for use and examination of the public in the office of the fire chief of the City of Marina.

(Ord. 2022-___ § 1 (Exh. A (15) (part)), 2022)

15.32.010 Definitions.

As used in this chapter or in any other uniform codes or other nationally recognized fire safety standard made a part of this chapter, unless otherwise apparent from the context:

A. "City" means the city of Marina when it refers to a political entity and means the incorporated area of the city of Marina when it refers to an area.

B. "City council" means the city council of Marina.

C. "Fire Chief" means the chief of the fire department serving the city of Marina.

D. "Fire code official" means the Fire Chief or his or her designee.

E. "Mayor" means the mayor of the City of Marina.

F. "Municipality" means the City of Marina.

(Ord. 2022-___§ 1 (Exh. A (15) (part)), 2022)

15.32.020 Bureau of fire prevention established.

The California Fire Code shall be enforced by the fire chief or his/her designee. The fire chief is appointed as the fire code official. The bureau of fire prevention is established within the city under the direction of the fire code official. The function of the fire prevention bureau shall be the implementation, administration, and enforcement of the provisions of the Fire Code. References within the California Fire Code to the "department of fire prevention" shall mean the bureau of fire prevention
(Ord. 2022-___ § 1 (Exh. A (15) (part)), 2022)

15.32.030 Findings.

The amendments set forth in Sections 15.32.040 through 15.32.930 are reasonably necessary because of the following local climatic, geological, and topographical conditions:

A. Climate. The city, on average, experiences an approximate annual rainfall of fifteen inches. The heaviest months for rainfall can be expected between January and April. During winter months, the city may experience periods of heavy rain, which can cause local flooding. Due to the proximity of the Pacific Ocean, winter storms are often accompanied by high winds, which have uprooted trees and damaged power lines. The city has also experienced periods of heavy fog, which has delayed the responding fire apparatus and prevented early discovery of structure fires. Light to gusty winds occur during dry periods which, when coupled with highly flammable vegetation, can cause uncontrollable fires. With increased development spreading into brush covered coastal hill areas, wind driven fires could have severe consequences, as have been demonstrated on several occasions throughout the state.

B. Geologic. The city is susceptible to seismic hazards resulting from movement along any one of several known faults. The most serious direct earthquake hazard threat is from the damage or collapse of buildings and other structures due to ground movement. In addition to damage caused by earthquakes, there is the possibility of earthquake-induced fires starting because of damage to gas lines, power lines or heat-producing appliances and the unavailability to water for fire control due to broken water mains. In the

event of a major earthquake many areas of the city may not be accessible to emergency equipment and, if bridges or roads are damaged, the city may be isolated from outside assistance.

C. Topographical. The city is divided by California State Highway 1. The freeway creates barriers which obstruct traffic patterns and delay response time for fire equipment. The water supply within the city is directly affected by the topographical layout. In the event of a major catastrophe, the city does not have an elevated water storage system to supply pressurized water to the city fire hydrants.

D. Conclusion. Local climatic, geologic and topographical conditions impact fire suppression efforts and the frequency, spread, intensity and size of fire involving structures in this community. Further, they impact potential damage to all structures from earthquake and subsequent fire. Therefore, it is found to be necessary that the California Fire Code be amended by this chapter to mitigate the effects of these conditions.

(Ord. 2022-___ § 1 (Exh. A (15) (part)), 2022)

15.32.040 Section 101.1 - Amended.
Section 101.1 is amended to read as follows:
101.1 Title. These regulations shall be known as the Fire Code of the City of Marina, hereinafter referred to as "Fire Code".

(Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022)

15.32.050 Section 101.2.1 – Amended
Section 101.2.1 is amended to read as follows:
101.2.1 Appendices. Provisions in all appendices to the 2022 California Fire Code are hereby adopted in their entirety and shall apply.

(Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022)

15.32.060 Section 102.1 – Amended
Section 102.1 is amended to read as follows:
102.1 Construction and design provisions. The construction and design provisions of this code shall apply to:

1. Structures, facilities and conditions arising after the adoption of this code.

2. Existing structures, facilities, and conditions not legally in existence at the time of adoption of this code.

3. Existing structures, facilities and conditions when identified in specific sections of this code.

4. Existing structures, facilities, and conditions, which, in the opinion of the fire code official, constitute a distinct hazard to life and property.

5. Existing structures alterations and repairs.

5.a. All new work performed in alterations and/or repairs to existing structures shall comply with the current provisions of this Chapter.

5.b. When alterations and/or repairs result in the removal, alteration, modification, replacement and/or repair of fifty percent (50%) or more of the external walls of a building, or result in the removal, modification, replacement and/or repair of fifty percent (50%) or more of the existing internal structural and/or non-structural framework, independently or in combination thereof, within a five year period, the entire building shall be made to conform to the current provisions of this Chapter

5.c. Calculations of linear wall measurements shall be shown on all plans submitted for building permits, on the cover page in the project description of said plans.

5.d. The determination under this section of the requirement for upgrading any existing structure to full conformance with the current provisions of this Chapter shall be at the sole discretion of the fire code official.

(Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022)

MARINA CITY CODE INTERPRETATION
With regards to construction provisions of this Code being required on building remodels:

If wall coverings (drywall, paneling, etc.) are removed down to bare studs, do these walls get included in the calculations?

ANSWER: No

1. **If new wall coverings are installed over existing wall coverings, do these walls get included in the calculations?**
   ANSWER: No
2. **What is the measurement parameter for determining the 50% figure?**
   ANSWER: ALL WALLS, INTERIOR AND EXTERIOR, ARE MEASURED USING THE LINEAR FOOTAGE OF THE WALLS.

MARINA CITY CODE COMMENTARY
The following formula is used to determine the 50% linear wall length in the City of Marina and is a standard adopted by the Monterey County Fire Prevention Officers Association:

Step 1: Determine the total linear length of all walls of the existing building.
Step 2: Determine the total linear length of all walls of the proposed remodeled building, including additions to the building.
Step 3. Determine the total linear length of all walls that are proposed to be removed during the remodel.
Step 4. Add the results of Steps 1, 2, and 3.
Step 5. Determine whether Step 4 result is over 150% of the Step 1 result. If so, Section 102.1 applies. If not, it does not apply.

15.32.080 Section 103.0 – Added
Section 103.0 is added to Chapter 1 of the Fire Code to read as follows:
103.0 Responsibility for enforcement.

103.0.1 Within established fire protection districts, incorporated cities and community services districts, responsibility for enforcement of this code shall be under the direction of the Fire Chief within each district.

Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022)

15.32.090 Section 104.1.1 – Added
Section 104.1.1 is added to Chapter 1 of the Fire Code to read as follows:
104.1.1 Police powers. The fire code official and his authorized deputies shall have the powers of police offices in performing their duties under this code. When requested to do so by the fire code official, the chief of police of the jurisdiction is authorized to assign such available police officers as necessary to assist the fire code official in enforcing the provisions of this code.

(Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022)

15.32.100 Section 105.5.0 – Added
Section 105.5.0 is added to Chapter 1 of the Fire Code to read as follows:
105.5.0 Agricultural Explosive Devices. An operational permit is required for storage or use of any agricultural explosive device including "bird bombs".

(Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022)

15.32.110 Section 112.2 – Amended
Section 112.2 is amended to read as follows:
112.2 Owner/occupant responsibility. Correction and abatement of violations of this code shall be the responsibility of the owner. If the occupant creates, or allows to be created, hazardous conditions in violation of this code, the occupant shall be held responsible for the correction or abatement of such hazardous conditions.

(Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022)

15.32.120 Section 112.4 – Amended
Section 112.4 is amended to read as follows:
112.4 Violation penalties. Persons who shall violate any provision of this code or shall fail to comply with any of the requirements thereof or shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of an infraction, punishable by a fine not more than five hundred dollars ($500.00). Each day that a violation continues after due notice has been served shall be deemed a separate offense.

(Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022)

15.32.130 Section 113.4 – Amended
Section 113.4 is amended to read as follows:
113.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be guilty of an infraction as specified in Section 112.4 of this code.

(Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022)

15.32.140 Section 202 – Amended
Section 202 is amended to add the following definitions and to read as follows:
ALL WEATHER SURFACE. A road surface constructed to the minimum standards adopted by the jurisdiction.

BRIDGE. A structure to carry a roadway over a depression or obstacle.

IDLE PALLET. A pallet or similar product storage and/or lifting device not currently in use and empty of product.

(Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022)

15.32.180 Section 503.2.7 – Amended
Section 503.2.7 is amended to read as follows:
503.2.7 Grade. The grade of fire apparatus access roads shall be no greater than 15% unless specifically approved by the fire code official.

(Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022)

15.32.190 Section 503.2.7.1 – Added
Section 503.2.7.1 is added to Chapter 5 of the Fire Code to read as follows:
503.2.7.1 Paving. All fire apparatus access roads over eight percent (8%) shall be paved with a minimum 0.17 feet of asphaltic concrete on 0.34 feet of aggregate base. All fire apparatus access roads over fifteen percent (15%) where approved shall be paved with perpendicularly grooved concrete.

(Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022)

15.32.200 Section 503.7 – Added
Section 503.7 is added to Chapter 5 of the Fire Code to read as follows:
503.7 Fire apparatus access road names. All fire apparatus access road names shall be issued or approved by the appropriate governmental agency.

(Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022)

15.32.210 Section 507.5.2 – Amended
Section 507.5.2 is amended to read as follows:
507.5.2 Inspection, testing and maintenance. Fire hydrant systems shall be subject to periodic tests as required by the fire code official. Fire hydrant systems shall be maintained in an operative condition at all times and shall be repaired where defective. Additions, repairs, alterations, and servicing shall comply with approved standards. When required by the fire code official, hydrants shall be painted in accordance with the most current edition of NFPA 291.

(Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022)

15.32.220 Section 605.3.1.1 – Added
Section 605.3.1 Spark Arrestors
Section 605.3.1.1 is added to Chapter 6 of the Fire Code to read as follows:
605.3.1.1 An approved spark arrester shall be installed on all chimneys, incinerators, smokestacks or similar devices using solid fuel for conveying smoke or hot gases to the outer air

(Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022)

15.32.230 Section 605.3.1.2 – Added
Section 605.3.1.2 is added to Chapter 6 of the Fire Code to read as follows:
605.3.1.2 Spark arresters shall have openings in accordance with Section 2113.9.2(3) of the California Building Code and Section 1003.9.2 of the California Residential Code with minimum openings of 3/8" and maximum openings of ½".

(Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022)

15.32.240 Section 901.1.1 – Added
Section 901.1.1 is added to Chapter 9 of the Fire Code to read as follows:
901.1.1 Responsibility. The owner of the protected premises shall be responsible for all fire protection systems within the protected premises, whether existing or installed under this code.

(Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022)

15.32.250 Section 901.2.2 – Added
Section 901.2.2 is added to Chapter 9 of the Fire Code to read as follows:
901.2.2 Additional documentation. Additional documentation as required by the fire code official shall be provided to the fire code official in an acceptable format.

(Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022)

15.32.260 Section 901.4 – Amended
Section 901.4 is amended to read as follows:
901.4 Installation. Fire protection systems shall be maintained in accordance with the original installation standards for that system. All systems shall be extended, altered, or augmented as necessary to maintain and continue protection whenever the building is altered, remodeled, or added to. Alterations to fire protection systems shall be done in accordance with applicable standards.

(Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022)

15.32.270 Section 901.4.8 – Added
Section 901.4.8 is added to Chapter 9 of the Fire Code to read as follows:
901.4.8 Nonoperational equipment. Any fire protection equipment that is no longer in service shall be removed.
MARINA CITY CODE INTERPRETATION

With regards to construction provision of the Marina City Fire Code being require on ancillary building based on proximity to the main structure, when are detached buildings to be considered "attached" for the purposes of imposing fire protection system requirements of the Marina City Fire Code?

Answer: Ancillary buildings withing 20 feet of the main structure are considered "attached" for the purpose of imposing fire protection system requirements.

15.32.280 Section 901.6.4 – Added
Section 901.6.4 is added to Chapter 9 of the Fire Code to read as follows:
901.6.4 Qualifications of Inspection, Testing and Maintenance Personnel. All personnel performing any inspection, testing or maintenance of any fire protection system shall be qualified. Where such inspection, testing and maintenance is performed by an outside service company, the company shall be appropriately licensed in accordance with the California Business and Professions Code or by the California State Fire Marshal.

(Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022)

15.32.290 Section 901.6.5 – Added
Section 901.6.5 is added to Chapter 9 of the Fire Code to read as follows:
901.6.5 Additional records. All documentation generated during any scheduled inspection or test of any fire protection system, whether required or voluntarily installed, shall be forwarded to the fire code official within 21 calendar days after the date of the inspection or test.

(Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022)

15.32.300 Section 901.11 – Added
Section 901.11 is added to Chapter 9 of the Fire Code to read as follows:
901.11 Fire Protection Features for Plant Processing and Extraction Facilities

(Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022)

15.32.310 Section 901.11.1 – Added
Section 901.11.1 is added to Chapter 9 of the Fire Code to read as follows:
901.11.1 Scope. This section applies to occupancies regulated by Chapter 39 of this Code.

(Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022)

15.32.320 Section 9011.2 – Added
Section 901.11.2 is added to Chapter 9 of the Fire Code to read as follows:
901.11.2 Definitions.

(Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022)

15.32.330 Section 9011.2.1 – Added
Section 901.11.2.1 is added to Chapter 9 of the Fire Code to read as follows:
901.11.2.1 Plant processing. Plant processing shall include all plant post-harvest operations, excluding retail sales of plant and related products.

(Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022)

15.32.340 Section 901.11.2.2 – Added
Section 901.11.2.2 is added to Chapter 9 of the Fire Code to read as follows:
901.11.2.2 Indoor cultivation. Indoor cultivation shall be defined as all nursery or cultivation conducted in other than Group U occupancies (greenhouses).

(Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022)

15.32.350 Section 901.11.3 – Added
Section 901.11.3 is added to Chapter 9 of the Fire Code to read as follows:
901.11.3 Fire Protection Systems. All buildings or portions thereof housing plant post-harvest or indoor cultivation operations shall be protected as defined in this section.

(Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022)

15.32.360 Section 901.11.3.1 – Added
Section 901.11.3.1 is added to Chapter 9 of the Fire Code to read as follows:
901.11.3.1 Fire Sprinklers. Fire sprinklers shall be installed in accordance with 901.11.3.1.1, 901.11.3.1.2, or 901.11.3.1.3

(Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022)

15.32.370 Section 901.11.3.1.1 – Added
Section 901.11.3.1.1 is added to Chapter 9 of the Fire Code to read as follows:
901.11.3.1.1 Fire sprinklers shall be installed in all buildings or portions thereof; such fire sprinkler systems shall be designed to Ordinary Group II design standards in the latest adopted edition of NFPA 13 and Section 903 of this code.

(Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022)

15.32.380 Section 901.11.3.1.2 – Added
Section 901.11.3.1.2 is added to Chapter 9 of the Fire Code to read as follows:
901.11.3.1.2 If the occupancy is classified as a Group H Occupancy the fire sprinkler system may be required to be designed and installed as an Extra Hazard fire sprinkler system

(Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022)

15.32.390 Section 901.11.3.1.3 – Added
Section 901.11.3.1.3 is added to Chapter 9 of the Fire Code to read as follows:
901.11.3.1.3 Where permitted by the fire code official and not otherwise required by this code or the CBC, fire sprinklers may be eliminated in approved buildings less than 500 square feet.

(Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022)

15.32.400 Section 901.11.3.2 – Added
Section 901.11.3.2 is added to Chapter 9 of the Fire Code to read as follows:
901.11.3.2 Fire Alarm Systems. Fire alarm systems shall be installed in all buildings or portions thereof; such fire alarm systems shall include both fire sprinkler system monitoring and complete occupant notification as specified in the latest adopted edition of NFPA 72 and Section 907 of this code.

(Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022)

15.32.410 Section 901.11.3.3 – Added
Section 901.11.3.3 is added to Chapter 9 of the Fire Code to read as follows:
901.11.3.3 Special Hazard Systems. Where specified by appropriate UL listings for extraction booths utilizing volatile solvents, dry chemical fire protection systems shall be installed according to the latest adopted edition of NFPA 17. If there is no UL listing for the extraction booth, a dry chemical fire protection system shall be installed.

(Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022)

15.32.420 Section 901.11.3.4 – Added
Section 901.11.3.4 is added to Chapter 9 of the Fire Code to read as follows:
901.11.3.4 Portable Fire Extinguishers. Portable fire extinguishers shall be installed in accordance with NFPA 10 and Section 906 of this code.

(Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022)

15.32.430 Section 903.2 – Amended
Section 903.2 is amended to read as follows:
903.2 Where required. Approved automatic sprinkler systems shall be provided in all new buildings and structures constructed, moved into, or relocated within the jurisdiction.

Exceptions:
(1) Structures not classified as Group R occupancies and not more than five hundred (500) square feet in total floor area.
(2) Detached agricultural buildings, as defined by this code and the CBC, located at least one hundred feet (100) from any other structure or the property line, whichever is closer.
(3) Accessory structures not classified as R occupancies associated with existing non-sprinklered R-3 occupancies (one- or two-family dwellings) and less than one thousand five hundred (1500) square feet in total fire area.
(4) Where an insufficient water supply exists to provide for an automatic fire sprinkler system and where the Fire Code Official permits alternate protection.

The following Sections are amended by changing requirements to five hundred (500) square feet for fire sprinkler installation, as follows (the complete text of the section is not provided):
903.2.1.1 Group A-1. Change twelve thousand (12,000) square feet to five hundred (500) square feet.
903.2.1.2 Group A-2. Change five thousand (5,000) square feet to five hundred (500) square feet.
903.2.1.3 Group A-3. Change twelve thousand (12,000) square feet to five hundred (500) square feet.
903.2.1.4 Group A-4. Change twelve thousand (12,000) square feet to five hundred (500) square feet.
903.2.1.5 Group A-5. Change one thousand (1,000) square feet to five hundred (500) square feet.
903.2.3 Group E. Change twelve thousand (12,000) square feet to five hundred (500) square feet.
903.2.4 Group F-1. Change twelve thousand (12,000) square feet to five hundred (500) square feet.

903.2.4.1 Group F-1. Change two thousand five hundred (2,500) square feet for woodworking operations to five hundred (500) square feet.
903.2.7-1 Group M. Change twelve thousand (12,000) square feet to five hundred (500) square feet.
903.2.7-3 Group M. Change twenty-four thousand (24,000) square feet to five hundred (500) square feet.
903.2.9 Group S-1. Change twelve thousand (12,000) square feet to five hundred (500) square feet.
903.2.9.1 Repair Garages. Change ten thousand (10,000) square feet (2 story buildings) and twelve thousand (12,000) square feet (1 story buildings) to five hundred (500) square feet.
903.2.9.2 Bulk storage of tires. Change twenty thousand (20,000) cubic feet to five hundred (500) square feet.

(Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022)

15.32.440 Section 903.2.8 – Amended
Section 903.2.8 is amended to read as follows:
903.2.8 Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided in all buildings with a Group R fire area, including, but not limited to, one- and two-family dwellings, townhomes, and manufactured homes and mobile homes located outside of licensed mobile home parks hereafter constructed, moved into or relocated within the jurisdiction, including all additions to buildings already equipped with automatic fire sprinkler systems.
(Exceptions remain per 2022 California Fire Code)

(Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022)

15.32.450 Section 903.3.1.1.1 #7 – Added
Section 903.3.1.1.1 #7 is added to Chapter 9 of the Fire Code to read as follows:
7. Passenger elevator shafts or associated passenger elevator mechanical rooms, where elevator shafts are constructed with a 2-hour fire resistive method.

(Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022)

15.32.460 Section 903.3.1.1.2 – Deleted
Section 903.3.1.1.2 is deleted in its entirety:

(Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022)

15.32.470 Section 903.3.1.2 – Amended
Section 903.3.1.2 is amended to read as follows:
903.3.1.2 NFPA 13R sprinkler systems. Automatic sprinkler systems in Group R occupancies up to and including four stories in height shall be permitted to be installed throughout in accordance with NFPA 13R as amended in Chapter 80.

(Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022)

15.32.480 Section 903.3.1.2.1 – Amended
Section 903.3.1.2.1 is amended to read as follows:
903.3.1.2.1 Balconies and decks. Sprinkler protection shall be provided for exterior balconies, decks and ground floor patios of dwelling units where the building is of Type V construction, provided there is a roof or deck above. Sidewall sprinklers that are used to protect such areas shall be permitted to be located such that their deflectors are within 1 inch to 6 inches below the structural members and a maximum distance of 14 inches below the deck of the exterior balconies and decks that are constructed of open wood joist construction.

(Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022)

15.32.490 Section 903.3.1.2.3 – Amended

Section 903.3.1.2.3 is amended to read as follows:
903.3.1.2.3 Attics. Where NFPA 13R sprinkler systems are installed, all attic areas shall be provided with sprinkler protection in accordance with NFPA 13.

(Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022)

15.32.500 Section 903.3.1.2.4 – Amended
Section 903.3.1.2.4 is amended to read as follows:
903.3.1.2.4 Sprinkler control valves. Where NFPA 13R sprinkler systems are installed, sprinkler system control valves shall be installed in accordance with NFPA 13.

(Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022)

15.32.510 Section 903.3.1.2.5 – Amended
Section 903.3.1.2.5 is amended to read as follows:
903.3.1.2.5 Bathrooms. Automatic sprinklers shall be installed in all bathrooms, regardless of square footage, where an electrical receptacle is installed.

(Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022)

15.32.520 Section 903.3.1.2.6 – Amended
Section 903.3.1.2.6 is amended to read as follows:
903.3.1.2.6 Accessible storage areas. Automatic sprinklers shall be installed in all accessible storage areas.

(Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022)

15.32.530 Section 903.3.1.2.7 – Amended
Section 903.3.1.2.7 is amended to read as follows:
903.3.1.2.7 Under-stair spaces. Automatic sprinklers shall be installed in all under-stair spaces including all under-stair closets.

(Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022)

15.32.540 Section 903.3.1.3 – Amended
Section 903.3.1.3 is amended to read as follows:
903.3.1.3 NFPA 13D sprinkler systems. Automatic fire sprinkler systems installed in one and two-family dwellings, Group R-3 and R-4 congregate living facilities and townhouses shall be permitted to be installed throughout in accordance with NFPA 13D. The requirements of this section supersede the requirements of the California Residential Code.

(Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022)

15.32.550 Section 903.3.1.3.1 – Added
Section 903.3.1.3.1 is added to read as follows:

903.3.1.3.1 All fire sprinkler systems installed in one- and two-family dwellings shall be tested for leakage by undergoing a hydrostatic test made at 200 psi for two-hour duration.

(Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022)

15.32.560 Section 903.3.1.3.2 – Added
Section 903.3.1.3.2 is added to read as follows:
903.3.1.3.2 Each water system supplying both domestic and fire protection systems shall have a single indicating-type control valve, arranged to shut off both the domestic and sprinkler systems. A separate

shut-off valve for the domestic system only shall be permitted to be installed. The location of the control valve shall be approved by the fire code official.

(Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022)

15.32.570 Section 903.3.1.3.3 – Added
Section 903.3.1.3.3 is added to read as follows:
903.3.1.3.3 Automatic sprinklers shall be installed in all bathrooms, regardless of square footage, where an electrical receptacle is installed.

(Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022)

15.32.580 Section 903.3.1.3.4 – Added
Section 903.3.1.3.4 is added to read as follows:
903.3.1.3.4 Automatic sprinklers shall be installed in all attached garages and other accessory structures and in all garages and other accessory structures.

(Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022)

15.32.590 Section 903.3.1.3.5 – Added
Section 903.3.1.3.5 is added to read as follows:
903.3.1.3.5 Automatic sprinklers shall be installed in all accessible storage areas.

(Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022)

15.32.600 Section 903.3.1.3.5.1 – Added
Section 903.3.1.3.5.1 is added to read as follows:
903.3.1.3.5.1 Automatic sprinklers shall be installed in all under-stair spaces including all closets.

(Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022)

15.32.610 Section 903.3.1.3.6 – Added
Section 903.3.1.3.6 is added to read as follows:
903.3.1.3.6 Local water flow alarms shall be provided on all sprinkler systems. Local water flow alarms shall be powered from the main kitchen refrigerator circuit. The local water flow alarm shall be clearly audible from within the master bedroom at an audibility level of not less than 75 dBa. Where no kitchen exists in the building, the water flow alarm shall be powered from the bathroom lighting circuit. Where required by the fire code official, interior audible notification appliances or additional water flow alarms may be required to be installed at locations specified by the fire code official.

(Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022)

15.32.620 Section 903.3.1.3.7 – Added
Section 903.3.1.3.7 is added to read as follows:
903.3.1.3.7 Automatic fire sprinklers shall be installed to protect all furnaces and heating system appliances.

(Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022)

MARINA CITY FIRE CODE INTERPRETATION
With regards to requiring fire sprinkler installation in bathrooms,
Do rooms with toilets and/or bidets only and no electrical receptacles require fire sprinklers?
ANSWER: No unless they exceed the 55 square foot minimum in NFPA 13R and NFPA 13D.
Do rooms with showers only and no electrical receptacles require fire sprinklers?
ANSWER: No, unless they exceed the 55 square foot minimum in NFPA 13R and NFPA 13D

15.32.630 Section 903.4.1 – Amended
Section 903.4.1 is amended to read as follows:
903.4.1 Monitoring. Alarm, supervisory and trouble signals shall be distinctly different and shall be automatically transmitted to an approved central station, remote supervising station or proprietary supervising station as defined in NFPA 72, or, when approved by the fire code official, shall sound an audible signal at a constantly attended location. The fire alarm system installed to transmit such signals shall be considered a building fire alarm system (exceptions remain unchanged).

(Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022)

15.32.640 Section 903.4.2 – Amended
Section 903.4.2 is amended to read as follows:
903.4.2 Alarms. One exterior approved audible appliance shall be connected to every automatic sprinkler system in an approved location. Sprinkler water-flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Where a building fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system. Interior alarm notification appliances shall be installed as required by Section 903.4.2.1.

(Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022)

15.32.650 Section 903.4.2.1 – Added
Section 903.4.2.1 is added to Chapter 9 of the Fire Code to read as follows:
903.4.2.1 Where an automatic fire sprinkler system is installed in a building with more than one tenant or with over 100 sprinkler heads, audible and visible notification appliances shall be installed throughout the building as follows:

a. Audible notification appliances shall be installed so as to be audible at 15 dBa above average sound pressure level throughout the building.

b. Visible notification appliances shall be installed in all public and common use areas, restrooms and corridors in accordance with the spacing requirements of NFPA 72.

c. Visible notification appliances can be eliminated in normally unoccupied portions of buildings where permitted by the fire code official.

EXCEPTION: The requirements of this section do not apply to Group R-3 Occupancies.

(Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022)

15.32.660 Section 903.4.3 – Added
Section 903.4.3 is added to read as follows:
903.4.3 Floor control valves. Approved indicating control valves and water flow switches shall be provided at the point of connection to the riser on each floor in all buildings over one story in height and shall be individually annunciated as approved by the fire code official.

(Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022)

15.32.670 Section 904.13.2 – Amended
Section 904.13.2 is amended to read as follows:
904.13.2 System interconnection. The actuation of the fire extinguishing system shall automatically shut down all fuel and electrical power located under the hood, except for the electrical power to the exhaust air supply. The fuel and electrical supply reset shall be manual.

(Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022)

15.32.680 Section 904.13.5.2 – Amended
Section 904.13.5.2 is amended to read as follows:
904.13.5.2 Extinguishing system service. Automatic fire extinguishing systems shall be serviced by a CSLB licensed C-16 contractor or a CSFM licensed "A" licensee at least every six months and after any activation of the system. Inspection shall be performed by the owner at least monthly in accordance with the currently adopted edition of NFPA 17-A. The service contractor shall review the records of monthly inspections every six months, and deficiencies shall be reported to the fire code official. A service report shall be forwarded to the fire code official by the licensed service contractor within 15 days after every service on the appropriate AES form.

(Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022)

15.32.690 Section 907.1.6 – Added
Section 907.1.6 is added to Chapter 9 of the Fire Code to read as follows:
907.1.6 Multiple Fire Alarm Systems. Multiple fire alarm systems within a single protected premises are not permitted, unless specifically authorized by the fire code official**.**

(Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022)

15.32.700 Section 907.2 – Amended
Section 907.2 is amended to read as follows:
907.2 Exception 1. The manual fire alarm box is not required for fire alarm control units dedicated to elevator recall control.

(Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022)

15.32.710 Section 907.6.5– Amended
Section 907.6.5 is amended to read as follows:
907.6.5 Access. Access shall be provided to each fire alarm system component for periodic inspection, maintenance, and testing.

(Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022)

15.32.720 Section 907.6.6– Amended
Section 907.6.6 is amended to read as follows:

907.6.6 Monitoring. Fire alarm systems, whether required by this chapter or the California Building Code or voluntarily installed, shall be monitored by an approved supervising station in accordance with NFPA 72 and this section.

(Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022

15.32.730 Section 907.6.6.5– Added
Section 907.6.6.5 is added to read as follows:

907.6.6.5 Zone transmittal. Where required by the fire code official, fire alarm signals shall be transmitted by zone to the supervising station and retransmitted by zone to the public fire service communications center.

(Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022

15.32.740 Section 907.6.6.6 – Added
Section 907.6.6.6 is added to Chapter 9 of the Fire Code to read as follows:
907.6.6.6 Means of communication. The use of either POTS or cable telephone lines with a digital alarm communicator transmitter shall not be permitted.

EXCEPTION. Where no other communications methods are available, the use of telephone lines shall be permitted to be used on a temporary basis not to exceed one year from the date of final acceptance test or until permitted alternate means of communications are available.

(Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022)

15.32.750 Section 907.7.2– Amended
Section 907.7.2 is amended to read as follows:

907.7.2 Completion documents. The following documentation shall be provided at the time of acceptance testing for all fire alarm system installations:

1. A record of completion in accordance with NFPA 72.

2. A contractor's statement verifying that the system has been installed in accordance with the approved plans and specifications and has been 100% tested in accordance with NFPA 72.

3. A contractor's affidavit of personnel qualifications, indicating that all personnel involved with the installation of the fire alarm system meet the qualification requirements of the fire code official.

(Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022

15.32.760 Section 1205.1.1– Added
Section 1205.1.1 is added to read as follows:

1205.1.1 Signing and Marking. In addition to signing and marking requirements of the California Building Code and the California Residential Code, the following signing and marking is required:

(Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022

15.32.770 Section 1205.1.1.1– Added
Section 1205.1.1.1 is added to read as follows:

1205.1.1.1 Main Panel Exterior Marking. A placard is required to be permanently affixed to the main service disconnect panel. The placard shall be red in color with white capital letters at least 1/2" in height and in a non-serif font, to read "SOLAR DISCONNECT INSIDE PANEL." The placard shall be constructed of weather-resistant, durable plastic with engraved letters, or other approved material.

(Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022

15.32.780 Section 1205.1.1.2– Added
Section 1205.1.1.2 is added to read as follows:
1205.1.1.2 Circuit Disconnecting Means Marking. A permanent label is to be affixed adjacent to the circuit breaker controlling the inverter or other photovoltaic system electrical controller. The label shall have contrasting color capital letters at least 3/8" in height and in a non—serif font, to read "SOLAR DISCONNECT." The label shall be constructed of durable adhesive material or other approved material.

(Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022

15.32.790 Section 1205.1.1.3– Added
Section 1205.1.1.3 is added to read as follows:

1205.1.1.3 Secondary Power Sources. Where photovoltaic systems are interconnected to battery systems, generator backup systems, or other secondary power systems, additional signage acceptable to the fire code official shall be required indicating the location of the secondary power source shutoff switch.

(Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022

15.32.800 Section 1205.1.1.4– Added
Section 1205.1.1.4 is added to read as follows:
1205.1.1.4 Installer Information. Signage acceptable to the fire code official indicating the name and emergency telephone number of the installing contractor shall be required to be installed adjacent to the main disconnect.

(Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022

15.32.810 Section 1205.2.1– Amended
Section 1205.2.1 is amended to read as follows:
Section 1205.2.1, Exceptions 1 and 2 of the California Fire Code are deleted in their entirety.

(Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022

15.32.820 Section 1205.2.1.4– Added
Section 1205.2.1.4 is added to read as follows:
1205.2.1.4 Hip and Valley Layout. Hip and Valley Layouts. Modules shall be located no closer than one and one-half feet (1-1/2') to a hip or valley if modules are to be placed on both sides of a hip or valley. Where modules are located on only one side of a hip or valley that is of equal length, the modules shall be permitted to be placed directly adjacent to the hip or valley.

(Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022

15.32.830 Section 1206.15– Added
Section 1206.15 is added to read as follows:
1206.15 Signage acceptable to the fire code official shall be required indicating the location of the stationary fuel cell power system.

(Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022

15.32.840 Section 3905.3– Added
Section 3905.3 is added to read as follows:
3905.3. Fire Protection Systems. Fire protection systems in occupancies regulated by this chapter shall be in accordance with Section 901.11 of this Code.

(Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022

15.32.850 Section 5609.0 added
Section 5609.0 is added to Chapter 56 of the California Fire Code to read as follows:
5609.0 Safe and Sane Fireworks Permitted. Notwithstanding the foregoing provision of law, safe and sane fireworks, as defined by the California Health and Safety Code or regulations issued by the Office of the State Fire Marshal, may be sold and discharged within the City during the period from 12:00 o'clock noon on June 28 to and until 11:59 p.m. on July 4 of each year, pursuant to the provisions of this ordinance and not otherwise.

No fireworks shall be sold, or offered for sale, discharged, or possessed within the city of Marina that are classified by the California Health and Safety Code as a dangerous firework.
Any property owner that allows the willful possession, sale or discharge of illegal or dangerous fireworks shall be held responsible and subject to a citation resulting in a fine, imprisonment or both.
Any person in possession of illegal or dangerous fireworks shall be held responsible and subject to a citation resulting in a fine, imprisonment or both, all fireworks shall be confiscated.

The safe and sane firework known as a "Piccolo Pete", "Whistling Phantom", or similar type of whistling fountain shall not be sold or discharged within the city of Marina.

(Ord. 2022-____§ 1 (Exh. A (15) (part)), 2022)

15.32.860 Section 5609.1 added
Section 5609.1 is added to Chapter 56 of the California Fire Code to read as follows:
5609.1 Sale Permit Required. No person, co-partnership, partnership, organization, or group shall sell safe and sane fireworks within the City without first having applied for and received a permit therefor in compliance with the terms of this ordinance. Upon receipt of a written application for a permit pursuant to this ordinance, the city manager shall direct the Fire Chief to cause an investigation to be made and make a report to the city manager of his findings and his recommendations for or against the issuance of a permit, together with his reasons therefor. After the receipt of such report and recommendations, the City Manager shall have the power, in his discretion, to grant or deny the application. The denial of an application may be appealed to the City council by a written notice of appeal filed with the city clerk within five (5) days after notice of the city manager's action. Any permit granted by the city manager may be subject to such reasonable conditions and restrictions as may be imposed by the city manager, and such conditions and restrictions shall be complied with by the permittee.

(Ord. 2022-___ § 1 (Exh. A (15) (part)), 2022)

15.32.870 Section 5609.1.2 added.
Section 5609.1.2 is added to Chapter 56 of the California Fire Code to read as follows:
5609.1.2 Permittees. The sale of "safe and sane" fireworks within the city is allowed by non-profit agency, certified by the Secretary of the State of California or the Internal Revenue Service, that is based in the City of Marina and having a mailing address within the city of Marina and whose primary purpose is to benefit the youth and adults that live in the city of Marina. No permit for the sale of safe and sane fireworks shall be issued to any person, corporation, partnership, organization or group which has not been in business or in operation within the City for at least one (1) year continuously preceding the filing of the application. Being in business shall require the prior payment of a business license fee to the City. An organization or group shall be deemed to be in operation if it has a principal and permanent meeting place in the City, holds regular business meetings at that location and has a bona fide membership of at least twenty (20) members.

(Ord. 2022-___ § 1 (Exh. A (15) (part)), 2022)

15.32.880 Section 5609.1.3 added.
Section 5609.1.3 is added to Chapter 56 of the California Fire Code to read as follows:
5609.1.3. Application for Permit. Application for a permit to sell safe and sane fireworks shall:

a) Be made in writing.

b) Be filed with the Fire Chief on or prior to May 1 of each year.

c) Set forth the proposed location of all fireworks stands, and the dimensions thereof.

d) Be accompanied by an assurance that if a permit is issued the applicant, at the time of receipt of such permit, shall deliver to the city manager satisfactory evidence of an insurance policy with $50,000/100,000 public liability and $10,000 property damage coverages, with a rider attached to the policy designating the City and its agents and employees as additional insured thereunder.

e) Be accompanied by an assurance that if a permit is issued the applicant, at the time of receipt of such permit, shall deposit $100.00 cash with the city clerk, which deposit shall be refunded to the permittee after the permit period has ended, if said permittee has complied with all applicable provisions of law for the sale of fireworks, but to be forfeited and retained by the City in the event of noncompliance with such law;

f) Be accompanied by a nonrefundable application fee as specified in Chapter 3 of the Marina Municipal Code; and

g) Shall contain the following information: name and address of the applicant; applicant's business or organization status; the date the applicant was organized or first conducted business;

the names and addresses of applicant's officers, if any; the location of applicant's principal and permanent place of business or meeting; the location where applicant will sell and store fireworks; and the applicant's State Board of Equalization Sales Tax Permit Number.

Provided the above requirements are met, permits shall be granted on a first-applied for, first-granted basis. Applicants for permits hereunder shall be notified by the Fire Chief or his or her designee of the granting or denial of their application for a permit on or before the first day of June each year.

(Ord. 2022-____ § 1 (Exh. A (15) (part)), 2022)

15.32.890 Section 5609.1.4 added.
Section 5609.1.4 is added to Chapter 56 of the California Fire Code to read as follows:
5609.1.4 Fireworks Stands, Regulations. All retail sales of safe and sane fireworks shall be permitted only from within temporary fireworks stand, and the sale from any other building or structure is prohibited. Such stands shall be subject to the following regulations:

a) No person, corporation, partnership, organization, or group other than the designated permittee shall operate the stand for which a permit is issued or share or otherwise participate in the profits from the operation of such stand.

b) No person other than individuals who are employees of the permittee or members of a permittee organization or group, or the spouses or children, eighteen years or older, of such persons, shall sell or otherwise participate in the sale of fireworks at such stand.

c) Fireworks stands shall comply with the provisions of the Building Code of the City, and all stands shall be erected under the supervision of the building official, who shall require that stands be constructed in a manner which will reasonably insure the safety of attendants and patrons. An electrical permit and compliance with electrical codes are required.

d) If, in the judgment of the building official or fire department inspector, the construction of the stands or the conduct of the operators therein does not conform to the provisions of this ordinance, such officer may order the stands immediately closed.

e) No person shall be allowed in the interior of the stands except those directly employed in the sale of fireworks.

f) There shall be at least one supervisor, twenty-one (21) years of age or older, on duty at all times. There shall be no sale of fireworks to persons under sixteen (16) years of age.

g) No stand shall be placed closer than thirty (30) feet to any other building.

h) NO SMOKING signs shall be prominently displayed both inside and outside the stand. No smoking shall be permitted within the stand, or within five (5) feet of the stand.

i) All weeds and combustible material shall be cleared from the location of the stand. No rubbish shall be allowed to accumulate in or around any fireworks stand, nor shall a fire nuisance be permitted to exist.

j) No stand shall be erected before June 15th of any year. The premises on which the stand is erected shall be cleared of all structures and debris not later than noon of the 12th day of July following.

k) All stands must be equipped with at least one 2 1/2-gallon water pressure type extinguisher for each exit in the stand. Each fire extinguisher shall have a current State Fire Marshal tag affixed and have been serviced within the last year.

l) Each stand in excess of twenty (20) feet in length must have at least two (2) exits; and each stand in excess of forty (40) feet in length must have at least three (3) exits spaced approximately

equidistant apart; provided, however, that in no case shall the distance between exits exceed twenty (20) feet.

m) No stand shall be constructed with a depth of more than twelve (12) feet.

n) All unsold safe and sane fireworks shall be returned to the wholesaler not later than the eighth (8) day of July.

o) Fireworks shall be stored only in a metal type Conex container and be equipped with a lock for overnight storage at the firework stand location. No fireworks shall be stored in the temporary fireworks stands when the stand is not occupied and not in operation.

p) In addition to the above, the permittee shall also conform to all regulations relating to the storage and sale of fireworks as set forth in the California Health and Safety Code and the Fireworks Rules and Regulations of the State Fire Marshal.

q) No one shall possess, use, or sell dangerous or illegal fireworks from the stand or near the stand. Violation of this section shall cause for immediately revoking the Fire Department permit and the stand will be shut down.

r) No fireworks shall be sold or discharged on the Marina Municipal Airport property.

(Ord. 2022-___ § 1 (Exh. A (15) (part)), 2022)

15.32.900 Section 5609.1.5 added.
Section 5609.1.5 is added to Chapter 56 of the California Fire Code to read as follows:
a. 5609.1.5 NUMBER OF FIREWORK STAND PERMITS.

(a) Firework stand permits shall be limited to one (1) permit being available for firework stands in the City per every three thousand (3,000) in City population.

(b) As the population of the City increases, the then current limit on the number of permits for any calendar year shall be increased by one (1) permit per every three thousand (3,000) in additional City population. Population to be determined using the then current State of California Department of Finance, Demographic Research Unit's Population Estimates for California cities.

(Ord. 2022-____ § 1 (Exh. A (15) (part)), 2022)

15.32.910 Section D103.2 – Amended
Section D103.2 is amended to read as follows:
D103.2 Grade. Fire apparatus access roads shall not exceed 15 percent in grade with a maximum side slope of 5%.

EXCEPTION: Grades steeper than 15 percent, if approved by the fire code official, shall be paved with perpendicularly grooved concrete.

(Ord. 2022-____ § 1 (Exh. A (15) (part)), 2022)

15.32.920 Appendix Q adopted and added.
Appendix Q is adopted and added to read:

APPENDIX Q: Standard Fire Conditions for Single Family Dwellings

SECTION Q101 GENERAL

Q101.1 Scope. Applications for the construction or remodel of single family dwellings, including one- and two-family dwellings, townhomes, modular and manufactured homes, and mobile homes outside of

established mobile home parks, shall be subject to the fire conditions in this appendix when conditioned by the Fire Code Official.

Q101.2 Conflicting sections. Where provisions in this appendix conflict with other sections of this Code or other appendices, the provisions of this appendix shall prevail unless otherwise directed by the Fire Code Official.

SECTION Q102 ROADS

Q102.1 General. These conditions will be used primarily when conditioning a subdivision or other project that requires roads. Roads identified in this Section are vehicular access to more than two (2) parcels; more than four (4) residential units; or access to any industrial or commercial occupancy. Includes public and private streets and lanes.

Q102.2 Road access. (FIRE 001). Access roads shall be required for every building when any portion of the exterior wall of the first story is located more than one hundred fifty (150) feet from fire department access. All roads shall be constructed to provide a minimum of two (2) ten (10) feet wide traffic lanes with an unobstructed vertical clearance of not less than fifteen (15) feet. The roadway surface shall provide unobstructed access to conventional drive vehicles including sedans and fire apparatus and shall be an all-weather surface designed to support the imposed load of fire apparatus (75,000 pounds). Each road shall have an approved name.

Q102.3 Roadway engineering. (FIRE 002). The grade for all roads shall not exceed fifteen percent (15%) with a maximum side slope of five percent (5%). Where road grades are 8 percent (8%) or less, an all-weather aggregate base is required at a minimum or as required in other sections of the Monterey County Code. Where road grades exceed eight percent (8%), a minimum structural roadway surface of 0.17 feet of asphaltic concrete on 0.34 feet of aggregate base shall be required. The length of vertical curves in roadways, exclusive of gutters, ditches and drainage structures designed to hold or divert water, shall not be less than one hundred (100) feet. No roadway turn shall have a horizontal inside radius of less than fifty (50) feet. A roadway turn radius of fifty (50) to one hundred (100) feet is required to have an additional four (4) feet of roadway surface. A roadway turn radius of one hundred (100) to two hundred (200) feet is required to have an additional two (2) feet of roadway surface. Roadway turnarounds shall be required on dead-end roads in excess of one hundred fifty (150) feet of surface length. The minimum turning radius for a turnaround shall be forty (40) feet from the center line of the road. If a hammerhead/T is used, the top of the "T" shall be a minimum of sixty (60) feet in length.

Q102.4 Dead end roads.

Q102.4.1 Parcels less than one acre. (FIRE 003). For parcels less than one acre, the maximum length of a dead-end road, including all dead-end roads accessed from that dead-end road, shall not exceed eight hundred (800) feet. All dead-end road lengths shall be measured from the edge of the roadway surface at the intersection that begins the road to the end of the road surface at its furthest point. Where a dead-end road serves parcels of differing sizes, the shortest allowable length shall apply. Each dead-end road shall have a turnaround constructed at its terminus. The minimum turning radius for a turnaround shall be forty (40) feet from the center line of the road. If a hammerhead/T is used, the top of the "T" shall be a minimum of sixty (60) feet in length.

Q102.4.2 Parcels greater than one acre and not exceeding five acres (FIRE 004). For parcels greater than one acre and not exceeding five acres, the maximum length of a dead-end road, including all dead-end roads accessed from that dead-end road, shall not exceed one thousand three hundred twenty (1,320) feet. All dead-end road lengths shall be measured from the edge of the roadway surface at the intersection that begins the road to the end of the road surface at its furthest point. Where a dead-end road serves parcels of differing sizes, the shortest allowable length shall apply. Each dead-end road shall have a turnaround constructed at

its terminus. The minimum turning radius for a turnaround shall be forty (40) feet from the center line of the road. If a hammerhead/T is used, the top of the "T" shall be a minimum of sixty (60) feet in length

Q102.4.3 Parcels greater than five acres and not exceeding twenty (20) acres. (FIRE 005). For parcels greater than five acres and not exceeding twenty (20) acres, the maximum length of a dead-end road, including all dead-end roads accessed from that dead-end road, shall not exceed two thousand six hundred forty (2,640) feet. All dead-end road lengths shall be measured from the edge of the roadway surface at the intersection that begins the road to the end of the road surface at its furthest point. Where a dead-end road serves parcels of differing sizes, the shortest allowable length shall apply. Each dead-end road shall have turnarounds at its terminus and at no greater than one thousand three hundred twenty (1,320) foot intervals. The minimum turning radius for a turnaround shall be forty (40) feet from the center line of the road. If a hammerhead/T is used, the top of the "T" shall be a minimum of sixty (60) feet in length.

Q102.4.4 Parcels greater than twenty (20) acres. (FIRE 006). For parcels greater than twenty (20) acres, the maximum length of a dead-end road, including all dead-end roads accessed from that dead-end road, shall not exceed five thousand two hundred eighty (5,280) feet. All dead-end road lengths shall be measured from the edge of the roadway surface at the intersection that begins the road to the end of the road surface at its furthest point. Where a dead-end road serves parcels of differing sizes, the shortest allowable length shall apply. Each dead-end road shall have turnarounds at its terminus and at no greater than one thousand three hundred twenty (1,320)-foot intervals. The minimum turning radius for a turnaround shall be forty (40) feet from the center line of the road. If a hammerhead/T is used, the top of the "T" shall be a minimum of sixty (60) feet in length.

SECTION Q103 DRIVEWAYS, GATES, AND BRIDGES

Q103.1 Driveways. (FIRE 007). Driveway identified in this Section is defined as a vehicle access that serves up to two (2) parcels with no more than two (2) residential units and any number on non-commercial or industrial buildings on each parcel. Driveways shall not be less than twelve (12) feet wide traffic lane and minimum fourteen (14) feet wide unobstructed clearance, with an unobstructed vertical clearance of not less than fifteen (15) feet. The grade for all driveways shall not exceed fifteen percent (15%) with a maximum side slope of five percent (5%). Where driveway grades are eight percent (8%) or less, an all-weather surface such as an aggregate base shall meet minimum fire requirements. Other types of material for driveways may be required by Monterey County Code. Where the grade exceeds eight percent (8%), a minimum structural roadway surface of 0.17 feet of asphaltic concrete on 0.34 feet of aggregate base shall be required. The driveway surface shall be capable of supporting the imposed load of fire apparatus forty thousand (40,000) pounds, and be accessible by conventional-drive vehicles, including sedans. For driveways with turns ninety (90) degrees and less, the minimum horizontal inside radius of curvature shall be twenty-five (25) feet. For driveways with turns greater than ninety (90) degrees, the minimum horizontal inside radius curvature shall be twenty-eight (28) feet. For all driveway turns, an additional surface of four (4) feet shall be added. All driveways exceeding one hundred fifty (150) feet in length, but less than eight hundred (800) feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds eight hundred (800) feet, turnouts shall be provided at no greater than four hundred (400)-foot intervals. Turnouts shall be a minimum of twelve (12) feet wide and thirty (30) feet long with a minimum of twenty (25) foot taper at both ends. Turnarounds shall be required on driveways in excess of one hundred fifty (150) feet of surface length and shall be thirty (30) feet long with a minimum twenty-five (25) foot taper at both ends. Turnarounds shall be required on driveways in excess of one hundred fifty (150) feet of surface length and shall be located within fifty (50) feet of the primary building. The minimum turning radius for a turnaround shall be forty (40) feet from the center line of the driveway. If a hammerhead/T is used, the top of the "T" shall be a minimum of sixty (60) feet in length.

Q103.2 Gates. (FIRE 008). All gates providing access from a road to a driveway shall be located at least thirty (30) feet from the roadway and shall open to allow a vehicle to stop without obstructing traffic on the road. Gate entrances shall be at least two (2) feet wider than the width of the traffic lane but in no case be less than fourteen (14) feet wide unobstructed and unobstructed vertical clearance of fifteen (15) feet. Where

a one-way road with a single traffic lane provides access to a gated entrance, a forty (40) foot turning radius shall be used. Where gates are to be locked, the installation of a key box or other acceptable means for immediate access by emergency equipment may be required.

Q103.3 Bridges. (FIRE 009). All new and reconstructed bridges shall be at least the width of the roadbed and berms, but in no case less than twelve (12) feet wide. Bridge width on all roads exceeding tertiary standards shall not be less than the width of the two lanes with berms. All bridges shall be designed for HS15-44 loading and have guardrails. Appropriate signage, including but not limited to, weight ratings or vertical clearance limitations, and one-way road or single-lane road conditions, shall be provided at both entrances to any bridge. One-lane bridges may be permitted if there is unobstructed visibility across the entire bridge, and turnouts are provided at both bridge ends. The fire authority may impose more stringent requirements for bridges.

SECTION Q104 SIGNS AND ADDRESSES

Q104.1 Road signs. (FIRE 010). All newly constructed or approved roads and streets shall be designated by names or numbers, posted on signs clearly visible and legible from the roadway. Size of letters, numbers and symbols for street and road signs shall be a minimum four-inch letter height, ½-inch stroke, and shall be a color that is reflective and clearly contrasts with the background color of the sign. All numerals shall be Arabic. Street and road signs shall be non-combustible and shall be visible and legible from both directions of vehicle travel for a distance of at least one hundred (100) feet. Height, visibility, legibility, and orientation of street and road signs shall be meet the provisions of the jurisdiction. This section does not require any entity to rename or renumber existing roads or streets, nor shall a roadway providing access only to a single commercial or industrial occupancy require naming or numbering. Signs required under this section identifying intersecting roads, streets and private lanes shall be placed at the intersection of those roads, streets and/or private lanes. Signs identifying traffic access or flow limitations (i.e., weight or vertical clearance limitations, dead-end road, one-way road or single lane conditions, etc.) shall be placed: (a) at the intersection preceding the traffic access limitation; and (b) not more than one hundred (100) feet before such traffic access limitation. Road, street and private lane signs required by this article shall be installed prior to final acceptance of road improvements by the Fire Code Official.

Q104.2 Addresses for buildings. (FIRE 011). All buildings shall be issued an address in accordance with jurisdictional requirements. Each occupancy, including detached accessory dwelling units (ADU), except accessory buildings, shall have its own permanently posted address. When multiple occupancies exist within a single building, each individual occupancy shall be separately identified by its own address. Letters, numbers and symbols for addresses shall be a minimum of four-inch (4") height, 1/2-inch stroke, contrasting with the background color of the sign, and shall be Arabic. The sign and numbers shall be reflective and made of a noncombustible material. Address signs shall be placed at each driveway entrance and at each driveway split. Address signs shall be and visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter. Address signs along one-way roads shall be visible from both directions of travel. Where multiple addresses are required at a single driveway, they shall be mounted on a single sign. Where a roadway provides access solely to a single commercial occupancy, the address sign shall be placed at the nearest road intersection providing access to that site. Permanent address numbers shall be posted prior to requesting final clearance.

SECTION Q105 WATER SUPPLY

Q105.1 Water systems. (FIRE 012). The provisions of this condition shall apply when new parcels are approved by a local jurisdiction. The emergency water system shall be available on-site prior to the completion of road construction, where a community water system is approved, or prior to the completion of building construction, where an individual system is approved. Approved water systems shall be installed and made serviceable prior to the time of construction. Water systems constructed, extended or modified to serve a new development, a change of use, or an intensification of use, shall be designed to meet, in addition to average daily demand, NFPA Standard 1142 or other adopted standards. The quantity of water required

pursuant to this chapter shall be in addition to the domestic demand and shall be permanently and immediately available.

Q105.2 (RESERVED) (FIRE 013).

Q105.3 Single parcel fire protection water supply. (FIRE 014). For development of structures totaling less than three thousand (3,000) square feet on a single parcel, the minimum fire protection water supply shall be four thousand nine hundred (4,900) gallons. For development of structures totaling three thousand (3,000) square feet or more on a single parcel, the minimum fire protection water supply shall be nine thousand eight hundred (9,800) gallons. For development of structures totaling more than ten thousand (10,000) square feet on a single parcel, the reviewing authority may require additional fire protection water supply. Other water supply alternatives, including ISO Rural Class 8 mobile water systems, may be permitted by the fire authority to provide for the same practical effect. The quantity of water required by this condition shall be in addition to the domestic demand and shall be permanently and immediately available.

Q105.4 Fire hydrants and valves. (FIRE 015). A fire hydrant or fire valve is required. The hydrant or fire valve shall be eighteen (18) inches above grade, eight feet from flammable vegetation, no closer than four feet nor further than twelve (12) feet from a roadway, and in a location where fire apparatus using it will not block the roadway. The hydrant serving any building shall be not less than fifty (50) feet and not more than one thousand (1,000) feet by road from the building it is to serve. Minimum hydrant standards shall include a brass head and valve with at least one 2 1/2-inch National Hose outlet supplied by a minimum four inch main and riser. More restrictive hydrant requirements may be applied by the Reviewing Authority. Each hydrant/valve shall be identified with a reflectorized blue marker, with minimum dimensions of three inches, located on the driveway address sign, non-combustible post or fire hydrant riser. If used, the post shall be within three feet of the hydrant/valve, with the blue marker not less than three feet or greater than five feet above the ground, visible from the driveway. On paved roads or driveways, reflectorized blue markers shall be permitted to be installed in accordance with the State Fire Marshal's Guidelines for Fire Hydrant Markings Along State Highways and Freeways, May 1988.

SECTION Q106 SETBACKS

Q106.1 Setbacks. (FIRE 016). Except as permitted by the fire code official, all parcels one acre and larger shall provide a minimum thirty (30) foot setback for new buildings and accessory buildings from all property lines and/or the center of the road. For parcels less than one-acre, alternate fuel modification standards or other requirements may be imposed by the Fire Code Official to provide the same practical effect.

SECTION Q107 VEGETATION AND DEBRIS DISPOSAL

Q107.1 Disposition of vegetation and debris fuels. (FIRE 017). Disposal, including chipping, burying, or removal to a landfill site approved by the local jurisdiction, of vegetation and debris caused by site development and construction, road and driveway construction, and fuel modification shall be completed prior to final clearance of the related permit.

SECTION Q108 GREENBELTS

Q108.1 Greenbelts. (FIRE 018). Subdivisions and other developments, which propose greenbelts as a part of the development plan, shall locate said greenbelts strategically as a separation between wild land fuels and structures. The locations shall be approved by the Fire Code Official.

SECTION Q109 DEFENSIBLE SPACE

Q109.1 Standard defensible space requirements. (FIRE 019). Defensible space requirements shall meet Section 4291 of the Public Resources Code or the Monterey County Code, whichever is more restrictive. Additional or alternate fire protection approved by the Fire Code Official may be required to provide reasonable fire safety. Environmentally sensitive areas may require alternative fire protection, to be determined by the Fire Code Official and other jurisdictional authorities.

Q109.2 (RESERVED) (FIRE 020).

SECTION Q110 FIRE PROTECTION SYSTEMS

Q110.1 Residential fire sprinkler systems (Standard). (FIRE 021). The building(s) and attached structure(s) shall be fully protected with automatic fire sprinkler system(s). Installation shall be in accordance with the applicable NFPA standard. A minimum of four sets of plans for fire sprinkler systems must be submitted by a California licensed C-16 contractor and approved prior to installation. This requirement is not intended to delay issuance of a building permit. A rough sprinkler inspection must be scheduled by the installing contractor and completed prior to requesting a framing inspection.

Q110.2 (RESERVED) (FIRE 022).

Q110.3 (RESERVED) (FIRE 023).

Q110.4 Residential fire alarm systems**.** (FIRE 024). The residence shall be fully protected with an approved household fire warning system as defined by NFPA 72. Plans and specifications for the household fire warning system shall be submitted by a California licensed C-10 contractor and approved prior to installation. Household fire warning systems installed in lieu of single-station smoke alarms required by the California Residential Code shall meet the requirements of the California Residential Code.

Q110.5 (RESERVED) (FIRE 025).

(Ord. 2022-____ § 1 (Exh. A (15) (part)), 2022)

15.32.930 Appendix R adopted and added.
Appendix R is adopted and added to read:

Appendix R Roofs

SECTION R101 GENERAL

R101.1 Scope. Applications for the construction or remodel of any buildings shall be subject to the roofing conditions of this Appendix when conditioned by the Fire Code Official.

R101.2 Conflicting Sections. Where provisions in this Appendix conflict with other sections of this Code or other appendices, the provisions of this Appendix shall prevail unless otherwise directed by the Fire Code Official.

SECTION R102 NEW BUILDINGS

R102.1 General. (FIRE 026). Roofing requirements for all new buildings shall be a minimum Class “B” roof assembly as defined by the International Building Code.
EXCEPTION: Greenhouses shall be exempt from the requirements of this Section.

R102.2 Very High Hazard Severity Zones. (FIRE 027). Roofing requirements for all new buildings in Very High Hazard Severity Zones shall be a minimum Class "A" roof assembly as defined by the International Building Code.

SECTION R103 EXISTING BUILDINGS

R103.1 General. (FIRE 026). Roofing requirements for existing buildings when fifty percent (50%) or more of the roof area is reroofed within a one-year period after the issuance of a building permit shall be a minimum Class "B" roof assembly as defined by the California Building Code. Where there is no permit issued, this section is applicable to buildings constructed after the effective date of this code and to buildings where fifty percent (50%) or more of the roof area is reroofed within a one-year period after commencing construction.

R103.2 Very High Hazard Severity Zone. (FIRE 027). Roofing requirements for existing buildings within a very high hazard severity zone when fifty percent (50%) or more of the roof area is reroofed within a one-year period after the issuance of a building permit shall be a minimum Class "A" roof assembly as defined by the International Building Code. Where there is no permit issued, this Section is applicable to such buildings constructed after the effective date of this code and to buildings where fifty percent (50%) or more of the roof area is reroofed within a one-year period after commencing construction.

SECTION R104 ADDITIONS TO EXISTING BUILDINGS

R104.1 General. The requirements of this Appendix shall apply to all additions to existing buildings, except that only the new portions of the roof shall be required to meet the requirements of this Appendix.

February 15, 2023 Item No. **10f(3)**

Honorable Mayor and Members of the Marina City Council

City Council Meeting of March 21, 2023

THE CITY COUNCIL CONSIDER ADOPTING RESOLUTION NO. 2023-, ACCEPTING THE HOUSING ELEMENT ANNUAL PROGRESS REPORT FOR CALENDAR YEAR 2022 AND AUTHORIZING STAFF TO SUBMIT THE REPORT TO THE GOVERNOR'S OFFICE OF PLANNING AND RESEARCH AND THE CALFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

RECOMMENDATION: City Council consider

1. Adopting Resolution No. 2023-, accepting the Housing Element Annual Progress Report for calendar year 2022 and authorizing staff to submit the report to the Governor's Office of Planning and Research and the California Department of Housing and Community Development (State HCD); and,

2. Find that the action is exempt from CEQA pursuant to CEQA Guidelines Sections 15061(b)(3) and 15378(b).

BACKGROUND:

Pursuant to Government Code Section 65400, each city and county is required to prepare a Housing Element Annual Progress Report (APR) on the status of implementation of the jurisdiction's housing element. The APR must be prepared using forms and definitions adopted by the California Department of Housing and Community Development (HCD). The APR is meant to serve as a tool for implementing a jurisdiction's Housing Element. Highlights of the City's progress in meeting current RHNA include:

- **Affordable Housing Overlay**-Adoption of the Affordable Housing Overlay (AHO) policy, which will help the City meet its Fourth and Fifth Cycle Housing Element RHNA obligations.
- **PLHA Grant**-Submittal of a $945,000 Permanent Local Housing Allocation grant application to State HCD.
- **Accessory Dwelling Units**-ADUs-Approval of 12 accessory dwelling units (ADUs) in 2022 up from six (6) the previous year.
- **Objective Standards**-the City Council approved a contract with Raimi and Associates on August 25, 2022, so Marina can adopt objective zoning standards by October of 2023.
- **Reasonable Accommodations Ordinance-** establishment of a regulatory tool to give people a reasonable accommodation from local zoning/building rules if doing so will help reduce barriers to accessing housing. This ordinance was adopted by the City Council on July 19, 2022.
- **AB 101 (Low Barrier Navigation Center**)-on the same night Marina adopted Ordinance 2022-04 to allow Low Barrier Navigation Centers per AB 101.
- **Small and Large Family Child Care Homes**-the definitions of what constitute a small and large family day care centers per recent changes to state law were adopted by the City Council on Tuesday, Nov 15, 2022.

- **Program 3.3 of the Housing Element-** per Program 3.3 of the Housing Element we removed the requirement that mandates a CUP for multifamily housing in all zoning districts. This ordinance also will allow more housing in the PC, C1 and C2 zoning districts by allowing supportive housing in these zoning districts.
- **ADU Webpage-**a revamping of the ADU webpage to make it more customer friendly was completed by city staff.
- **ADU Study Session**-Two Accessory Dwelling Unit ADU study sessions with the Planning Commission occurred to identify ways to further streamline the review of these units.

In addition, the city issued building permits for 226 housing that are credited to the 5th Cycle of the RHNA.

DISCUSSION:

The City of Marina 2022 APR is attached. To ensure accountability with respect to housing production, each site is identified by assessor's parcel number, and all milestones occurring in 2022 are indicated by date including submittal for planning entitlements, approval of planning entitlements, issuance of building permits, and issuance of certificates of occupancy/final inspections. The report also tracks affordability and if units are deed restricted to specified affordability levels. The report acknowledges if sites are infill or not and also tracks applications seeking new streamlining requirements. Progress on Housing Element program implementation is summarized toward the end of the APR (Table D). Housing element programs are listed with a brief explanation regarding progress made in the reporting year. Note that many programs continue to be addressed on an ongoing basis, while other are complete.

FISCAL IMPACT:

None.

ENVIRONMENTAL REVIEW:

This action is exempt from environmental review pursuant to CEQA Guidelines Section 15061(b)(3) because there is no possibility that receiving an update on the Housing Element's Programs status will have a significant effect on the environment. As a separate and independent basis, this report is also exempt under CEQA Guidelines Section 15378(b).

CONCLUSION:

This request is submitted for City Council consideration and comment.

REVIEWED/CONCUR:

_____

Guido F. Persicone, AICP
Community Development Director
City of Marina

_____

Layne Long
City Manager
City of Marina

Exhibit A - City of Marina 2022 Housing Element Annual Progress Report

RESOLUTION NO. 2023-

THE CITY COUNCIL OF THE CITY OF MARINA ACCEPTING THE HOUSING ELEMENT ANNUAL PROGRESS REPORT FOR CALENDAR YEAR 2022 AND AUTHORIZING STAFF TO SUBMIT THE REPORT TO THE GOVERNOR'S OFFICE OF PLANNING AND RESEARCH AND THE CALFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

WHEREAS, California Government Code Section 65400(2) requires the planning agency to provide an annual report to the City Council, the Governor' s Office of Planning and Research and the State Department of Housing and Community Development (HCD) regarding progress toward implementation of the Housing Element of the General Plan; and

WHEREAS, Planning Staff has prepared an Annual Progress Report for the calendar year 2022 (EXHIBIT A), utilizing the prescribed forms and instructions provided by the State Department of Housing and Community Development; and

WHEREAS, the City Council of the City of Marina held a duly noticed public meeting on March 21, 2023 about the Housing Element Annual Progress Report (APR); and

WHEREAS, this action is exempt from environmental review pursuant to CEQA Guidelines Section 15061(b)(3) because there is no possibility that receiving an update on the Housing Element's Programs status will have a significant effect on the environment. As a separate and independent basis, this report is also exempt under CEQA Guidelines Section 15378(b); and

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Marina that does hereby:

1- Accept the Housing Element Annual Progress Report for calendar year 2022 and authorizes city staff to submit the report to the Governor's Office of Planning and Research and the California Department of Housing and Community Development; and
2- Find that the action is exempt from CEQA pursuant to Sections 15061(b)(3) and 15378(b) of the CEQA Guidelines.

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting duly held on the 21st day of March 2023, by the following vote:

AYES, COUNCIL MEMBERS:
NOES, COUNCIL MEMBERS:
ABSENT, COUNCIL MEMBERS:
ABSTAIN, COUNCIL MEMBERS:

_____
Bruce C. Delgado, Mayor

ATTEST:

_____
Anita Sharp, Deputy City Clerk

Jurisdiction	Marina	
Reporting Year	2021	(Jan. 1 - Dec. 31)
Planning Period	5th Cycle	12/31/2015 - 12/31/2023

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation

(CCR Title 25 §6202)

Note: "+" indicates an optional field

Cells in grey contain auto-calculation formulas

Table A
Housing Development Applications Submitted

Project Identifier					Unit Types		Date Application Submitted	Proposed Units - Affordability by Household Incomes								Total Approved Units by Project	Total Disapproved Units by Project	Streamlining	Density Bonus
1					2	3	4	5							6	7	8	9	10
Prior APN+	Current APN	Street Address	Project Name+	Local Jurisdiction Tracking ID+	Unit Category (SFA,SFD,2 to 4,5+,ADU,MH)	Tenure R=Renter O=Owner	Date Application Submitted+ (see instructions)	Very Low-Income Deed Restricted	Very Low-Income Non Deed Restricted	Low-Income Deed Restricted	Low-Income Non Deed Restricted	Moderate-Income Deed Restricted	Moderate-Income Non Deed Restricted	Above Moderate-Income	Total PROPOSED Units by Project	Total APPROVED Units by project	Total DISAPPROVED Units by Project	Was APPLICATION SUBMITTED Pursuant to GC 65913.4(b)? (SB 35 Streamlining)	Was a Density Bonus requested for this housing development?
Summary Row: Start Data Entry Below								0	0	0	0	0	0	14	14	14	0		
	033-011-006-000	3320 Abdy Way	Abdy Subdivision		5+	O	1/5/2021							9	9	9		No	No
	032-121-025-000	327-329 Reservation	ADU		ADU	R	11/8/2021							3	3	3		No	No
	032-303-012-000	215 Hillcrest Ave	ADU		ADU	R	11/8/2021							1	1	1		No	No
	033-061-043-000	124 Reams Ct	ADU		ADU	R	12/9/2021							1	1	1		No	No
	031-259-051	2782 Telegraph Blvd	Residential New Single Family		SFD	O	1/5/2022								0			No	No
	031-259-052	2784 Telegraph Blvd	Residential New Single Family		SFD	O	1/5/2022								0			No	No
	031-259-058	2793 Telegraph Blvd	Residential New Single Family		SFD	O	1/5/2022								0			No	No
	031-259-057	2795 Telegraph Blvd	Residential New Single Family		SFD	O	1/5/2022								0			No	No
	031-258-045	276 Wharf Terrace	Residential New Single Family		SFD	O	1/11/2022								0			No	No
	031-258-034	277 Skyview Drive	Residential New Single Family		SFD	O	1/11/2022								0			No	No
	031-258-022	274 Skyview Drive	Residential New Single Family		SFD	O	1/11/2022								0			No	No
	031-258-021	276 Skyview Drive	Residential New Single Family		SFD	O	1/11/2022								0			No	No
	031-258-046	274 Wharf Terrace	Residential New Single Family		SFD	O	1/12/2022								0			No	No
	031-258-033	275 Skyview Drive	Residential New Single Family		SFD	O	1/12/2022								0			No	No
	031-258-035	279 Skyview Drive	Residential New Single Family		SFD	O	1/12/2022								0			No	No
	031-278-053	463 Russell Way	Residential New Single Family		SFD	O	1/13/2022								0			No	No
	031-278-038	468 Lassen Way	Residential New Single Family		SFD	O	1/13/2022								0			No	No
	031-259-055	2799 Telegraph Blvd	Residential New Single Family		SFD	O	1/13/2022								0			No	No
	031-259-054	2788 Telegraph Blvd	Residential New Single Family		SFD	O	1/13/2022								0			No	No
	031-259-053	2786 Telegraph Blvd	Residential New Single Family		SFD	O	1/13/2022								0			No	No
	031-278-037	470 Lassen Way	Residential New Single Family		SFD	O	1/14/2022								0			No	No
	031-259-056	2797 Telegraph Blvd	Residential New Single Family		SFD	O	1/20/2022								0			No	No
	031-278-036	472 Lassen Way	Residential New Single Family		SFD	O	1/28/2022								0			No	No
	031-259-077	2810 Telegraph Blvd	Residential New Single Family		SFD	O	1/28/2022								0			No	No
	031-278-035	474 Lassen Way	Residential New Single Family		SFD	O	1/28/2022								0			No	No
	031-277-024	459 Marina Heights Drive	Residential New Single Family		SFD	O	1/28/2022								0			No	No
	031-257-034	2612 Catwalk Court	Residential New Single Family		SFD	O	1/31/2022								0			No	No

	031-257-033	2614 Catwalk Court	Residential New Single Family		SFD	O	1/31/2022								0			No	No
	031-258-043	280 Wharf Terrace	Residential New Single Family		SFD	O	1/31/2022								0			No	No
	031-257-048	284 9th Street	Residential New Single Family		SFD	O	1/31/2022								0			No	No
	031-258-042	282 Wharf Terrace	Residential New Single Family		SFD	O	1/31/2022								0			No	No
	031-257-049	282 9th Street	Residential New Single Family		SFD	O	1/31/2022								0			No	No
	031-259-076	2808 Telegraph Blvd	Residential New Single Family		SFD	O	1/31/2022								0			No	No
	031-258-036	281 Skyview Drive	Residential New Single Family		SFD	O	1/31/2022								0			No	No

EXHIBIT A

Jurisdiction	Marina
Reporting Year	2021 (Jan. 1 - Dec. 31)
Planning Period	5th Cycle 12/15/2014 - 12/15/2023

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Note: "+" indicates an optional field
Cells in grey contain auto-calculation formulas

Table A2
Annual Building Activity Report Summary - New Construction, Entitled, Permits and Completed Units

Project Identifier					Unit Types		Affordability by Household Incomes - Completed Entitlement								Affordability by Household Incomes - Building Permits									Affordability by Household Incomes - Certificates of Occupancy											Streamlining	Infill	Housing with Financial Assistance and/or Deed Restrictions		Housing without Financial Assistance or Deed Restrictions	Term of Affordability or Deed Restriction	Demolished/Destroyed Units			Density Bonus				Notes
1					2	3	4							5	6	7								8	9	10									11	12	13	14	15	16	17	18	19	20			21	22	23	24	25
Prior APN+	Current APN	Street Address	Project Name+	Local Jurisdiction Tracking ID+	Unit Category (SFA,SFD,2 to 4,5+,ADU,MH)	Tenure R=Renter O=Owner	Very Low-Income Deed Restricted	Very Low-Income Non Deed Restricted	Low-Income Deed Restricted	Low-Income Non Deed Restricted	Moderate-Income Deed Restricted	Moderate-Income Non Deed Restricted	Above Moderate-Income	Entitlement Date Approved	# of Units issued Entitlements	Very Low-Income Deed Restricted	Very Low-Income Non Deed Restricted	Low-Income Deed Restricted	Low-Income Non Deed Restricted	Moderate-Income Deed Restricted	Moderate-Income Non Deed Restricted	Above Moderate-Income	Building Permits Date Issued	# of Units issued Building Permits	Very Low-Income Deed Restricted	Very Low-Income Non Deed Restricted	Low-Income Deed Restricted	Low-Income Non Deed Restricted	Moderate-Income Deed Restricted	Moderate-Income Non Deed Restricted	Above Moderate-Income	Certificates of Occupancy or other forms of readiness (see instructions) Date Issued	# of Units issued Certificates of Occupancy or other forms of readiness	How many of the units were Extremely Low Income?+	Was Project APPROVED using GC 65913.4(b)? (SB 35 Streamlining) Y/N	Infill Units? Y/N+	Assistance Programs for Each Development (may select multiple - see instructions)	Deed Restriction Type (may select multiple - see instructions)	For units affordable without financial assistance or deed restrictions, explain how the locality determined the units were affordable (see instructions)	Term of Affordability or Deed Restriction (years) (if affordable in perpetuity enter 1000)+	Number of Demolished /Destroyed Units	Demolished or Destroyed Units	Demolished/Destroyed Units Owner or Renter	Total Density Bonus Applied to the Project (Percentage Increase in Total Allowable Units or Total Maximum Allowable Residential Gross Floor Area)	Number of Other Incentives, Concessions, Waivers, or Other Modifications Given to the Project	List the incentives, concessions, waivers, and modifications (Excluding Parking Waivers or	Did the project receive a reduction or waiver of parking standards? (Y/N)	Notes+	
Summary Row: Start Data Entry Below							0	0	0	0	0	0	14		14	0	0	0	0	0	0	210		210	0	0	0	0	0	0	0		0	0		N	Y					n		n					
	033-011-006-000	3320 Abdy Way	Abdy Subdivision		5+	O							9	9/21/2021	9									0									0		N	Y												
	032-121-025-000	327-329 Reservation	ADU		ADU	R							3	12/8/2021	3									0									0		N	Y												
	032-303-012-000	215 Hillcrest Ave	ADU		ADU	R							1	12/8/2021	1									0									0		N	Y												
	033-061-043-000	124 Reams Ct	ADU		ADU	R							1	12/31/2021	1									0									0	0	N	Y					0							
	032-391-012	3005 Ellen Court	ADU	B20-000557	ADU	R									0							1	1/8/2021	1									0		N	Y												
	032-282-011	296 Weber Circle	ADU	B20-000696	ADU	R									0							1	2/1/2021	1									0		N	Y												
	032-311-025	214 Hillcrest Avenue	ADU	B21-000052	ADU	R									0							1	4/13/2021	1									0		N	Y												
	032-412-021	271 Harris Court	ADU	B21-000515	ADU	R									0							1	7/20/2021	1									0		N	Y												
	033-141-019	195 Debbie Drive	ADU	B21-000479	ADU	R									0							1	10/26/2021	1									0		N	Y												
	032-231-011	3115 Flower Circle	ADU	B21-000842	ADU	R									0							1	10/6/2021	1									0		N	Y												
	032-101-002	289 Park Circle	ADU	B21-000922	ADU	R									0							1	11/22/2021	1									0		N	Y												
	031-276-054	2973 Hayden Wa	Wathen Castanos Peterson Inc	B20-000054	SFD	O									0							1	1/4/2021	1									0		N	Y												
	031-276-063	2975 Hayden Wa	Wathen Castanos Peterson Inc	B20-000055	SFD	O									0							1	1/5/2021	1									0		N	Y												
	031-277-062	2997 Tyndall Wa	Wathen Castanos Peterson Inc	B21-000003	SFD	O									0							1	1/14/2021	1									0		N	Y												
	031-277-044	3000 Aridio Way	Wathen Castanos Peterson Inc	B20-000755	SFD	O									0							1	1/14/2021	1									0		N	Y												
	031-277-012	2993 Aridio Way	Wathen Castanos Peterson Inc	B20-000723	SFD	O									0							1	1/14/2021	1									0		N	Y												
	031-273-039	2981 Garnet Wa	Wathen Castanos Peterson Inc	B20-000764	SFD	O									0							1	1/14/2021	1									0		N	Y												
	031-277-043	2998 Aridio Way	Wathen Castanos Peterson Inc	B20-000768	SFD	O									0							1	1/14/2021	1									0		N	Y												
	031-277-061	2999 Tyndall Wa	Wathen Castanos Peterson Inc	B21-000008	SFD	O									0							1	1/27/2021	1									0		N	Y												
	031-273-040	2983 Garnet Wa	Wathen Castanos Peterson Homes inc	B21-000029	SFD	O									0							1	2/5/2021	1									0		N	Y												
	031-277-059	3003 Tyndall Wa	Wathen Castanos Peterson Homes inc	B21-000004	SFD	O									0							1	2/5/2021	1									0		N	Y												
	031-277-046	3004 Aridio Way	Wathen Castanos Peterson Homes inc	B21-000014	SFD	O									0							1	2/5/2021	1									0		N	Y												
	031-277-045	3002 Aridio Way	Wathen Castanos Peterson Homes inc	B21-000015	SFD	O									0							1	2/5/2021	1									0		N	Y												
	031-277-060	3001 Tyndall Wa	Wathen Castanos Peterson Homes inc	B21-000007	SFD	O									0							1	2/9/2021	1									0		N	Y												
	031-277-012	2991 Aridio Way	Wathen Castanos Peterson Homes inc	B21-000017	SFD	O									0							1	2/9/2021	1									0		N	Y												
	031-273-077	2975 Abrams Dr	Wathen Castanos Peterson Homes inc	B21-000012	SFD	O									0							1	2/19/2021	1									0		N	Y												
	031-273-076	2973 Abrams Dr	Wathen Castanos Peterson Homes inc	B21-000059	SFD	O									0							1	2/19/2021	1									0		N	Y												
	031-277-011	2995 Aridio Way	Wathen Castanos Peterson Homes inc	B21-000053	SFD	O									0							1	3/1/2021	1									0		N	Y												
	031-277-058	3007 Tyndall Wa	Wathen Castanos Peterson Homes inc	B21-000054	SFD	O									0							1	3/1/2021	1									0		N	Y												
	031-275-027	2999 Bluffs Drive	Wathen Castanos Peterson Homes inc	B21-000083	SFD	O									0							1	3/12/2021	1									0		N	Y												
	031-277-048	3010 Aridio Way	Wathen Castanos Peterson Homes inc	B21-000085	SFD	O									0							1	3/12/2021	1									0		N	Y												
	031-277-047	3008 Aridio Way	Wathen Castanos Peterson Homes inc	B21-000123	SFD	O									0							1	3/12/2021	1									0		N	Y												
	031-277-057	3009 Tyndall Wa	Wathen Castanos Peterson Homes inc	B21-000124	SFD	O									0							1	3/12/2021	1									0		N	Y												
	031-275-028	3001 Bluffs Drive	Wathen Castanos Peterson Homes inc	B21-000110	SFD	O									0							1	3/19/2021	1									0		N	Y												
	031-277-008	3001 Aridio Way	Wathen Castanos Peterson Homes inc	B21-000108	SFD	O									0							1	3/19/2021	1									0		N	Y												
	031-277-010	2997 Aridio Way	Wathen Castanos Peterson Homes inc	B21-000109	SFD	O									0							1	3/19/2021	1									0		N	Y												
	031-273-069	2980 Bluffs Drive	Wathen Castanos Peterson Homes inc	B21-000138	SFD	O									0							1	3/22/2021	1									0		N	Y												
	031-277-009	2999 Aridio Way	Wathen Castanos Peterson Homes inc	B21-000189	SFD	O									0							1	3/22/2021	1									0		N	Y												
	031-278-013	463 Weldon Way	Wathen Castanos Peterson Homes	B21-000137	SFD	O									0							1	4/5/2021	1									0		N	Y												
	031-274-014	461 Weldon Way	Wathen Castanos Peterson Homes	B21-000187	SFD	O									0							1	4/5/2021	1									0		N	Y												
	031-277-007	3003 Aridio Way	Wathen Castanos Peterson Homes	B21-000190	SFD	O									0							1	4/5/2021	1									0		N	Y												
	031-278-015	457 Weldon Way	Wathen Castanos Peterson Homes	B21-000134	SFD	O									0							1	4/5/2021	1									0		N	Y												
	031-277-005	3009 Aridio Way	Wathen Castanos Peterson Homes	B21-000234	SFD	O									0							1	4/5/2021	1								1	1/2/2019	1		N	Y												

EXHIBIT A

Jurisdiction	Marina
Reporting Year	2021 (Jan. 1 - Dec. 31)
Planning Period	5th Cycle 10/15/2013 - 10/15/2023

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Housing Element Implementation
(CCR Title 25 §6202)

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| | | |

EXHIBIT A

Jurisdiction	Marina		
Reporting Year	2021	(Jan. 1 - Dec. 31)	
Planning Period	5th Cycle	10/15/2014 - 10/15/2022	

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
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| | | |

EXHIBIT A

| Jurisdiction | Marina | | |

EXHIBIT A

| Jurisdiction | Marina | | |

Jurisdiction	Marina	
Reporting Year	2021	(Jan. 1 - Dec. 31)
Planning Period	5th Cycle	12/31/2015 - 12/31/2023

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This table is auto-populated once you enter your jurisdiction name and current year data. Past year information comes from previous APRs.

Please contact HCD if your data is different than the material supplied here

Table B
Regional Housing Needs Allocation Progress
Permitted Units Issued by Affordability

		1	2									3	4
Income Level		**RHNA Allocation by Income Level**	**2015**	**2016**	**2017**	**2018**	**2019**	**2020**	**2021**	**2022**	**2023**	**Total Units to Date (all years)**	**Total Remaining RHNA by Income Level**
Very Low	Deed Restricted	315	-	-	1	-	-	-	-	-	-	42	273
	Non-Deed Restricted		-	-	41	-	-	-	-	-	-		
Low	Deed Restricted	206	-	-	1	-	-	-	-	-	-	6	200
	Non-Deed Restricted		-	-	5	-	-	-	-	-	-		
Moderate	Deed Restricted	239	-	-	-	-	-	-	-	-	-	147	92
	Non-Deed Restricted		-	-	147	-	-	-	-	-	-		
Above Moderate		548	61	74	22	121	76	75	210	-	-	639	-
Total RHNA		**1,308**											
Total Units			**61**	**74**	**217**	**121**	**76**	**75**	**210**	**-**	**-**	**834**	**565**

Note: units serving extremely low-income households are included in the very low-income permitted units totals and must be reported as very low-income units.

Please note: For the last year of the 5th cycle, Table B will only include units that were permitted during the portion of the year that was in the 5th cycle. For the first year of the 6th cycle, Table B will include units that were permitted since the start of the planning period.

Please note: The APR form can only display data for one planning period. To view progress for a different planning period, you may login to HCD's online APR system, or contact HCD staff at apr@hcd.ca.gov.

Jurisdiction	Marina	
Reporting Year	2021	(Jan. 1 - Dec. 31)
Planning Period	5th Cycle	12/31/2015 - 12/31/2023

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

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Table C

Sites Identified or Rezoned to Accommodate Shortfall Housing Need and No Net-Loss Law

Project Identifier				Date of Rezone	RHNA Shortfall by Household Income Category				Rezone Type	Sites Description							
1				2	3				4	5	6	7	8		9	10	11
APN	Street Address	Project Name+	Local Jurisdiction Tracking ID+	Date of Rezone	Very Low-Income	Low-Income	Moderate-Income	Above Moderate-Income	Rezone Type	Parcel Size (Acres)	General Plan Designation	Zoning	Minimum Density Allowed	Maximum Density Allowed	Realistic Capacity	Vacant/Nonvacant	Description of Existing Uses
Summary Row: Start Data Entry Below																	

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Housing Element Implementation
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Jurisdiction	Marina	
Reporting Year	2021	(Jan. 1 - Dec. 31)

Table D

Program Implementation Status pursuant to GC Section 65583

Housing Programs Progress Report
Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.

1	2	3	4
Name of Program	**Objective**	**Timeframe in H.E**	**Status of Program Implementation**
Program 1.1: Provide Adequate Sites for RHNA	For the 2015-2023 Housing Element planning period, the City of Marina has been assigned a Regional Housing Needs Allocation (RHNA) of 1,308 units, with the following income distribution: 315 very low income units; 205 low income units; 238 moderate income units; and 550 above moderate income units. The City's land use policies, as guided by its General Plan, Zoning Ordinance, and Specific Plans, offer adequate capacity to accommodate the RHNA. The City will continue to monitor the progress in implementing the various specific plans and development within the Central and Downtown Marina areas to ensure adequate capacity is available throughout the planning period.	2023	The City has recently adopted an Affordable Housing Overlay which when implemented will help Marina meet its RHNA obligations in addition to the below market rate units being built within the Sea Haven, Dunes and Marina Station project areas.
Program 1.2: Mixed Use/Increased Density - MST Site	A minimum of 55 units to be constructed as part of the mixed-use component of the Monterey-Salinas Transit (MST) property adjacent to the Marina Transit Exchange. A minimum of 30 percent of the first 30 units shall be affordable to low income households earning no more than 80 percent of the current County median household income, plus 20 percent of the units above 30 shall be affordable at the levels specified in the City's inclusionary housing ordinance.	N/A	A developer has expressed interest in developing on the site, but no development plan for this site has been received.
Program 1.3: Mixed Use/Increased Density - Monitoring Housing Production	Develop a monitoring program to track the development of mixed use residential units in relation to the RHNA: for example in the Specific Plan areas of The Dunes, Marina Station, and Downtown.	2020	The city is actively monitoring and working on all of these projects. Marina Station-a development agreement was signed with the City on August 3, 2023; The Dunes Development-Phase 2 and Phase 3 were approved by the City Council in October of 2023; Sea Haven-450 of the 1050 units have been built as of January 1, 2023
Program 1.4: Encourage Lot Consolidation to Facilitate Housing Development	Develop a formal application process for parcel mergers to encourage and facilitate parcel consolidation to accommodate the development of housing opportunities. Consolidation will be promoted through incentives, as appropriate, such as direct financial assistance through the Redevelopment Agency (e.g. the use of RDA 20% housing set-aside funds).	2023	The City continues to encourage lot consolidation to facilitate housing development on an ongoing basis. The Draft Downtown Vitalization Specific Plan includes mechanisms to encourage lot consolidation.
Program 2.1: Density Bonus	Continue to provide density bonuses for projects providing affordable units in accordance with state law. Where a housing project seeks a higher density pursuant to the State Density Bonus Law, the affordable housing requirements of Government Code Section 65915 as well as the City's inclusionary housing requirement shall apply.	Ongoing	The City continues to offer density bonus incentives consistent with State law. Furthermore, the City will need to amend the Density Bonus Ordinance to comply with recent changes in State law regarding length of affordability control and replacement requirements. The City anticipates updating the density bonus provisions in 2023. Most of the recently approved projects in Downtown and Central Marina include a density bonus, increasing the project densities to over 40 units per acre.
Program 2.2: Affordable Housing Development	Facilitate the development of affordable housing for lower and moderate income households by working with interested developers to identify appropriate sites for affordable housing; working with or assisting nonprofit developers to pursue affordable housing funds available at local, state , and federal levels to implement the goals and policies of this Housing Element; consider reduced, deferred, or waived City planning and processing fees for affordable housing, especially projects that include housing for extremely low income households, seniors, and the disabled; and provide priority processing for affordable housing projects and offer pre-application consultation.	Annually	This is an ongoing program. Most of the recently approved projects in Downtown and Central Marina include affordable units as a result of the City's inclusionary housing policy and the use of density bonus provisions. Of the 168 units approved, 84 units will be affordable to lower income households.
Program 2.3: Inclusionary Housing Requirements	All new development or redevelopment of 20 or more units and all existing occupied housing in Marina's former Fort Ord (as of July 1, 2003) is required to provide at minimum a specified number of housing units affordable to specific income groups according to the affordability distribution specified in Section 17.45 of the Marina Municipal Code and General Plan. Amend the General Plan and Zoning Ordinance to change the total affordable requirement in existing housing in Marina's former Fort Ord, occupied as of July 1, 2003, to twenty (20) percent	Ongoing	The Housing Element of the Marina General Plan requires a 20% inclusionary requirement on the former Fort Ord. Specific Plans (Dunes on Monterey Bay Specific Plan and the Marina Heights Specific Plan) and the Cypress Knolls Tentative Map on the former Fort Ord require 20% affordable housing. Marina Municipal Code (MMC) Section 17.05.030 C (2) requires a 40% total affordable requirement on the former Fort Ord. The Housing Element and Specific Plans supersede the Municipal Code and thus this is a technicality. City staff will be pursuing revisions to the Code to be consistent with the General Plan. Within Downtown Marina, a Specific Plan is required for each development proposal allowing for flexibility in site design through development standards and design guidelines. With the adoption of the proposed Downtown Vitalization Specific Plan, the need for project level specific plan would be eliminated.
Program 2.4: Rezone Additional Land for Mobile Home Park	Consider re-zoning additional land for use and development of a new mobile home park.	Every two years	Consideration of potential sites ongoing. Section 17.060.050.A of the Zoning Ordinance requires minimum lot area for a mobile home park of five acres.
Program 2.5: Preferential Housing for Marina Workers and Residents	Monitor ongoing administration of Below Market Rate housing to ensure thirty percent of units for sale or rent are made available according to the priority preference categories established in the "BMR Administrative Policies and Procedures" adopted by the City Council on January 8, 2008 and as amended..	2023	The City staff have prepared draft BMR Guidelines and currently the City has contracted with House Key to monitor the implementation of the BMR Guidelines for the Sea Haven project.
Program 3.1: Improvement Standards Review	Every three years, review Zoning Ordinance, site improvement standards and development procedures to ensure that standards and procedures do not unnecessarily constrain the development, conservation, and rehabilitation of affordable housing.	Every three years	The city is working on the development of a Downtown Vitalization Specific Plan that will address and improve standards and development procedures in Downtown Marina. The City amended the zoning code to allow accessory dwelling units in all residentially zoned districts; additionally the City Council adopted the following zoning code changes: Reasonable Accomdations Ordinance; Low Barrier Navigation Center per AB 101; modified the Small and Large Family Day Care center definitions per changes to state law, and are taking further modifications to the Council for the ADU ordinance per SB 897 in March of 2023.

Program 3.2: Zoning Ordinance Amendments	The City amended the Zoning Ordinance to address a variety of housing-related requirements. Additional efforts have been identified and include amending the zoning code for Transitional and supportive housing; employee housing; and density bonus replacement requirement and extended affordability covenants.	2020	The following zoning amendments were completed in 2022: The City amended the zoning code to allow accessory dwelling units in all residentially zoned districts; additionally the City Council adopted the following zoning code changes: Reasonable Accomdations Ordinance; Low Barrier Navigation Center per AB 101; modified the Small and Large Family Day Care center definitions per changes to state law, and are taking further modifications to the Council for the ADU ordinance per SB 897 in March of 2023.
Program 4.1: Affordable Housing Resources	The City will actively pursue affordable housing resources available at the local, state, and federal levels to expand affordable housing opportunities in the City for a variety of activities, including but not limited to new construction, acquisition/ rehabilitation, first-time homebuyer assistance, and rehabilitation assistance.	Annually	The City received 160,000 in REAP Funds from AMBAG and are using the funds to update the Downtown Specific Plan; recently a Permanent Local Housing Allocaiton grant application for 945,000 was submitted to HCD.
Program 5.1: Property Inspection/Code Enforcement	Continue use of the Property Inspection Program and code enforcement authority of the Building Division to identify nuisance structures upon property sale or transfer and require abatement prior to completion of the sale or transfer, contingent upon availability of adequate staff.	Annually	This is an ongoing program.
Program 5.2 Conservation of Existing Affordable Housing	The city will work to conserve its existing affordable housing inventory of 476 units.	Annually	Affordable units monitored by legal staff. This program is implemented as situations arise.
Program 6.1: Energy Conservation	Assist homeowners and renters in securing energy audits through local utility companies and programs such as those offered by the Association of Monterey Bay Area Governments by: providing informational flyers available at City offices, public buildings, and special events; making announcements at City Council meetings, links to the City's website and facilitating articles in local newspapers to advertise funding sources for making changes that include energy conservation fixtures and devices.	2023	The City continues to work with AMBAG's Energy Watch Program by distributing information flyers at City offices and the Marina Public Library and informing people verbally of AMBAG's programs. All information provided by the City is current and up to date.
Program 7.1: Fair Housing Outreach	The City will continue to promote equal housing opportunity by providing fair housing information on the City Website, City Library, Community Center, and other public locations. The City will refer inquiries for services and complaints to the appropriate agencies, including the Housing Authority of the County of Monterey; U.S. Department of Housing and Urban Development, Fair Housing and Equal Opportunity Office; State Department of Fair Employment and Housing; as well as other agencies such as the Monterey County Housing Resources Center.	Annually	This is an ongoing program. Information and links in regards to fair housing are updated as needed.
Program 8.1: Special Needs Housing - Removal of Constraints	Adopt a reasonable accommodation ordinance to assist persons with disabilities. Ongoing review of Zoning Ordinance to identify and remove any constraints and ensure that reasonable accommodations are provided in regard to ensuring housing opportunities for persons with disabilities.	2022	Reasonable Accommodations Ordinance-for the first time in the City's history we have a regulatory tool to give people a reasonable accommodation from local zoning/building rules if doing so will help reduce barriers to accessing housing. This ordinance was adopted by the City Council on July 19, 2022
Program 9.1: Collaboration with Water Resources Agencies	Continue to work with the Marina Coast Water District, Fort Ord Reuse Authority and other appropriate agencies to secure sufficient water resources to meet the expected needs of projected housing developments through 2023.	Annually	Staff continues to participate with the MCWD and FORA to monitor land development entitlements in relation to the City's water allocation and available water supply. Meetings occur at least annually. The City is currently working with the Marina Coast Water District on projected housing units for the Downtown Vitalization Plan.
Program 10.1: Greenhouse Gas Reduction	To assist local governments, the State of California Attorney General has prepared and maintains through updates, a list of "Generally Applicable Global Warming Measures" that are known to reduce the global warming related impacts of a project. As appropriate, incorporate these measures as design features of a project, to reduce project specific greenhouse gas emissions to the maximum extent feasible.	Annually	This is an ongoing program. City staff ensures that all land development projects incorporate best management practices to achieve greenhouse gas emissions reductions, and encourage LEED or equivalent certification for all developments with the goal of reducing Marina's greenhouse gas emissions over time. These measures are, wherever feasible, incorporated into project design, through developer/staff negotiations, rather than as project mitigation.

Jurisdiction	Marina	
Reporting Period	2021	(Jan. 1 - Dec. 31)
Planning Period	5th Cycle	12/31/2015 - 12/31/2023

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Note: "+" indicates an optional field

Cells in grey contain auto-calculation formulas

Table E

Commercial Development Bonus Approved pursuant to GC Section 65915.7

Project Identifier				Units Constructed as Part of Agreement				Description of Commercial Development Bonus	Commercial Development Bonus Date Approved
1				2				3	4
APN	Street Address	Project Name+	Local Jurisdiction Tracking ID+	Very Low Income	Low Income	Moderate Income	Above Moderate Income	Description of Commercial Development Bonus	Commercial Development Bonus Date Approved
Summary Row: Start Data Entry Below									

Jurisdiction	Marina	
Reporting Period	2021	(Jan. 1 - Dec. 31)
Planning Period	5th Cycle	12/31/2015 - 12/31/2023

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Note: "+" indicates an optional field

Cells in grey contain auto-calculation formulas

Table F

Units Rehabilitated, Preserved and Acquired for Alternative Adequate Sites pursuant to Government Code section 65583.1(c)

Please note this table is optional: The jurisdiction can use this table to report units that have been substantially rehabilitated, converted from non-affordable to affordable by acquisition, and preserved, including mobilehome park preservation, consistent with the standards set forth in Government Code section 65583.1, subdivision (c). Please note, motel, hotel, hostel rooms or other structures that are converted from non-residential to residential units pursuant to Government Code section 65583.1(c)(1)(D) are considered net-new housing units and must be reported in Table A2 and not reported in Table F.

Activity Type	Units that Do Not Count Towards RHNA+ Listed for Informational Purposes Only				Units that Count Towards RHNA + Note - Because the statutory requirements severely limit what can be counted, please contact HCD to receive the password that will enable you to populate these fields.				The description should adequately document how each unit complies with subsection (c) of Government Code Section 65583.1+
	Extremely Low-Income+	Very Low-Income+	Low-Income+	TOTAL UNITS+	Extremely Low-Income+	Very Low-Income+	Low-Income+	TOTAL UNITS+	
Rehabilitation Activity									
Preservation of Units At-Risk									
Acquisition of Units									
Mobilehome Park Preservation									
Total Units by Income									

Jurisdiction	Marina	
Reporting Period	2021	(Jan. 1 - Dec. 31)
Planning Period	5th Cycle	12/31/2015 - 12/31/2023

NOTE: This table must only be filled out if the housing element sites inventory contains a site which is or was owned by the reporting jurisdiction, and has been sold, leased, or otherwise disposed of during the reporting year.

Note: "+" indicates an optional field

Cells in grey contain auto-calculation formulas

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Table G
Locally Owned Lands Included in the Housing Element Sites Inventory that have been sold, leased, or otherwise disposed of

Project Identifier						
1				2	3	4
APN	**Street Address**	**Project Name+**	**Local Jurisdiction Tracking ID+**	**Realistic Capacity Identified in the Housing Element**	**Entity to whom the site transferred**	**Intended Use for Site**
Summary Row: Start Data Entry Below						

Jurisdiction	Marina	
Reporting Period	2021	(Jan. 1 - Dec. 31)

Note: "+" indicates an optional field
Cells in grey contain auto-calculation formulas

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

For Monterey County jurisdictions, please format the APN's as follows:999-999-999-999

Table H
Locally Owned Surplus Sites

Parcel Identifier				Designation	Size	Notes
1	2	3	4	5	6	7
APN	**Street Address/Intersection**	**Existing Use**	**Number of Units**	**Surplus Designation**	**Parcel Size (in acres)**	**Notes**
Summary Row: Start Data Entry Below						

Jurisdiction	Marina	
Reporting Year	2021	(Jan. 1 - Dec. 31)
Planning Period	5th Cycle	12/31/2015 - 12/31/2023

Building Permits Issued by Affordability Summary		
Income Level		**Current Year**
Very Low	Deed Restricted	0
	Non-Deed Restricted	0
Low	Deed Restricted	0
	Non-Deed Restricted	0
Moderate	Deed Restricted	0
	Non-Deed Restricted	0
Above Moderate		210
Total Units		**210**

Note: Units serving extremely low-income households are included in the very low-income permitted units totals

Units by Structure Type	**Entitled**	**Permitted**	**Completed**
SFA	0	0	0
SFD	0	199	0
2 to 4	0	0	0
5+	9	0	0
ADU	5	11	0
MH	0	0	0
Total	**14**	**210**	**0**

Housing Applications Summary	
Total Housing Applications Submitted:	4
Number of Proposed Units in All Applications Received:	14
Total Housing Units Approved:	14
Total Housing Units Disapproved:	0

Use of SB 35 Streamlining Provisions	
Number of Applications for Streamlining	0
Number of Streamlining Applications Approved	0
Total Developments Approved with Streamlining	0
Total Units Constructed with Streamlining	0

Units Constructed - SB 35 Streamlining Permits

Income	Rental	Ownership	Total
Very Low	0	0	0
Low	0	0	0
Moderate	0	0	0
Above Moderate	0	0	0
Total	0	0	0

Cells in grey contain auto-calculation formulas

Jurisdiction	Marina	
Reporting Year	2021	(Jan. 1 - Dec. 31)

ANNUAL ELEMENT PROGRESS REPORT
Local Early Action Planning (LEAP) Reporting
(CCR Title 25 §6202)

Please update the status of the proposed uses listed in the entity's application for funding and the corresponding impact on housing within the region or jurisdiction, as applicable, categorized based on the eligible uses specified in Section 50515.02 or 50515.03, as applicable.

Total Award Amount	$ 150,000.00	*Total award amount is auto-populated based on amounts entered in rows 15-26.*

Task	$ Amount Awarded	$ Cumulative Reimbursement Requested	Task Status	Other Funding	Notes
VMT Analysis	$40,000.00	$0.00	In Progress	REAP	
Phase 1 General Plan Update	$105,000.00	$0.00	In Progress	REAP	
Accessory Dwelling Unit Ordinance	$5,000.00	$0.00	In Progress	REAP	

Summary of entitlements, building permits, and certificates of occupancy (auto-populated from Table A2)

Completed Entitlement Issued by Affordability Summary		
Income Level		**Current Year**
Very Low	Deed Restricted	0
	Non-Deed Restricted	0
Low	Deed Restricted	0
	Non-Deed Restricted	0
Moderate	Deed Restricted	0
	Non-Deed Restricted	0
Above Moderate		14
Total Units		**14**

Building Permits Issued by Affordability Summary		
Income Level		**Current Year**
Very Low	Deed Restricted	0
	Non-Deed Restricted	0
Low	Deed Restricted	0
	Non-Deed Restricted	0
Moderate	Deed Restricted	0
	Non-Deed Restricted	0
Above Moderate		210
Total Units		**210**

Certificate of Occupancy Issued by Affordability Summary		
Income Level		**Current Year**
Very Low	Deed Restricted	0
	Non-Deed Restricted	0
Low	Deed Restricted	0
	Non-Deed Restricted	0
Moderate	Deed Restricted	0
	Non-Deed Restricted	0
Above Moderate		0
Total Units		**0**

March 15, 2023 Item No: **10k(1)**

Honorable Mayor and Members
of the Marina City Council/Airport Commission

City Council Meeting
of March 21, 2023

APPROVAL TO ALLOCATE FUNDING FOR EMERGENCY REPAIRS TO THE FIRE SPRINKLER SYSTEM AT 721 NEESON ROAD

REQUEST:
It is requested that the City Council Commission consider:

1. Adopting Resolution No. 2023- , approving the allocation of $165,000 for emergency fire sprinkler system repairs at 721 Neeson Road; and
2. Authorizing Finance Director to make necessary accounting and budgetary entries.

BACKGROUND:
Building 533 (721 Neeson Rd.) is a steel framed structure with corrugated metal siding; large central hangar bay (approximately 137 feet wide, 150 feet long) with sliding doors at each end (facing northwest and southeast); door clearance height of 35-40 feet; with two-story storage or office and restroom space along both sides of the hangar bay. The interior space consists of approximately 20,500 square feet of the hangar bay floor.

Building 533 was constructed by the Army in 1961. The fire system is original and has been in operation since that time. The system has run its useful life. The repair of this 60-year-old system is no longer possible and a retrofit is necessary.

The lease established with the tenant indicates that the maintenance of the fire suppression system is the responsibility of the City.

ANALYSIS:
The existing fire suppression system cannot be repaired today as the parts are not available. To ensure adequate fire protection that is code compliant a complete retrofit of the fire suppression system is necessary.

In order to rectify the fire suppression system issues, staff has asked the City's approved on call contractor to provide a quote to complete the fire system retrofit work. The quote received included costs of $150,661.73 to retrofit the entire system to make it compliant with today's fire code and to modify the entrance to the hangar facility in order to be compliant with today's fire code. Staff is including at 10% contingency with the funding request, for a total allocation of $165,000.

FISCAL IMPACT:
The cost to retro fit and modify the structure to meet fire code are $150,661.73. Staff is requesting a total allocation of $165,000 to allow for a 10% contingency. Funding for this project can be allocated from unspent and reallocated funds in the Airport Capital Improvement Program.

CONCLUSION:
This request is submitted for the City Council consideration and approval.

Respectfully submitted,

_____
Matt Mogensen
Assistant City Manager
City of Marina

REVIEWED/CONCUR:

_____
Layne Long
City Manager/Airport Manager
City of Marina

RESOLUTION NO. 2023-

A RESOLUTION OF THE CITY COUNCIL ALLOCATING FUNDING FOR EMERGENCY REPAIRS TO THE FIRE SPRINKLER SYSTEM AT 721 NEESON ROAD

WHEREAS, Building 533 is a steel framed 2-story structure with offices on each wing and a large 20,500 square foot central hangar bay that was built by the Army in 1961; and,

WHEREAS, the fire suppression system was installed at the time the building was constructed and has been in operation since that time; and,

WHEREAS, the system has run its useful life and the pumps, valves, etc cannot be guaranteed to work properly and repair of this 60-year-old system is no longer possible and a retrofit is necessary; and,

WHEREAS, the lease established with the tenant indicates that the maintenance of the fire suppression system is the responsibility of the City; and,

WHEREAS, staff has asked the City's approved on call contractor to provide a quote to complete the fire system retrofit work. The quote received included costs of $150,661.73 to retrofit the entire system and upgrade the structure to make it compliant with today's fire code; and,

WHEREAS, a total allocation of $165,000 including a 10% contingency is requested from the unspent and reallocated funds in the Airport Capital Improvement Program.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Marina does hereby:

1. Adopting Resolution No. 2023- , approving the allocation of $165,000 for emergency repairs to the fire sprinkler system at 721 Neeson Road; and
2. Authorizing Finance Director to make necessary accounting and budgetary entries.

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting duly held on the 21st day of March 2023, by the following vote:

AYES, COUNCIL MEMBERS:
NOES, COUNCIL MEMBERS:
ABSENT, COUNCIL MEMBERS:
ABSTAIN, COUNCIL MEMBERS:

_____
Bruce C. Delgado, Mayor

ATTEST:

_____
Anita Sharp, Deputy City Clerk

ORDINANCE NO. 2023-03

AN ORDINANCE OF THE CITY OF MARINA AMENDING MARINA MUNICIPAL CODE (MMC) CHAPTER 17.38 "MH-R RESIDENTIAL MARINA HEIGHTS DISTRICT" TO MODIFY THE PARKING STANDARDS FOR TOWNHOMES IN SECTIONS 17.38.070 AND 17.38.090.

WHEREAS, on May 6, 2003, the City Council adopted the Marina Heights (Sea Haven) Specific Plan, which provides for the development 1,050 homes (the "Project") on certain real property consisting of approximately two hundred forty-eight (248) acres, located between Imjin Road, Abrams Drive and 12th Street in the City of Marina (the "Project Site") including 102 townhome units spread over seventeen (17) lots throughout the development;

WHEREAS, the City has approved a Specific Plan (the "Specific Plan) for the Project Site, General Plan Amendments (the "General Plan Amendments"), a Specific Plan Zoning Ordinance and Map Amendments, a Tentative Map, a statutory development agreement and certified an EIR (collectively the "Project Approvals"); and

WHEREAS, on November 25, 2003, the City certified the Final Environmental Impact Report for the Project and on March 3, 2004 the City approved a supplement to the EIR (the "Final EIR"); and

WHEREAS, on March 16, 2004, the City Council adopted the Community Design Guidelines for Marina Heights (Sea Haven). The Community Design Guidelines state the design standards for the seventeen (17) townhome lots. The design review application refines the original proposed housing type; and

WHEREAS, the Project complies with the Marina Heights Specific Plan, and the General Plan as referenced herein as **Exhibit A;** and

WHEREAS, on December 7, 2022, Wathan Castano, Peterson Homes, Inc., the developer for Project applied for the Design Review of the seventeen (17) townhome lots and for a zoning ordinance text amendment to modify the parking requirements for the townhome lots in the MH-R, Marina Heights District, Marina Municipal Code (MMC) Sec. 17.38, (**Exhibit B**); and

WHEREAS, on February 9, 2023, the Planning Commission adopted Resolution No. 2023-05 approving the Design Review Application SAD22-06 for the Townhomes in Sea Haven, recommended to the City Council that it approve the Second Amendment to the Development Agreement (DA) for Sea Haven pursuant to 4.04 of the Marina Municipal Code (MMC), and found that the project is consistent with the certified Environmental Impact Report. The Planning Commission recommended to the City Council that it deny the text amendment to the MH-R District zoning to modify the parking standards for the townhomes in Sea Haven; and

WHEREAS, the text amendments are necessary in order to allow for the development of all 102 townhomes on the designated townhome lots as approved in the Specific Plan and the related Project approvals and

WHEREAS, the zoning ordinance text amendments will facilitate the development of 102 Below Market Rate Housing that will provide needed ownership housing opportunities for a segment of the population that is currently unable to afford housing in the area; and

WHEREAS; The reduction in parking requirements is consistent with California legislative directions that limit cities flexibility to require parking in order to encourage the development of additional housing and

WHEREAS, the City Council on March 7, 2023 held a duly noticed public hearing on the zoning ordinance text amendment during which public hearing, the City Council received comments from members of the general public.

THE CITY COUNCIL OF THE CITY OF MARINA DOES ORDAIN AS FOLLOWS:

Section 1. Based on the information provided, including the information in the staff report, The City Council hereby finds and determines that no new environmental review for the project is required pursuant to CEQA Guidelines Section 15162 and that the Final EIR shall serve as the environmental review for the approval of the Second Amendment to the Development Agreement.

Section 2. Section 17.38.070 of the Marina Municipal Code shall be amended as follows with deletions shown in strikethrough and additions shown in bold, italic and underline:

> "Section 17.38.070 Parking. ***Excepting townhomes/condominiums, which will be governed by this Section 17.38.070, all other parking standards within the Marina Heights Residential District shall be governed by*** ~~See~~ Section 17.44.020. ***With respect to townhomes and condominiums within the Marina Heights Residential District, which shall be limited to two- bedroom units: One covered parking space for each dwelling unit shall be required.***"

Section 3. Section 17.38.090 of the Marina Municipal Code shall be amended as follows with deletions shown in strikethrough and additions shown in bold, italic and underline:

> "Section 17.38.090 Townhomes/condominiums. In the MHR district, development standards for townhomes/condominiums shall be those in Chapter 17.66, Development Standards for Condominium/Planned Development Projects and Condominium Conversions, ~~with the exception of parking (Section 17.66.030),~~ open space (Section 17.66.060), minimum lot area per unit (Section 17.66.120),

minimum unit size (Section 17.66.130) and setbacks (Section 17.66.140) standards which shall be superseded by the standards of the MHR district."

Section 4. This Ordinance shall be in full force and effect on thirty (30) days after its final passage and adoption.

Section 5. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 6. Within fifteen (15) days after the passage of this Ordinance, the City Clerk shall cause it to be posted in the three (3) public places designated by resolution of the City Council.

The foregoing Ordinance first read at a regular meeting of the City Council of the City of Marina duly held on 7th day of March 2023, and was passed and adopted at a regular meeting duly held on 21st day of March 2023, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

_____

Bruce C. Delgado, Mayor

ATTEST:

_____

Anita Sharp, Deputy City Clerk

EXHIBIT A

FINDINGS
Staff finds that this project:

General Plan Compliance

1) General Plan Policy 2.31.1
"In order to promote the social and fiscal well-being of the community, new housing shall be phased and shall provide for the needs of all economic groups, particularly with respect to matching the needs of the City's current and future workforce. In addition, the development of new and substantially rehabilitated homes, other than age-restricted housing, on Armstrong Ranch and the former Fort Ord shall be linked with the creation of new jobs pursuant to a development agreement or similar mechanism stipulating requirements to help attain a citywide jobs-housing balance."

   Evidence: The proposed project will provide workforce housing that will diversify the housing types offered in the Sea Haven development. There is currently little to no housing that is for-sale for middle-income households and households who are in the workforce earing 200% or less of the median income. The text amendment ensures that each site will have all six units, which means that the applicant can build all 102 for-sale townhomes that are needed in the community.

2) General Plan Policy 2.4.2
"The City shall prevent under-utilization of land within its UGB that is appropriate for community development, in order to ensure that development proceeds in an orderly and consistent manner and to minimize the dispersal of future growth in Monterey County to outlying areas with potentially higher natural resource value. With respect to phasing and timing, whenever feasible, the City shall encourage new development to locate within the existing developed portion of Marina and Marina's former Fort Ord in preference to the development of currently vacant, undeveloped lands located within the City's UGB."

   Evidence: The Sea Haven development is not within the City's Urban Growth Boundary (UGB), but it is within the former Fort Ord portion of Marina. Former Fort Ord is the preferred location for developing a diverse array of housing types. The townhomes are the final housing type to be modified so that they can be built. The one-hundred and two (102) units will be on seventeen (17) sites with six (6) units to a site. The sites are strategically spread out throughout the development, and they are all adjacent or within proximity to a park. Many of the lots are vacant and ready for construction pending the text modifications and development agreement.

Marina Heights (MH), AKA Sea Haven Specific Plan Compliance

1) MH Specific Plan 2.2 Transportation
"The Marina Heights Specific Plan portrays a residential development that provides its residents a living environment that is not centered on the use of the automobile. While adequate infrastructure will be developed to accommodate automobiles, the overall design

of the site allows for and encourages the use of alternative modes of transportation. Marina Heights will be integrated with existing and proposed (by the General Plan) land uses, and existing and planned transit infrastructure to reduce dependency on the automobile. Marina Heights is easily accessible by residents via Carmel Avenue and California Avenue linkages."

Evidence: Reducing the parking continues the Marina Heights Specific Plan intent to provide a housing, a neighborhood that is not focused on automobiles, and to encourage the use of alternative modes of transportation.

2) Specific Plan 2.2 Transportation
"The project utilizes a variety of block lengths, cul-de-sacs, roundabouts, and alleys to control speed and discourage through traffic, facilitate pedestrian travel, orient home fronts to streets rather than garages, and to provide a pleasant street experience. The design of the street system, along with the layout of parks, open space, and the greenbelt, all contribute to and maintain the integrity of neighborhoods within the project. The project provides the infrastructure (sidewalks, paths, bike lanes, greenbelt/trails) that allows access to and from the site to adjacent land uses via walking, bike, or auto. Parks and open space within the site, and proximity to commercial areas further encourage walking and biking."

Evidence: Reducing the parking ensure that the townhomes will have the access to the garages from the alleyway as required in the Specific Plan. Further, the reduced parking ensures more emphasis on utilizing the walking and biking trails throughout the project and will promote alternative modes of transportation in the future.

3) Specific Plan Policy 5.2.4 Housing and Neighborhood Goals and Policies
"The Marina Heights Specific Plan can enhance the quality of the city's existing housing stock and accommodate a fair and reasonable share of the region's growth is a variety of ways. The Marina Heights Specific Plan will provide a variety of housing options. Homes vary with regards to size and cost. With a square footage of approximately 850 to 1,350 feet, affordable townhomes within the project will provide opportunities for first time homeownership for singles and young families while also providing a housing opportunity for "empty nesters" wishing to downsize from a traditional larger family home that could be found in the surrounding community."

Evidence: The text amendments will ensure that the applicant is able to provide a variety of homes in size and cost. The proposed units will be approximately 967 square feet, two-bedroom attached townhome units. They will be a smaller unit type than the standard single-family homes or the cottage homes and they will provide additional for-sale options to the community.

ORDINANCE NO. 2023-04

AN ORDINANCE OF THE CITY OF MARINA APPROVING A SECOND AMENDMENT TO DEVELOPMENT AGREEMENT WITH WATHEN COSTANOS PETERSON HOMES, INC FOR THE SEA HAVEN PROJECT (FORMERLY MARINA HEIGHTS)

WHEREAS, to strengthen the public planning process, encourage private participation in comprehensive planning and reduce the economic risk of development, the Legislature of the State of California adopted Government Code Sections 65864 *et seq.* (the "Development Agreement Statute") which authorizes cities to enter into agreements for the development of real property with any person having a legal or equitable interest in such property in order to establish certain development rights in such property; and

WHEREAS, in accordance with the Development Agreement Statute, the City of Marina (the "City") has enacted Chapter 4.04 of the Marina Municipal Code (the "Development Agreement Regulations") to implement procedures for the processing and approval of development agreements in accordance with the Development Agreement Statute; and

WHERAS, the City and Cypress Marina Heights, LLC ("Developer") previously entered into that certain Final Development Agreement dated as of March 3, 2004 (the "Development Agreement"), pursuant to which the City and Developer agreed to certain matters with respect to the development of 1,050 homes (the "Project") on certain real property consisting of approximately two hundred forty-eight (248) acres, located between Imjin Road, Abrams Drive and 12th Street in the City of Marina (the "Project Site"), which is more particularly described in the Development Agreement; and

WHEREAS, the City and the Developer have amended the Development Agreement once previously with that certain Implementation Agreement dated October 11, 2007 (the "Implementation Agreement"); and

WHEREAS, the Developer assigned portions of its rights and obligations under the Development Agreement to Wathen Castanos Peterson Homes, Inc. and Wathen Castanos Peterson Homes, Inc. ("Developer") and the City entered into the First Amendment to the Development Agreement (the Development Agreement, as so previously amended by the Implementation Agreement and the First Amendment to the Development Agreement, being referred to herein as the "Amended Development Agreement"); and.

WHEREAS, prior to its adoption of the Development Agreement, the City has approved a Specific Plan (the "Specific Plan) for the Project Site, General Plan Amendments (the "General Plan Amendments"), a Specific Plan Zoning Ordinance and Map Amendments, a Tentative Map and certified an EIR (collectively the "Project Approvals"); and

WHEREAS, consistent with the Project Approvals, the Developer is in the process of developing the Project on the Project Site; and

WHEREAS, the City and Developer have negotiated the terms of the Second Amendment to the Development Agreement (the "Second Amendment") amending the terms of the Amended Development Agreement; and

WHEREAS, on November 25, 2003, the City certified the Final Environmental Impact Report for the Project and on March 3, 2004 the City approved a supplement to the EIR (the "Final EIR"); and

WHEREAS, the complexity, magnitude and long term buildout of the Project would be difficult for Developer to undertake if the City had not determined, through the Amended Development Agreement, to inject a sufficient degree of certainty in the land use regulatory process to justify the substantial financial investment associated with development of the Project; and

WHEREAS, the Second Amendment to the Development Agreement will assure both the City and Developer that the Project can proceed without disruption caused by a change in City planning and development policies and requirements, which assurance will thereby reduce the actual or perceived risk of planning, financing and proceeding with construction of the Project and promote the achievement of the private and public objectives of the Project; and

WHEREAS, pursuant to Section 65867 of the Government Code, the Planning Commission held a duly noticed public hearing on February 9, 2023, on amending the Development Agreement consistent with the terms of the Second Amendment to the Development Agreement during which public hearing the Planning Commission received comments from the Developer, City staff, and members of the general public; and

WHEREAS, following said public hearing, the Planning Commission, recommended approval of the Second Amendment to the Development Agreement to the City Council; and

WHEREAS, pursuant to Section 65867 of the Government Code, the City Council, on March 7, 2023, held a duly noticed public hearing on the Second Amendment to the Development Agreement during which public hearings, the City Council received comments from the Developer, project consultants, City staff, and members of the general public;

THE CITY COUNCIL OF THE CITY OF MARINA DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. This Ordinance incorporates, and by this reference makes a part hereof, the Amended Development Agreement and the Second Amendment to the Development Agreement as shown in **EXHIBIT A** and substantially in the form on file with the City Clerk as of the date of passage of this Ordinance, subject to the provisions of Section 5 hereof.

SECTION 2. This Ordinance is adopted under the authority of Government Code Section 65864 et seq., and pursuant to Chapter 4.04 of the Municipal Code of the City of Marina, which was added by City Ordinance No. 2003-04, establishing procedures and requirements for consideration of development agreements pursuant to Government Code Section 65864 et seq. (the "Development Agreement Regulations").

SECTION 3. In accordance with Section 4.04.090 of the Development Agreement Regulations, the City Council hereby finds and determines, as follows:

(a) The Second Amendment to the Development Agreement is consistent with the objectives, policies, general land uses and programs specified in the Specific Plan and the General Plan, as amended;

(b) The Second Amendment to the Development Agreement is compatible with the uses authorized in, and the regulations prescribed for, the land use districts in which the Property which is subject to the Development Agreement is located;

(c) The Second Amendment to the Development Agreement is in conformity with public convenience, general welfare and good land use practice;

(d) The Second Amendment to the Development Agreement will not be detrimental to the public health, safety and general welfare;

(e) The Second Amendment to the Development Agreement will not adversely affect the orderly development of property or the preservation of property values; and

(f) The Second Amendment to the Development Agreement is consistent with the provisions of Government Code Sections 65864 through 65869.5.

(g) Based on the information provided that no new environmental review for the project is required pursuant to CEQA Guidelines Section 15162 and that the Final EIR shall serve as the environmental review for the approval of the Second Amendment to the Development Agreement.

SECTION 4. The foregoing findings and determinations are based upon the following:

(a) The Recitals set forth in this Ordinance, which are deemed true and correct;

(b) The Final EIR;

(c) The City's General Plan;

(d) The Marina Zoning Map;

(e) All City staff reports (and all other public reports and documents) prepared for the Planning Commission, City Council, or others relating to the Final EIR, the Specific Plan, the General Plan Amendments, the Development Agreement, the First Amendment and the Second Amendment and other actions relating to the Property;

(f) All documentary and oral evidence received at public hearing or submitted to the Planning Commission or City during the comment period relating to the First Amendment and the Second Amendment; and

(g) All other matters of common knowledge to the City Council, including, but not limited to the City's fiscal and financial status; City policies and regulations; reports, projections and correspondence related to development within and surrounding the City; State laws and regulations and publications.

SECTION 5. The City Council hereby approves the Second Amendment to the Development Agreement, substantially in the form on file with the City Clerk subject further to such minor, conforming and clarifying changes consistent with the terms thereof as may be approved by the City Manager prior to execution thereof, including but not limited to completion of references and status of planning approvals, and completion and conformity of all exhibits thereto, as amended and as approved by the City Council.

SECTION 6. Upon the effective date of this Ordinance as provided in Section 9 hereof, the City Manager and City Clerk are hereby authorized and directed to execute and records the Second Amendment to the Development Agreement on behalf of the City of Marina.

SECTION 7. The City Manager is hereby authorized and directed to perform all acts authorized to be performed by the City Manager in the administration of the Second Amendment to the Development Agreement and the Amended Development Agreement pursuant to the terms of the Amended Development Agreement as amended by the Second Amendment, including but not limited to provisions for certain administrative amendments and transfers and assignments as authorized therein.

SECTION 8. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 9. This Ordinance shall be in full force and effect thirty (30) days after its passage and adoption; as certified by the City Clerk.

THE FOREGOING ORDINANCE was first read at a regular meeting of the Marina City Council on the 7th day of March 2023, and was passed and adopted at a regular meeting of the Marina City Council on the 21st day of March 2023.

AYES, COUNCIL MEMBERS:
NOES, COUNCIL MEMBERS:
ABSTAIN, COUNCIL MEMBERS:
ABSENT, COUNCIL MEMBERS:

_____
Bruce C. Delgado, Mayor

ATTEST:

_____
Anita Sharp, Deputy City Clerk

EXHIBIT A

SECOND AMENDMENT TO DEVELOPMENT AGREEMENT

This Second Amendment to Development Agreement (the "Second Amendment") is made and entered into as of the last date a party affixes its signature hereto (the "Effective Date"), by and between the CITY OF MARINA (the "City"), on the one hand, and WATHEN CASTANOS PETERSON HOMES, INC. ("Developer"), on the other hand. The City and Developer are sometimes referred to herein individually as a "Party" and collectively as the "Parties."

I.

RECITALS

WHEREAS, on March 3, 2004, the City and Cypress Marina Heights, LLC ("Cypress") entered into that certain Final Development Agreement (the "Development Agreement"), under which the City and Cypress agreed to certain matters regarding the development of approximately 1,050 homes and other improvements (the "Project") on certain real property consisting of approximately two hundred forty-eight (248) acres, located between Imjin Road, Abrams Drive and 12th Street in the City of Marina (the "Project Site"), which is more particularly described in the Development Agreement.

WHEREAS, the City and Cypress subsequently amended the Development Agreement with that certain Implementation Agreement dated October 11, 2007 (the "Implementation Agreement") (the Development Agreement, as so previously amended by the Implementation Agreement, being referred to herein as the "Amended Development Agreement").

WHEREAS, Cypress partially assigned the Amended Development Agreement to Developer pursuant to that Partial Assignment and Assumption Agreement dated April 12, 2018, and Developer has assumed certain obligations under the Amended Development Agreement.

WHEREAS, on July 3, 2018, the City and the Developer entered into the First Amendment to Development Agreement (the "First Amendment") a copy of which is attached and incorporated herein as Exhibit E, which, among other things, modified the Parties' respective obligations concerning the construction of Sea Haven Park.

WHEREAS, the City and Developer now seek to amend certain provisions of the Amended Development Agreement, as amended by the First Amendment, to facilitate development of the Project and clarify the Parties' respective obligations, including the construction of Sea Haven Park, the imposition of new development fees, and the mitigation of *sand gilia* habitat.

WHEREAS, the Parties now desire to amend the Amended Development Agreement as amended by the First Amendment pursuant to the terms of this Second Amendment.

II.

AGREEMENT

NOW THEREFORE, in consideration of the foregoing recitals and the mutual covenants and

agreements contained herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby agree as follows:

A. Development and Timing. Section 5 of the First Amendment is hereby deleted in its entirety and replaced with the following:

The Below Market Rate Homes are an important but complex component of the Project. The Project Approvals require that all product types be disbursed throughout the Project Site and integrated throughout the Project. Although the Development Agreement required that the Developer develop the Below Market Rate Homes in a manner proportionate to construction of the Market Rate Homes, the Parties agreed pursuant to the terms of the Tolling Agreement entered into by the Developer and the City, as amended, to postpone construction of the Below Market Rate Homes while the Parties negotiated new terms for the development and sale of the Below Market Rate Homes.

The Below Market Rate Homes shall be developed in accordance with the following provisions, which shall supersede any prior approvals or agreements between the Parties related to the Below Market Rate Homes that are inconsistent with the provisions set forth below.

(a) Developer shall be responsible for developing 210 Below Market Rate Homes consisting of 51 townhomes affordable to Moderate Income Households with incomes not exceeding 120% of Area Median Income ("Moderate Income Townhomes"), 51 townhomes affordable to 135% AMI Households ("Workforce Townhomes"), 23 cottages affordable to 150% AMI Households ("Workforce Cottages") and 85 bridge homes ("Bridge Homes").

(b) For purposes of this Section the following terms shall have the meaning specified below. Terms not otherwise defined in this Section shall have the meaning set forth in the BMR Policies and Procedures:

"Area Median Income" shall mean the median gross yearly income, adjusted for Assumed Household Size, in the County of Monterey, California, as published from time to time by California Department of Housing and Community Development ("HCD"). In the event that such income determinations are no longer published, or are not updated for a period of at least eighteen (18) months, the City and Developer shall mutually agree on other income determinations which are reasonably similar with respect to methods of calculation to those previously published by HCD.

"Assumed Household Size" shall be determined in accordance with the BMR Policies and Procedures.

"BMR Policies and Procedures" shall mean City's Below Market Rate Homeownership Administrative Policies and Procedures as currently in effect as of the Effective Date of this Second Amendment. If the City amends the BMR Policies and Procedures during the term of this Agreement, the amended policies shall only apply to the Developer if the Developer consents to such amendments.

"Housing Cost" shall mean home purchasers' total housing cost including mortgage expenses, taxes and insurance, homeowner association dues, utilities, and an allowance for maintenance and repairs

"Moderate Income Households" shall mean households with an income at or below One Hundred Twenty Percent (120%) of Area Median Income adjusted for household size.

"135% AMI Households" shall mean households with an income at or below One Hundred Thirty Five Percent (135%) of Area Median Income adjusted for household size.

"150% AMI Households" shall mean households with an income at or below One Hundred Fifty Percent (150%) of Area Median Income adjusted for household size.

(c) Maximum Sales Price.

The Maximum Sales Price for the Below Market Rate Homes shall be determined by the City in accordance with the City's BMR Policies and Procedures provided maximum pricing for each home type shall be as set forth below:

(i) The Maximum Sales Price for Moderate Income Townhomes shall not exceed the purchase price that would result in a monthly Housing Cost not exceeding thirty-five percent (35%) of One Hundred Twenty Percent of Area Median Income.

(ii) The Maximum Sales Price for the Workforce Townhomes shall not exceed the purchase price that would result in a monthly Housing Cost not exceeding thirty-five percent (35%) of One Hundred Thirty Five Percent (135%) of Area Median Income.

(iii) The Maximum Sales Price for the Workforce Cottages shall not exceed the purchase price that would result in a monthly Housing Cost not exceeding thirty-five percent (35%) of One Hundred Fifty Percent (150%) of Area Median Income.

(iv) The Maximum Sales Price for the Bridge Homes shall not exceed the purchase price that would result in a monthly Housing Cost not exceeding forty percent (40%) of One Hundred Fifty Percent (150%) of Area Median Income.

(d) Below Market Rate Home Sizes.

Collectively, all one hundred two (102) Moderate and Workforce Townhomes shall be 2-bedroom units. Fifteen (15) of the Workforce Cottages will be 2-bedroom units and eight (8) of the Workforce Cottages shall be the Plan 3, 3-bedroom unit, a depiction of which is attached hereto as Exhibit "A."

No more than twenty percent (20%) of the Bridge Homes will be the Plan 5, 4-bedroom units, a depiction of which is attached hereto as Exhibit "B," and none of the Bridge Homes will be 2-bedroom units.

(e) Sale of Below Market Rate Homes.

The City is expected to administer the Below Market Rate Home program for the Project, including providing the Developer with lists of qualified buyers pursuant to the BMR Policies and

Procedures ("Qualified Buyers List"). To the extent that the City is delayed in providing the Qualified Buyers List to the Developer, the Developer may select Qualified Buyers for the Below Market Rate Homes, provided, however, the City Staff must verify the Qualified Buyers eligibility for the Below Market Rate Home within ten (10) business days after the date on which Developer provides all necessary information regarding the Qualified Buyer to the City. Approval of the Qualified Buyers shall be in accordance with the BMR Policies and Procedures, and all supporting documentation set forth in the BMR Policies and Procedures shall be required for the City to approve or disapprove a Qualified Buyer. The City may, at its election, contract with an outside agency to review and approve or disapprove Qualified Buyers, provided, Developer shall not be responsible for the cost of such outside agency. Nothing herein prevents the City from charging the homebuyers a fee for costs associated with the review and approval or disapproval of Qualified Buyers. In order to provide the City with time to create a Qualified Buyer List, Developer shall, when it is issued a building permit for a Below Market Rate Home, notify the City of the type of home (i.e. Moderate Income Townhome, Workforce Townhome, etc.) and the expected completion date of such Below Market Rate Home. Developer shall provide City with regular updates as construction proceeds on the Below Market Rate Homes.

All Below Market Rate Homes shall be sold subject to a forty-five (45) year resale restriction that will ensure that the Below Market Rate Homes will remain affordable during this period. Additionally, homebuyers of Below Market Rate Homes will be required to execute a promissory note and Deed of Trust, both in favor of the City providing the City with a share of the equity on the home if the Below Market Rate Home is sold prior to the expiration of the resale restriction with such equity share decreasing over time and eliminated after the homebuyer has owned the home for twenty (20) years. The amount of the equity share shall be determined based on the difference between the initial Maximum Purchase Price and the market purchase price of the Below Market Rate Home. The form of the resale restriction, promissory note and any other documents required by the City related to the sale of the Below Market Rate Homes shall be provided by the City and shall be in accordance with the BMR Policies and Procedures. Notwithstanding the foregoing, the promissory note, Deed of Trust, or any other document described herein shall be subordinate to Qualified Buyer's commercial financing required or necessary to purchase the Below Market Rate Home.

Notwithstanding anything to the contrary, nothing in the Development Agreement, as amended, permits the City to withhold the issuance of building permits or certificates of occupancy on Market Rate Homes, provided Developer has made, or is making, a good faith effort to construct and sell Below Market Rate Homes, and, any such delay in the construction or sale of Below Market Rate Homes arises in whole or in part from the City's failure or delay in developing an Affordable Housing Program, or providing Qualified Buyers to purchase Below Market Rate Homes. Notwithstanding the above, the City may withhold building permits for Market Rate Homes in Phase V of the Project until the Developer has been issued building permits for all of the Market Rate and Below Market Rate Homes in Phase IV of the Project.

Consistent with the Project Approvals, the Developer shall construct the Below Market Rate Homes in a manner proportionate to construction of the Market Rate Homes, as shown in the following table:

Type of Product	Phase II	Phase III	Phase IV	Phase V	Total

Total BMR Homes	36	83	66	25	210
Total Market Rate	264	212	222	142	840
Total Homes Per Phase	300	295	288	167	1050

As a result of the Parties ongoing negotiations, construction of the Below Market Rate Homes for Phases II have been delayed. In order to ensure that the Below Market Rate Homes will be constructed in proportion with the Market Rate Homes going forward and to address the delay in construction of Below Market Rate Homes, the Developer shall commence construction of at least five (5) Below Market Rate Homes in Phase II before the end of the first calendar quarter of 2023, commence construction of an additional seven (7) Below Market Rate Homes in Phase II no later than the end of the second calendar quarter of 2023, commence construction of no fewer than nine (9) Below Market Rate Homes in Phase III before the end of the third calendar quarter of 2023 and commence construction of no fewer than nine (9) Below Market Rate Homes in Phase III before the end of the fourth calendar quarter of 2023. In addition, the Developer shall commence construction of the Moderate Income and Workforce Townhomes within sixty (60) days of receipt of all approvals and building permits and shall commence construction of at least six (6) Townhome units each quarter.

B. New Fee. Section 2.7.1.2, established by Section 6 of the First Amendment, is hereby deleted in its entirety and replaced with the following:

> 2.7.1.2 New Fee.
>
> (a) From and after the Effective Date of this Second Amendment, the Developer shall pay to the City at the time of issuance of any building permit the New Fee as that term is defined in the First Amendment and in accordance with City Council Resolution No. 2020-83. The New Fee replaces the levy previously assessed by the Fort Ord Reuse Authority ("FORA") Basewide Community Facilities District (the "FORA Fee"), the collection of which ceased June 30, 2020.
>
> (b) The City shall pay from the New Fee the Regional Development Impact Fee assessed by the Transportation Agency for Monterey County ("TAMC") for each residential building permit issued by the City.

C. Park Fees. Section 2.8.2(i), established by Section 7 of the First Amendment, is hereby deleted in its entirety and replaced with the following:

> City and Developer have reached agreement regarding the design of the Sea Haven Park ("Park") as attached hereto as Exhibit "C." The current estimated budget for the agreed upon Park is $3,600,000.00 ("Park Budget"), a copy of which is attached hereto as Exhibit "D." Developer has previously committed to paying not more than Three Million Dollars ($3,000,000) toward the design, engineering, construction, and improvements of the Park ("Developer's Contribution"). In order to fund the costs of construction of the Park that exceed the Developer's Contribution, the Developer agrees that if the Developer is able to obtain release of the Habitat Mitigation Funds referenced in Section 2.14.3,

Developer shall be obligated to increase the Developer's Contribution to the Park by the amount of the Habitat Mitigation Funds. Notwithstanding the fact that the costs of the Park exceed the Developer's Contribution, the Developer agrees to commence construction of the Park no later than (a) 90 days from date Developer receives the Habitat Mitigation Funds, provided all necessary improvement plans and specifications have been approved by the City, and all required permits issued; or, (b) 90 days from the date the City approves an agreed upon value engineered City Park. For avoidance of doubt, if the Developer seeks to make any changes in the Park design, all such changes must be approved by the City Council. The agreed upon design of Park includes four pickle ball courts ("Pickle Ball Courts") and Kompan play equipment ("Play Equipment"). Initially the parties contemplated Developer contributing $300,000 of Developer's Contribution to the Play Equipment and City contracting and paying for the Pickle Ball Courts, an estimated $300,000 improvement. To facilitate development of the Park, the Parties agree that Developer will directly contract for the construction and installation of the Pickle Ball Courts and pay for the same from Developer's Contribution; and, the City will directly contract for the purchase and installation of Play Equipment, including the surface beneath the Play Equipment, the cost of which is estimated to be $1.6 million, which is not part of the Park Budget, nor part of Developer's Contribution.

The following paragraph is added to the end of Section 2.8.2(v):

To ensure that Developer receives the full benefit of the $900,000 credit following the construction of the Park, in the event the Park is not completed at or before the time in which only 100 lots in the Project remain undeveloped, Developer shall place the Park Fees for the remaining 100 units, in the amount of $9,008.00/DU, in an interest-bearing escrow or trust account pending the completion of the Park for the purpose of holding the fees, which escrow or trust account will be governed by instructions, a copy of which will be provided to the City that will prohibit the release of the funds in the account to the Developer until the Park is complete. By depositing such fees into the account, Developer will be deemed to have complied with any obligation to pay Park Fees for any such unit. Upon completion of the Park, Developer's Park Fee for any remaining units shall be waived, and the funds in the escrow account will be disbursed to Development pursuant to written release instructions received by both the City and Developer.

D. Sand Gilia Mitigation. The following section is added to the Amended Development Agreement as amended by the First Amendment after Section 2.13:

2.14 Sand Gilia Mitigation

2.14.1. Developer intends to mitigate for the Project's impacts to *sand gilia* habitat through proposed restrictions on a portion of an approximately 3.91-acre property adjacent to the Project to be acquired by the Developer (the "Proposed

Mitigation Property"). Upon the approval by the California Department of Fish & Wildlife ("CDFW") of any self-mitigation proposal by Developer on the Proposed Mitigation Property, the Developer shall provide notice (the "Self-Mitigation Notice") to the City of such approval, and a summary of Developer's costs to self-mitigate supported by invoices or estimates prepared by technical experts (the "Self-Mitigation Costs"). Said Self-Mitigation Costs include all costs incurred by the Developer to ensure the use of the Proposed Mitigation Property as mitigation for the Project and shall include the lower of the appraised value of the Proposed Mitigation Property or the actual amount paid by the Developer for the Proposed Mitigation Property, consultant fees, and those costs identified in the CDFW approved Mitigation and Monitoring Plan, including short term costs and any endowment required to fund the long-term costs associated with maintaining the Proposed Mitigation Property.

After Developer provides the Self-Mitigation Notice to the City, Developer shall be entitled to release of the funds retained in the escrow established by the Parties pursuant to the Tolling Agreement in an amount equal to $1,600,000 ("Self-Mitigation Offset"). Upon release of the funds in escrow to the Developer, the Developer shall assume all obligations related to the Sand Gilia Mitigation and the City shall have no responsibility related to the Sand Gilia Mitigation for the Project. The Developer shall make diligent efforts to obtain an incidental take permit from CDFW using the Proposed Mitigation Property in a timely manner and will provide the City with copies of any applications or other materials submitted to CDFW related to Developers self-mitigation proposal. The Developer shall provide the City with regular, but no less frequently than quarterly, written reports on the progress on obtaining the incidental take permit.

2.14.2. If the Developer is unable to obtain CDFW's approval for the Sand Gilia Mitigation on the Proposed Mitigation Property, the Developer can request in writing that the City provide a conservation easement on a portion of the Fort Ord Landfill, which is now controlled by the City, to satisfy Developer's Sand Gilia Mitigation obligation (the "Conservation Easement"), as required by CDFW sufficient to allow Developer to pull permits and commence construction on Phase 5b of the Project. The City agrees to provide the Conservation Easement and to assume responsibility for the long-term management and funding of the Conservation Easement as required by CDFW to serve as mitigation for the Developer's incidental take of sand gilia associated with construction of Phase 5b. The City shall be responsible for the long-term management and funding of the Conservation Easement. The City's ability to provide a Conservation Easement on the landfill property is subject to the approval of CDFW. The City and the Developer shall work cooperatively to obtain CDFW's approval of the Conservation Easement within twelve (12) months of the City receipt of Developer's notice requesting that the City provide the Conservation Easement. In the event that CDFW approves the Conservation Easement the City shall be entitled to release of any funds held in the escrow

account established by the Parties pursuant to the Tolling Agreement in accordance with that certain Settlement Agreement dated November _____, 2022 entered into by and between the Parties.

2.14.3 Upon the approval of the use of the Proposed Mitigation Property for the mitigation of the sand gilia, the Developer will take all commercially reasonable efforts to acquire the approximately $716,000.00 held by California Bank & Trust deposited by Cypress Marina Heights, LLC for habitat mitigation, including but not limited to *sand gilia* mitigation (the "Habitat Mitigation Funds") and upon release of such funds to Developer, Developer shall be obligated to increase the Developer's Contribution to the Park by the amount of the Habitat Mitigation Funds. For avoidance of doubt, the Habitat Mitigation Funds do not include the second account at California Bank & Trust containing approximately $327,000 which, if released, are to be retained by Developer.

E. Conflict. In the event of a conflict between the terms and conditions of this Second Amendment and the terms and conditions of the Development Agreement, the terms and conditions of this Second Amendment shall control.

F. No Further Modification. Except as set forth in this Second Amendment, all other terms and provisions of the Development Agreement are hereby ratified and confirmed and shall be and remain unmodified and in full force.

G. Counterparts. This Agreement may be executed in counterparts, each of which shall be deemed to be an original, and all of which shall constitute one and the same instrument. It shall be necessary to account for only one fully executed counterpart in proving this Agreement.

WATHEN CASTANOS PETERSON HOMES, INC.

Dated: _____, 2022

By: _____
Name: _____
Title: _____

CITY OF MARINA

Dated: _____, 2022

By: _____
Name: _____
Title: _____

ATTEST:

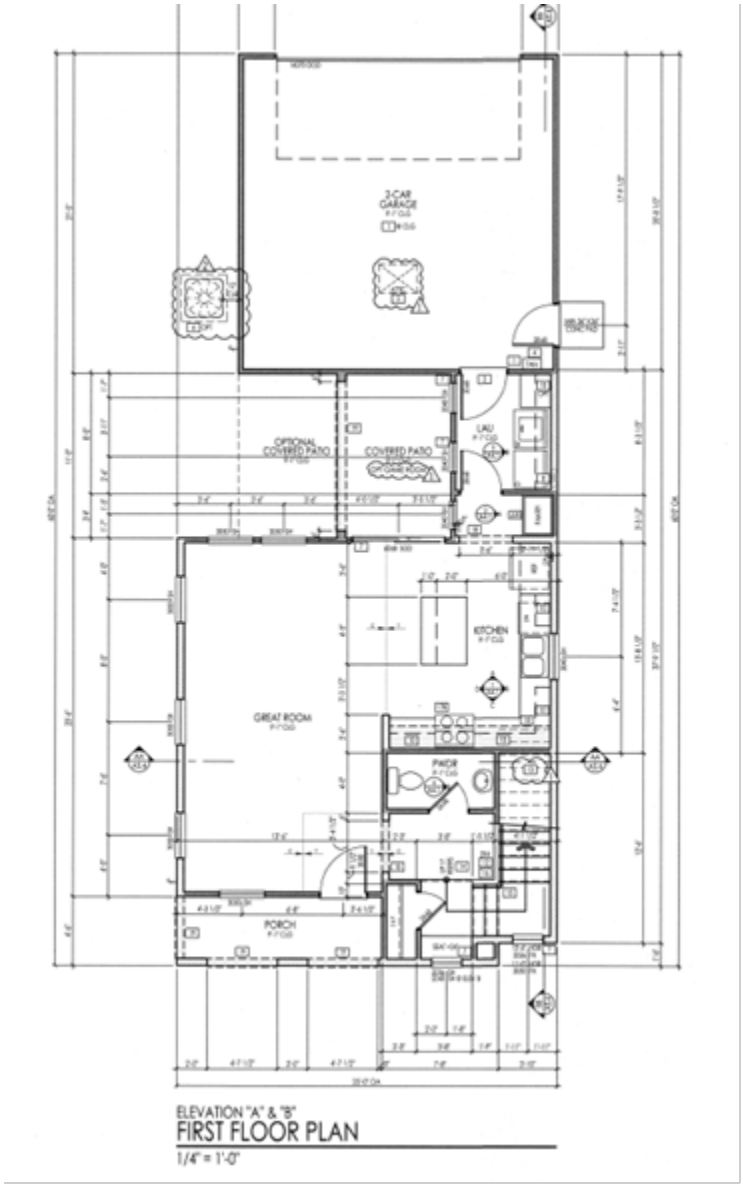
Dated: _____, 2022

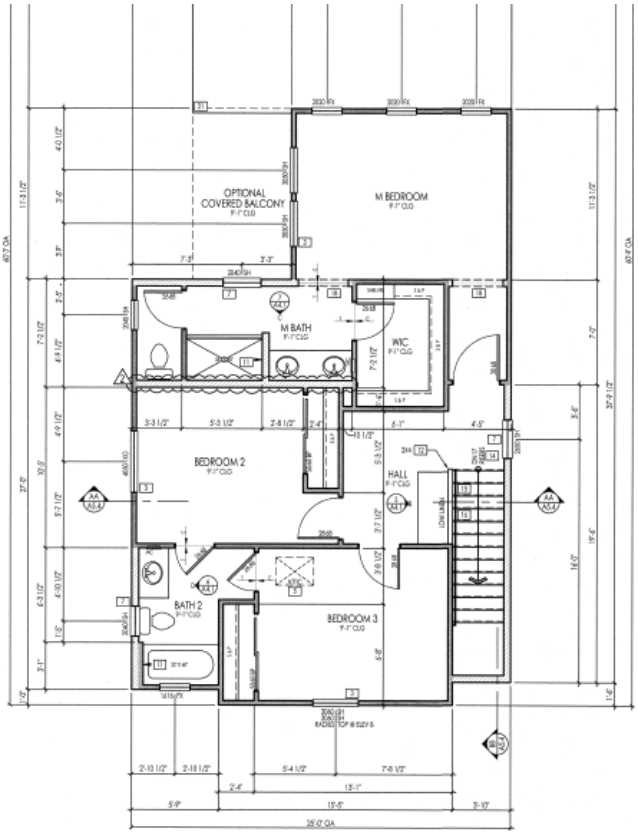
By: _____

APPROVED AS TO FORM:

Dated: _____, 2022 By: _____

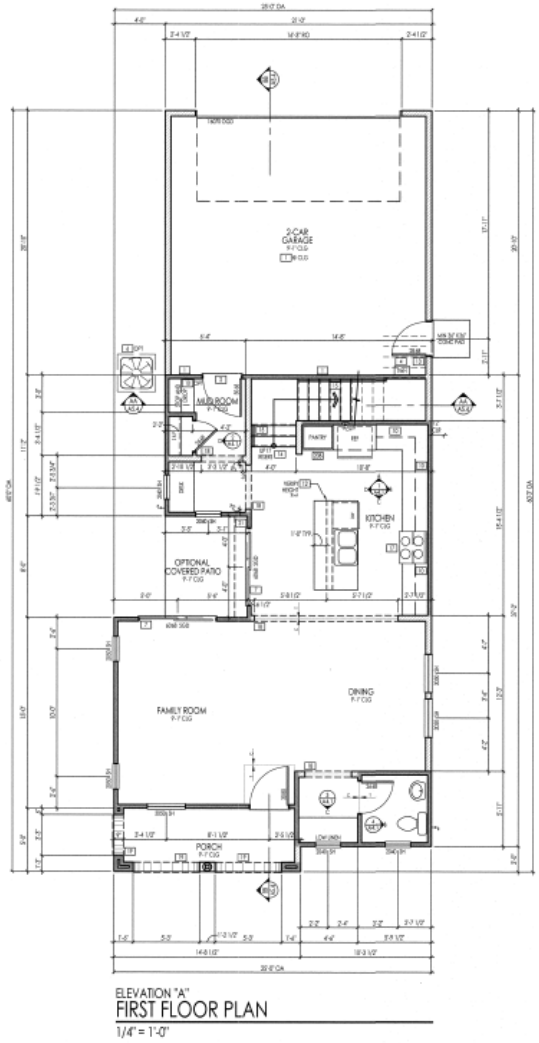
EXHIBIT A TO SECOND AMENDMENT TO DEVELOPMENT AGREEMENT
Workforce Cottages



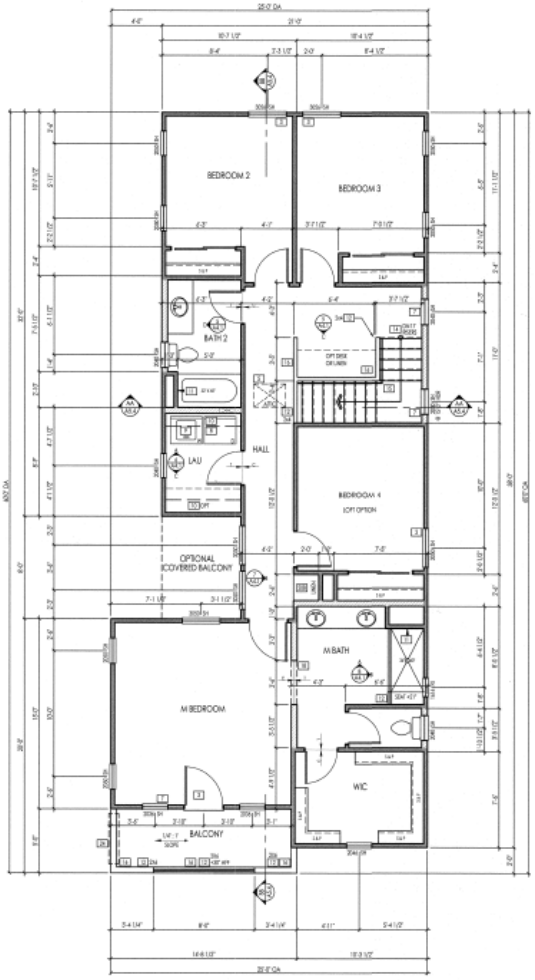


ELEVATION "A" & "B"
SECOND FLOOR PLAN
1/4" = 1'-0"

EXHIBIT B TO SECOND AMENDMENT TO DEVELOPMENT AGREEMENT
Bridge Homes



ELEVATION "A"
FIRST FLOOR PLAN
1/4" = 1'-0"



SECOND FLOOR PLAN
1/4" = 1'-0"

EXHIBIT C TO SECOND AMENDMENT TO DEVELOPMENT AGREEMENT

City Park Plan



EXHIBIT D TO SECOND AMENDMENT TO DEVELOPMENT AGREEMENT

Current Park Budget

PROJECT: SEA HAVEN
CLIENT: WATHEN CASTANOS HOMES
PROJECT NO. 1493-0001-02

3-Oct-22
Engineer: EB
Checked by: BEK

CITY PARK
OPINION OF PROBABLE CONSTRUCTION COSTS - 2nd Submttal Plan Set

NO.	ITEM DESCRIPTION	UNIT	QTY	UNIT PRICE		TOTAL
	SITE CLEARING, DEMOLITION AND EARTHWORK					
1	CLEARING AND GRUBBING	LS	1	50,000.00	$	50,000.00
2	EARTHWORK/EXCAVATION/GRADING	CY	10,000	20.00	$	200,000.00
				Sub Total	$	250,000.00
	HARDSCAPE					
3	CONCRETE PAVING	SF	15,336	14.00	$	214,704.00
4	CONCRETE PAVING (NATURAL GRAY, STAMPED - 'WOOD DECK'))	SF	1,350	18.00	$	24,300.00
5	DECOMPOSED GRANITE	SF	19,600	8.00	$	156,800.00
6	MINOR CONCRETE (SEAT WALLS)	LF	120	250.00	$	30,000.00
7	/	LF	0	0.00	$	-
				Sub Total	$	426,000.00
	RECREATION					
8	PICKLEBALL COURTS	LS	1	300,000.00	$	300,000.00
9	/	SF	0	0.00	$	-
10	/	SF	0	0.00	$	-
				Sub Total	$	300,000.00
	CIVIL IMPROVEMENTS					
11	HMA (TYPE A FOR TRAILS / ROADS)	TON	979	200.00	$	195,800.00
12	CLASS 2 AGGREGATE BASE	CY	1,000	100.00	$	100,000.00
13	DRAINAGE STRUCTURES	EA	4	3,000.00	$	12,000.00
14	MINOR CONCRETE (6"CURB)	LF	1,983	18.00	$	35,694.00
15	PAVEMENT DELINEATION	LS	1	6,000.00	$	6,000.00
16	NEW DRIVEWAY ENTRY	LS	1	20,000.00	$	20,000.00
17	TRASH ENCLOSURE	LS	1	22,000.00	$	22,000.00
				Sub Total	$	391,000.00
	UTILITIES					
18	6" HDPE DR 11 RW PIPELINE	LF	50	200.00	$	10,000.00
19	TIE-IN TO EXISTING 8" RW PIPELINE, METER AND METER BOX	LS	1	3,500.00	$	3,500.00
20	MCWD NON-POTABLE WATER METER FEE	LS	1	125,000.00	$	125,000.00
21	1" POTABLE WATER BACKFLOW DEVICE	EA	1	2,500.00	$	2,500.00
22	MCWD POTABLE WATER METER FEE	LS	1	5,000.00	$	5,000.00
23	1" POTABLE WATER SERVICE TO RESTROOM & BBQs	LS	1	25,000.00	$	25,000.00
24	4" SEWER LATERAL & CLEANOUTS	LF	750	50.00	$	37,500.00
25	ELECTRICAL	LS	1	100,000.00	$	100,000.00
				Sub Total	$	309,000.00
	LANDSCAPE PLANTING					
26	PLANTING AREAS - NATIVE HYDROSEED	SF	302,335	0.27	$	81,630.45
27	PLANTING AREAS - TRANSITION	SF		2.00	$	-
28	PLANTING AREAS - ACCENT	SF	25,346	2.00	$	50,692.00
29	PLANTING AREAS -TURF	SF	116,775	0.50	$	58,387.50
30	15 GALLON TREES	EA	147	250.00	$	36,750.00
31	24" BOX TREES	EA	3	1,500.00	$	4,500.00
32	MULCH	CY	235	125.00	$	29,335.65
33	IRRIGATION (TURF)	SF	116,775	2.00	$	233,550.00
34	IRRIGATION (SHRUBS)	SF	25,346	2.00	$	50,692.00
35	IRRIGATION (TREES)	EA	150	100.00	$	15,000.00
34	90 DAY MAINTENANCE	LS	1	12,000.00	$	12,000.00
				Sub Total	$	573,000.00
	MISCELLANEOUS					
35	BENCHES	EA	8	2,800.00	$	22,400.00
36	PICNIC TABLES - 8'	EA	8	6,800.00	$	54,400.00
37	PICNIC TABLES - ROUND	EA		1,000.00	$	-
38	BIKE RACKS (5 BICYCLE SINGLE-SIDED RACK)	EA	3	500.00	$	1,500.00
39	BBQ GRILL	EA	2	500.00	$	1,000.00

40	TRASH AND RECYCLE RECEPTACLES WITH LIDS	EA	10	5,000.00	$	50,000.00
41	DISC GOLF TARGETS (SET OF 9)	LS	1	6,500.00	$	6,500.00
42	WOOD AND WIRE 4' TALL DOG PARK FENCE AND GATES	LF	928	60.00	$	55,680.00
43	DOG PARK AMENITIES	LS	1	5,000.00	$	5,000.00
44	PARK ENTRY SIGN	EA	1	15,000.00	$	15,000.00
45	16 FOOT MANUAL SWING GATE & RECEIVER POST	EA	2	3,500.00	$	7,000.00
46	RESTROOM	LS	1	475,000.00	$	475,000.00
				Sub Total	$	693,000.00
				Base Total	**$**	**2,942,000.00**
	ADMINISTRATIVE					
	MOBILIZATION (2.5%)	**LS**	**1**		**$**	**74,000.00**
	CONTINGENCY (10%)	**LS**	**1**		**$**	**294,000.00**
	CONSULTANTS / SOFT COSTS (10%)	**LS**	**1**		**$**	**294,200.00**
				Grand Total	**$**	**3,604,200.00**

DEVELOPER CONTRIBUTION	**$**	**3,000,000.00**
AMOUNT REMAINING	**$**	**604,200.00**

ADDITIONAL NOTES: WALLACE GROUP MAKES NO WARRANTY, EITHER EXPRESSED OR IMPLIED, THAT ACTUAL COSTS WILL NOT VARY FROM THE AMOUNTS INDICATED AND ASSUMES NO LIABILITY FOR SUCH VARIANCES.

FIRST AMENDMENT TO DEVELOPMENT AGREEMENT

THIS FIRST AMENDMENT TO DEVELOPMENT AGREEMENT (this "Amendment") is made as of this day of 3rd July, 2018, by and between the CITY OF MARINA, a California municipal corporation (the "City"), and WATHEN CASTANOS PETERSON HOMES, INC, a Delaware corporation ("Developer"), with reference to the following facts and circumstances (the City and Developer are sometimes referred to herein collectively as the "Parties", and each individually as a "Party"):

RECITALS:

A. Cypress Marina Heights, LLC and the City previously entered into that certain Final Development Agreement dated as of March 3, 2004 (the "Development Agreement"), pursuant to which the City and Cypress Marina Heights, LLC agreed to certain matters with respect to the development of 1,050 homes (the "Project") on certain real property consisting of approximately two hundred forty-eight (248) acres, located between Imjin Road, Abrams Drive and 12th Street in the City of Marina (the "Project Site"), which is more particularly described in the Development Agreement.

B. The City and Cypress Marina Heights, LLC have amended the Development Agreement once previously with that certain Implementation Agreement dated October 11, 2007 (the "Implementation Agreement") (the Development Agreement, as so previously amended by the Implementation Agreement, being referred to herein as the "Amended Development Agreement").

C. The first phase of the Project consisting of roads and utilities has been substantially completed.

D. Development is underway of the first residential phase of the Project which consists of 300 homes.

E. Cypress Marina Heights, LLC has partially assigned the Development Agreement to Developer pursuant to that Partial Assignment and Assumption Agreement dated April 12, 2018 and Developer has assumed certain obligations under the Development Agreement.

F. Each of the City and Developer are requesting modifications to the Amended Development Agreement to facilitate the development of the Project which, in turn, will bring financial and other benefits to the City, including but not limited to 210 Below Market Rate Homes (defined herein) and construction of the Sea Haven Park.

G. The Parties now desire to amend the Amended Development Agreement pursuant to the terms of this Amendment.

AGREEMENT:

NOW THEREFORE, in consideration of the foregoing recitals and the mutual covenants and agreements contained herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby agree as follows:

1. **Defined Terms**. All terms defined in the Amended Development Agreement when used herein shall have their respective meanings as set forth in the Amended Development Agreement unless expressly superseded by the terms of this Amendment. All references in this Amendment to an "Article" or a "Section" shall refer to the applicable Article or Section of the Amended Development Agreement, unless otherwise specifically provided.

2. **Defined Terms Expressly Amended or Superseded by this Amendment.**

(a) Section 1.1.2 which defines "Affiliate" is hereby deleted in its entirety.

(b) Section 1.1.4 which defines "Benchmarks" is hereby deleted in its entirety. Accordingly, the clause "but consistent with the Benchmarks," as the same appears in the first line of Section 2.12.1, is hereby deleted.

(c) Section 1.1.9 is hereby deleted in its entirety and replaced with the following:

> "**City Impact Fees**" shall mean (a) during the Original Term, only those development impact fees of the City (and only in the amounts) set forth in Exhibit B to this Agreement (the "Original City Impact Fees"); and (b) during the Extended Term, any lawful development impact fees, taxes or assessments lawfully adopted by the City and applicable to residential developments within the City in effect or adopted by the City Council after 12:01 a.m. on November 30, 2018, as such fees may be adopted or amended from time to time during the Extended Term. (the "Updated City Impact Fees").

(d) Section 1.1.11 is hereby deleted in its entirety and replaced with the following:

> "**Developer**" shall mean Wathen Castanos Peterson Homes, Inc. and their successor and assigns.

(e) The clause "listed on Exhibit B to this Agreement" in item (iii) of Section 1.1.16 is hereby deleted.

(f) Section 1.1.30 which defines "Project Approvals" is modified to clarify Section 1.1.30.5 and to add the following permits and approvals granted or to be granted to Developer by the City for the Project to those already enumerated in Sections 1.1.30.1 through 1.1.30.6:

1.1.30.5	Tentative Tract Map No. 1478 approved by City Council Resolution No. 2004-44
1.1.30.7	Resolution No. 2006-56, approving Phase 1 Final Map and a Subdivision Improvement Agreement
1.1.30.8	Resolution No. 2006-225, A Resolution if the City Council of the City of Marina Approving the Affordable Housing Program for the Marina Heights Subdivision
1.1.30.9	Resolution No. 2006-228, approving Phase 2 Final Map and a Subdivision Improvement Agreement for the First 299 Residential Units

1.1.30.10 Implementation Agreement Regarding that Certain Option Agreement by and among the Redevelopment Agency of the City of Marina, the City of Marina and Cypress Marina Heights L.P. and that Certain Development Agreement by and between the City of Marina and Cypress Marina Heights L.P. dated October 11, 2007

1.1.30.11 Resolution No. 2016-23, Issuing a Notice of Compliance by Cypress Marina Heights L.P. Relating to the Development Agreement for the Marina Heights Project

1.1.30.12 Resolution No. 2016-24, Approving Designating Wathen Castanos Homes as an Approved Builder Under the Marina Heights Option Agreement

1.1.30.13 Resolution No. 2016-84, by the City Council of the City of Marina Consenting to a Partial Assignment and Assumption Agreement for the Marina Heights Development Agreement from Cypress Marina Heights L.L.C. to WC Marina L.L.C. and a Partial Assignment and Assumption Agreement for the Marina Heights Option Agreement from Cypress Marina Heights LLC to WC Marina LLC

1.1.30.14 Resolution No. 2017-01, of the City Council of the City of Marina Acting on Behalf of the City of Marina and the Successor Agency to the City of Marina Redevelopment Agency Approving Designating Granville Homes and/or Valley Coastal Development, LLC as a Pre-Approved Homebuilder Pursuant to the Marina Heights Option Agreement

1.1.30.15 Ordinance No. 2018-05, approving First Amendment to Development Agreement by and between the City of Marina and Wathen Castanos Peterson Homes, Inc.

3. **New Defined Terms Added to the Amended Development Agreement by this Amendment.**

(a) **"Below Market Rate Homes"** or "BMR Homes" shall mean the 210 Residential Units consisting of 51 townhomes affordable to moderate income families, 51 townhomes and 23 cottages affordable to "workforce" families and the 85 "bridge homes" whose sales price is determined by the Option Agreement.

(b) **"Extended Term"** shall commence at 12:01 a.m. on November 30, 2018 and then terminate at 12:01 a.m. November 30, 2030.

(c) **"Market Rate Homes"** shall mean the 840 Residential Units which are not Below Market Rate Homes.

(d) **"Original Term"** shall mean the period commencing on the Effective Date and terminating at 12:01 a.m. on November 30, 2018.

4. **Term**. Section 1.2.2 is hereby deleted in its entirety and replaced with the following:

> The Term of this Agreement shall commence on the Effective Date and shall continue until, and then terminate at 12:01 a.m. on November 30, 2030 (the "Term"), unless this Agreement is otherwise terminated or extended in accordance with the provisions of this Agreement. The term of this Agreement has been negotiated to allow for the occurrence of possible Force Majeure Events and it shall not be extended due to the occurrence of Force Majeure Events without express action of the City extending the term.

5. **Development and Timing**. The second through fifth sentences of Section 2.6.1 are hereby deleted in their entirety and replaced by the following:

> The Below Market Rate Homes are an important, but complex component of the Project. The Project Approvals, including the General Plan and Specific Plan, allow a jump start to the Project, meaning a period in the early years of construction of the Project when the Developer has the right to develop 115 Market Rate Homes (the "Jump Start Homes") prior to developing the Below Market Rate Homes. The Project Approvals require that all product types be disbursed throughout the Project Site and integrated throughout the Project. Consistent with the Project Approvals, the Developer intends to construct the Below Market Rate Homes in a manner proportionate to construction of the Market Rate Homes, as shown in the following table:

Type of Product	Phase II	Phase III	Phase IV	Phase V	Total
Total BMR Homes	36	83	66	25	210
Total Market Rate Homes	264	212	222	142	840
Total Homes Per Phase	300	295	288	167	1050

> As shown in the table above, and in accordance with the Project Approvals, Below Market Rate Homes will total 20% of the total Project. The percentage of Below Market Rate Homes per phase ranges from 12% to 28%.

> All of the Below Market Rate Homes per phase of the Project, as shown in the table above, shall have "Commenced Construction" before the first certificate of occupancy is issued for the next phase; provided, however, that Developer may develop the phases shown in the table out of sequence. In the alternative, following completion of the Jump Start Homes, whenever Developer has Completed Construction on approximately 200 Market Rate Homes, Developer shall not receive a certificate of occupancy for additional Market Rate Homes until Developer has Commenced Construction on approximately 30 Below Market Rate Homes; provided, however, that at Project completion the total Below Market Rate Homes shall not be less than 20% of the total Project. "Commenced Construction" shall mean that Developer has received a building permit from the City, that site work has commenced and the Developer continues to construct the home expeditiously such that

the construction of the Below Market Rate Homes shall proceed on the same time line as the Market Rate Homes which are generally projected to be complete 12 months after construction commences.

Notwithstanding the above, if at any time Developer is unable to sell more than eight (8) BMR Homes for a period of six months after completion of such BMR Homes despite commercially reasonable efforts to find Qualified Buyers, the Developer shall have no obligation to Commence Construction on additional BMR Homes until the earlier of (a) the City and the Developer reaching agreement on changes to the BMR Homes sales program that address constraints to the sale of the BMR Homes and the unsold BMR Homes are sold; (b) the City providing the Developer a list of Qualified Buyers pursuant to the City's Below Market Rate Housing Policies and Procedures and the unsold BMR Homes are sold; or (c) notwithstanding (a) and (b) above, the unsold inventory of BMR Homes is fewer than eight (8) units.

The City is expected to administer the affordable housing program for the Project, including but not limited to providing the Developer with a list of qualified buyers (the "Qualified Buyers List") for the Below Market Rate Homes. To the extent that the City is delayed in providing the Qualified Buyers List to Developer, the Developer may select Qualified Buyers for the Below Market Rate homes, provided, however, City Staff must verify the Qualified Buyers eligibility for the Below Market Rate Homes on or before the tenth (10th) business day after the date on which the Developer provides the Qualified Buyers List to the City. City shall not withhold certificates of occupancy for Market Rate Homes under this Section if the City has caused a delay in the development of the Below Market Rate Homes.

6. **Fees.** Section 2.7.1 is hereby deleted in its entirety and replaced with the following:

2.7.1.1 During the Original Term, Developer shall be obligated to pay only the Original City Impact Fees as set forth in Exhibit B attached hereto and incorporated herein by this reference, and the City shall not impose or exact any additional fees, whether through the exercise of the police power, the taxing power, or any other means. During the Extended Term, Developer shall be obligated to pay the Updated City Impact Fees. Notwithstanding anything set forth in this Section 2.7.1.1 or in Section 2.3, during the Extended Term the Developer shall be obligated to pay any lawful and lawfully imposed fees, taxes or assessments adopted by the City subsequent to the Effective Date applicable to residential development projects within the City, including new development impact fees that were not previously included in the Original City Impact Fees.

2.7.1.2 FORA Fee. (a) City and Developer acknowledge that (i) Developer is currently obligated to pay at time of issuance of building permit a one-time special assessment per residential unit levied by the Fort Ord Reuse Authority ("FORA") Basewide Community Facilities District in the amount of $23,837, which may be adjusted (the "FORA Fee"); (ii) FORA may be dissolved in 2020 and some or all of its obligations may be

transferred to local agencies. In the event that FORA is dissolved Developer acknowledges that it will no longer be obligated to pay the FORA Fee to FORA. Developer further acknowledges that City may assume certain obligations of FORA currently paid by FORA with the FORA Fee or assume obligations to collect fees or assessments from property owners and developers to pay for obligations currently covered by the FORA Fee and assumed by other public entities and that City will need to collect a fee comparable to the FORA Fee to cover such obligations.

(b) Developer agrees to cooperate with the City in addressing the replacement of the FORA Fee, including the following:

(i) Developer shall vote for inclusion of any property owned by Developer for which the FORA Fee has not already been paid within assessment districts or community facilities districts formed by the City or another regional entity, and shall pay such fees as may be imposed by such assessment districts or community facilities districts, provided such fees are lawful and lawfully imposed, and such fees do not exceed the FORA Fee in effect at the time of FORA's dissolution subject to annual adjustments equal to the lesser of (1) five percent (5%) or (2) the percentage change since the immediately preceding fiscal year in the Engineering News Record's Construction Cost Index applicable to the Marina area ("FORA Fee Adjuster").

(ii) As part of the consideration for City's agreement to extend the term of this Agreement as set forth above, Developer agrees in the event that FORA is dissolved with respect to any property owned by Developer for which the FORA Fee has not already been paid, to pay to the City a new fee to replace the FORA Fee (the "New Fee"), provided that such New Fee:

(A) is required to be paid upon issuance of a building permit and not before,

(B) is a one-time fee or assessment; and

(C) the City shall be responsible for distributing such applicable portions of the New Fee to other regional agencies, if any, that assume obligations that were previously funded by the FORA Fee.

(c) Whether the New Fee is a single fee and/or assessment or multiple fees and/or assessments, it shall not in the aggregate exceed the lesser of (1) the amount of the FORA Fee at the time of FORA's dissolution as increased by the FORA Fee Adjuster; or (2) the amount that when added to any FORA related development impact fee adopted by the City or other local entities or any special assessment or special tax imposed pursuant to subsection (b)(i) above does not exceed the FORA Fee at the of FORA's dissolution as adjusted by the FORA Fee Adjuster.

Notwithstanding anything set forth in this paragraph or the provisions of Sections 6.2 and 6.3, the provisions of this Section shall not be applicable to individual homeowners or assignees who took title to portions of the Property prior to the Effective Date of this Amendment and provided further, in no event shall the New Fee pursuant to subsection (b)(ii) and any assessment or special tax pursuant to subsection (b)(i) exceed the FORA Fee at the time of FORA's dissolution increased by the FORA Fee Adjuster. The limitations set forth herein on the amount of any fee imposed by the City or adopted by the City to replace the FORA Fee shall not in any way limit the City's ability to adopt and impose other development impact fees, special taxes, or assessments unrelated to the replacement of the FORA Fee.

7. **Park Fees.** Section 2.8.2 is hereby deleted in its entirety and replaced with the following:

During the Original Term, Developer shall pay Park Development Fees ("Park Fees") set forth in Exhibit B to this Agreement as part of the City Impact Fees. During the Extended Term, Developer shall pay the Park Fees included in the Updated City Impact Fees. The Park Fees shall be paid at the time of issuance of building permits for the applicable Residential Units. In addition to the Park Fees, Developer is obligated, pursuant to the conditions of approval of the Project, to pay up to $1.5 million for improvements to the adjacent 18 acre park ("Sea Haven Park") as such amount is increased by the increase in the Consumer Price Index since the approval of the Original Agreement in 2004 ("Sea Haven Park Fee"). The City and Developer agree that the Sea Haven Park Fee owed as increased by the increase in the Consumer Price Index is Two Million One Hundred Thousand Dollars ($2,100,000) as of the Effective Date of this Amendment.

Developer shall construct the Sea Haven Park, at Developer's expense, subject to the following conditions and limitations:

(i) The total cost of the Sea Haven Park to be paid by Developer shall not exceed Three Million Dollars ($3,000,000) including, but not limited to, design, engineering, construction and improvements. Nothing herein shall preclude the City from contributing additional funds to the construction of the Sea Haven Park.

(ii) The design of the Sea Haven Park shall be subject to review and approval by the City in accordance with the City's standard approval process. The design of the Sea Haven Park shall be mutually agreed to by the Developer and the City.

(iii) The Sea Haven Park shall be constructed expeditiously.

(iv) Upon completion of the Sea Haven Park, Developer shall be relieved of the Sea Haven Park Fee;

(v) Upon completion of the Sea Haven Park, Developer shall receive a fee credit, in an amount not to exceed nine hundred thousand dollars ($900,000) toward the Park Fees to be paid on the 750 units in Phases III-V ("Park Fee Credit"), with the Park Fee Credit to be divided equally among the 750 units in Phases III-V and to be taken for each unit only at such time as Developer is issued a building permit for the unit. The amount of the Park Fee Credit shall be determined by the City and Developer after completion of the Sea Haven Park based on Developer's submission of certified costs evidencing the total amount spent by the Developer for the development of the Sea Haven Park and shall not exceed the lesser of (A) Nine Hundred Thousand Dollars ($900,000) and (B) the total amount spent by the Developer for the development of the Sea Haven Park minus the Sea Haven Park Fee which is $2,100,000. The City and Developer shall enter into a separate development and reimbursement agreement prior to the construction of the Sea Haven Park; and

(vi) Upon completion of the Sea Haven Park, the cost of the Sea Haven Park maintenance shall be paid by the Sea Haven Home Owners Association. The maintenance cost to the Home Owners Association shall not exceed $12,000.00 per month. The City and Sea Haven Home Owner's Association shall enter into a maintenance agreement to be recorded against the property addressing the maintenance standards and responsibilities prior to completion of the Sea Haven Park and the City shall be a third party beneficiary of the covenants, conditions and restrictions of the Sea Haven Home Owners Association with respect to the provisions governing maintenance of the Sea Haven Park and such provisions shall not be subject to amendment without the consent of the City. Maintenance of the Sea Haven Park shall be performed by a contractor mutually selected by the City and the Developer and hired by the City. Maintenance costs may include establishment of reserve funds to replace park amenities as long as such costs do not exceed $12,000 per month.

8. **Amendment of Agreement and Subsequent Approvals.** The following paragraphs are added to the end of Article 3:

3.2.3. The Parties acknowledge that as the Project is developed, the Project Approvals may require modification or additional permits may be issued by the City (the "Subsequent Approvals"). In the event that Subsequent Approvals are approved or issued by the City, they shall automatically become part of the "Project Approvals."

3.2.4. Administrative Amendments to Agreement. This Agreement may be amended or clarified by an Administrative Amendment upon mutual consent of the City Manager and the Developer, without requirement of notice, hearing or adoption of an ordinance, for minor or clarifying changes or interpretations.

9. **Default.** Section 4.1.2.1 is hereby deleted in its entirety.

10. **Restrictions on Transfer.** Article 5 is hereby deleted in its entirety.

11. **Schedule of Benchmarks.** Exhibit D to the Development Agreement, as modified by the Implementation Agreement, is hereby deleted in its entirety.

12. **Conflict.** In the event of a conflict between terms and condition of this Amendment and the terms and conditions of the Amended Development Agreement, the terms and conditions of this Amendment shall control.

13. **No Further Modification.** Except as set forth in this Amendment, all other terms and provisions of the Amended Development Agreement are hereby ratified and confirmed and shall be and remain unmodified and in full force.

14. **Counterparts.** This Amendment may be executed in any number of counterparts, each of which counterparts shall be deemed to be an original, and all of which counterparts, when taken together, shall be deemed to constitute one and the same instrument.

IN WITNESS WHEREOF, the Parties have entered into this Amendment as of the day and year first above written.

"DEVELOPER":

WATHEN CASTANOS PETERSON HOMES, INC.,

By: _____
Its: President

"CITY":

CITY OF MARINA

By: _____
Name: CAYNE CORTA
Title: CITY MANAGER

APPROVED AS TO FORM

X _____
FOR THE CITY ATTY
ROBERT RATHIE

DATE: MARCH 9, 2023

TO: MARINA CITY COUNCIL

FROM: RECREATION & CULTURAL SERVICES COMMISSION INTERVIEW PANEL

SUBJECT: RECOMMENDATION FOR APPOINTMENTS

We, the undersigned members of the Recreation & Cultural Services Commission Interview Panel, hereby make the following recommendation to the City Council for consideration to fill Two (2) seat based on interview conducted on Thursday, March 9, 2023

TWO APPOINTMENTS, TERM EXPIRING FEBRUARY 2025

1. Shawn Adams
2. Shiela Baker

Bruce C. Delgado
Mayor

3/9/23
Date

Cristina Medina Dirksen
Mayor Pro Tem
Recreation & Cultural Services Commission Liaison

3/9/23
Date

City of Marina

RECEIVED
FEB 22 2023
By

City of Marina
211 HILLCREST AVENUE
MARINA, CA 93933
831- 884-1278; FAX 831- 384-9148
www.ci.marina.ca.us

Office Use Only
Received On: _____
Interview Date: _____
Registered Voter: Yes
☐ Approved ☐ Denied
Application Valid Thru
_____

CANDIDATE FOR PUBLIC SERVICE APPOINTMENT

Committee/Commission Applying for: Recreation and Cultural Services Comittee

Section A - General Information

Name (last, first, middle): Adams, Shawn, Roy

Home Address (address, city): [redacted] Marina CA 93933

Home Phone: 831-[redacted] Business Phone: 831-[redacted] Fax Number: _____

E-Mail: [redacted]

Employer: Monterey Signs Address: 855 Broadway Ave Seaside

Section B - Residency

Length of Residency in the City of Marina: 7 (yrs.) Length of Residency in Monterey County 10 (yrs.)

Are you a registered voter in Marina? ✓ yes _____ no

Section C - Questionnaire

How many hours can you devote to the Commission / Committee per month? 5-10 (hrs.)

**Please include years or period of membership or service below.*
If additional space needed, please feel free to attach additional pages to application.

1) Educational Background: B.S. Geography Sacramento State University

2) Occupational Experience: Business Owner

3) Professional or technical organization memberships: Member, Board of Directors, Santa Cruz Chamber of Commerce and also Protect Monterey Bay

4) Civic or Community experience, group memberships, or previous service appointments: _____

_____

_____

_____

5) Experience and or knowledge pertaining to the area of interest: _____

_____

_____

_____

I hereby place my signature below which constitutes that the information on this form are true and correct.

[redacted]
Signature

2-22-23
Date

211 Hillcrest Avenue
Marina, California 93933
(831) 884-1278 (831) 384-9148 (fax)

City of Marina

City of Marina
211 HILLCREST AVENUE
MARINA, CA 93933
831- 884-1278; FAX 831- 384-9148
www.ci.marina.ca.us

Verification of Voter Registration

I, Shawn Adams, hereby declare that I am a registered voter in the City of Marina at the address indicated below and that the following information is true and correct:

(Please Print or type)

Name: Shawn Adams

Address: [redacted]

City: Marina Marina, California 93933

Phone Number: (home) 831-[redacted] (work) 831-[redacted]

Fax Number (if any): _____

Email Address: [redacted]

Dated this 22 day of February, 2023.

[redacted]

Signature

Monterey County Elections Department

X Yes, registered voter of Marina

___ No, not a registered voter of Marina

[redacted]

Signature of MCED Verifying

211 Hillcrest Avenue
Marina, California 93933
(831) 884-1278 (831) 384-9148 (fax)

INTERVIEW EVALUATION FORM
RECREATION & CULTURAL SERVICES COMMISSION

APPLICANT

Name: Shawn Adams

Date: March 9, 2023

SECTION A

RESIDENCY IN CITY/COUNTY	COMMUNITY & CIVIC INVOLVEMENT	EDUCATIONAL EXPERIENCE	PROFESSIONAL EXPERIENCE	ATTENDANCE OR PARTICIPATION AT PAST REC. & COMMUNITY SERVICES COMMISSION MEETINGS
Knowledge of area (10 pts)	Participation in City commissions and/or civic organizations (10 pts)	Knowledge in the field of recreation & community services (10 pts)	Understanding local municipal recreation programs and community services (10 pts)	Attendance or participation at past or current Recreation & Community Services Commission Meetings (10 pts)

SECTION B – QUESTIONS (10 points each)

1. Why did you apply for this commission?
2. What do you see as the role of a Recreation & Community Services Commission member?
3. What is your perception of the City's future and how can you facilitate it?
4. Do you have ideas for improvement to current recreation services offered or additional programs to add?
5. Why are you the best choice for this position? Strong emphasis on young family Unified connection w/ interest
Comments:
Qualified: (Y) yes ( ) no
Recommended for further consideration by City Council (Y) yes ( ) no
Evaluated by: Bruce D.

SECTION C - SCORING

Sec. A	Residency / Knowledge of Area	Involvement / Participation	Education Experience	Profession Experience	Attendance / Participation in meetings	Total Points for Section A
	8	8	8	8	7	39
Sec. B	**Question 1**	**Question 2**	**Question 3**	**Question 4**	**Question 5**	**Total Points for Section B**
					7	7

Grand Total 46

INTERVIEW EVALUATION FORM
RECREATION & CULTURAL SERVICES COMMISSION

APPLICANT

Name: Shawn Adams

Date: March 9, 2023

SECTION A

RESIDENCY IN CITY/COUNTY	COMMUNITY & CIVIC INVOLVEMENT	EDUCATIONAL EXPERIENCE	PROFESSIONAL EXPERIENCE	ATTENDANCE OR PARTICIPATION AT PAST REC. & COMMUNITY SERVICES COMMISSION MEETINGS
Knowledge of area (10 pts)	Participation in City commissions and/or civic organizations (10 pts)	Knowledge in the field of recreation & community services (10 pts)	Understanding local municipal recreation programs and community services (10 pts)	Attendance or participation at past or current Recreation & Community Services Commission Meetings (10 pts)

SECTION B – QUESTIONS (10 points each)

1. Why did you apply for this commission? To give voice to people of Marina, Parent, 13, 15
2. What do you see as the role of a Recreation & Community Services Commission member? to advocate on behalf of all
3. What is your perception of the City's future and how can you facilitate it? No city in monterey co. growing citizens -
4. Do you have ideas for improvement to current recreation services offered or additional programs to add? Disc golf! Not just!
5. Why are you the best choice for this position? Strong emphasis younger people -

Comments: Sean is the voice of young families and sports/outdoor enthusiasts. His family uses the fields (softball/baseball) and is a disc golf enthusiast.

Qualified: (✓) yes ( ) no

Recommended for further consideration by City Council (✓) yes ( ) no

Evaluated by: Cristina Medina Dirksen

SECTION C - SCORING

Sec. A	Residency / Knowledge of Area	Involvement / Participation	Education Experience	Profession Experience	Attendance / Participation in meetings	Total Points for Section A
	10	8	9	10	10 (N/A)	47
Sec. B	**Question 1**	**Question 2**	**Question 3**	**Question 4**	**Question 5**	**Total Points for Section B**
	10	9	9	9	10	47

Grand Total 94

→ Sean Adams

1. Active, identify w/ all, young old, CSUMB

2) TO advocate for varied interests + work to pursue achieving those interests.

3) NO other city growing like Marina exciting time to plan for the city. Inspiring people to participate, be part of community, live, work + play → baseball swimming lacrosse, disc golf

4) Exciting that the city has so much space + funding really make magic happen soccer, lacrosse, disc golf - ideas to bring in a meaningful way. important to have in communities.

Love to see Disc golf added...

5) Have a voice younger families, university, new families, can give a voice.
Is there an epicenter?
Marina has great opportunities!

City of Marina

RECEIVED
OCT 03 2022
By_____

City of Marina
211 HILLCREST AVENUE
MARINA, CA 93933
831- 884-1278; FAX 831- 384-9148
www.cityofmarina.org

Office Use Only
Received On:_____
Interview Date: _____
Registered Voter: Yes
☐ Approved ☐ Denied
Application Valid Thru
_____

CANDIDATE FOR PUBLIC SERVICE APPOINTMENT

Committee/Commission Applying for: Recreation Commission

Section A - General Information

Name (last, first, middle): Baker, Sheila Ann
Home Address (address, city): [redacted] Marina CA [redacted]
Home Phone: 83[redacted] Business Phone: 8[redacted] Fax Number: 8[redacted]
E-Mail: [redacted]
Employer: Ambassadors Address: [redacted]

Section B - Residency

Length of Residency in the City of Marina: 28 (yrs.) Length of Residency in Monterey County _____ (yrs.)
Are you a registered voter in Marina? X yes _____ no

Section C - Questionnaire

How many hours can you devote to the Commission / Committee per month? 12 (hrs.)

**Please include years or period of membership or service below.*
If additional space needed, please feel free to attach additional pages to application.

1) Educational Background: AA AS

2) Occupational Experience: Respiratory Therapist; Business Owner

3) Professional or technical organization memberships: CAHSAH

4) Civic or Community experience, group memberships, or previous service appointments:
REC. COMMISSIONER; MENTOR FOR YOUTH (UNDER TERRY SIEGRIST)

5) Experience and or knowledge pertaining to the area of interest:
VOLUNTEERED WITH SPONSORING LABOR DAY COMMUNITY EVENT X3YRS
VOLUNTEERED/SPONSOR W/YIELDED VESSELS MINISTRIES COMMUNITY
THANKSGIVING MEAL X2YRS.

I hereby place my ~~signature below~~ which constitutes that the information on this form are true and correct.

[redacted]
Signature

10.03.22
Date

211 Hillcrest Avenue
Marina, California 93933
(831) 884-1278 (831) 384-9148 (fax)

City of Marina

City of Marina
211 HILLCREST AVENUE
MARINA, CA 93933
831- 884-1278; FAX 831- 384-9148
www.cityofmarina.org

Verification of Voter Registration

I, SHEILA BAKER, hereby declare that I am a registered voter in the City of Marina at the address indicated below and that the following information is true and correct:

(Please Print or type)

Name: SHEILA BAKER

Address: [redacted]

City: MARINA CA 93933 Marina, California 93933

Phone Number: (home) [redacted] (work) [redacted]

Fax Number (if any): [redacted]

Email Address: [redacted]

Dated this 3 day of OCTOBER, 20 22.

[redacted]
Signature

Monterey County Elections Department

Y Yes, registered voter of Marina

___ No, not a registered voter of Marina

[redacted]
Signature of MCED Verifying

211 Hillcrest Avenue
Marina, California 93933
(831) 884-1278 (831) 384-9148 (fax)

INTERVIEW EVALUATION FORM
RECREATION & CULTURAL SERVICES COMMISSION

APPLICANT

Name: Sheila Baker

Date: March 9, 2023

SECTION A

RESIDENCY IN CITY/COUNTY	COMMUNITY & CIVIC INVOLVEMENT	EDUCATIONAL EXPERIENCE	PROFESSIONAL EXPERIENCE	ATTENDANCE OR PARTICIPATION AT PAST REC. & COMMUNITY SERVICES COMMISSION MEETINGS
Knowledge of area (10 pts)	Participation in City commissions and/or civic organizations (10 pts)	Knowledge in the field of recreation & community services (10 pts)	Understanding local municipal recreation programs and community services (10 pts)	Attendance or participation at past or current Recreation & Community Services Commission Meetings (10 pts)

SECTION B – QUESTIONS (10 points each)

1. Why did you apply for this commission?
2. What do you see as the role of a Recreation & Community Services Commission member?
3. What is your perception of the City's future and how can you facilitate it?
4. Do you have ideas for improvement to current recreation services offered or additional programs to add? Enhance Senior Rec →
5. Why are you the best choice for this position? Represent a lg part of community & Black >65 lot to offer
Comments:
Qualified: (X) yes ( ) no
Recommended for further consideration by City Council (X) yes ( ) no
Evaluated by: Bruce D.

SECTION C - SCORING

Sec. A	Residency / Knowledge of Area	Involvement / Participation	Education Experience	Profession Experience	Attendance / Participation in meetings	Total Points for Section A
	8	9	7	8	8	40
Sec. B	**Question 1**	**Question 2**	**Question 3**	**Question 4**	**Question 5**	**Total Points for Section B**
					7	7

Grand Total 47

4) Exercise during meals

INTERVIEW EVALUATION FORM
RECREATION & CULTURAL SERVICES COMMISSION

APPLICANT

Name: Sheila Baker

Date: March 9, 2023

SECTION A

RESIDENCY IN CITY/COUNTY	COMMUNITY & CIVIC INVOLVEMENT	EDUCATIONAL EXPERIENCE	PROFESSIONAL EXPERIENCE	ATTENDANCE OR PARTICIPATION AT PAST REC. & COMMUNITY SERVICES COMMISSION MEETINGS
Knowledge of area (10 pts)	Participation in City commissions and/or civic organizations (10 pts)	Knowledge in the field of recreation & community services (10 pts)	Understanding local municipal recreation programs and community services (10 pts)	Attendance or participation at past or current Recreation & Community Services Commission Meetings (10 pts)

SECTION B – QUESTIONS (10 points each)

1. Why did you apply for this commission? to further Terry's vision to life,
2. What do you see as the role of a Recreation & Community Services Commission member? The community — ideas to engage + involve
3. What is your perception of the City's future and how can you facilitate it? Marina will grow
4. Do you have ideas for improvement to current recreation services offered or additional programs to add? older population.
5. Why are you the best choice for this position? I represent a large part community over 65, female Black —

Comments:

Qualified: (✓) yes ( ) no

Recommended for further consideration by City Council (✓) yes ( ) no

Evaluated by: Cristina Medina Dinkser

SECTION C - SCORING

Sec. A	Residency / Knowledge of Area	Involvement / Participation	Education Experience	Profession Experience	Attendance / Participation in meetings	Total Points for Section A
	10	9	10	9	N/A (10)	48
Sec. B	**Question 1**	**Question 2**	**Question 3**	**Question 4**	**Question 5**	**Total Points for Section B**
	9	10	9	10	10	48

Grand Total 96

Shiela Baker

1.) Identified w/ the vision of needs for recreation

2.) To involve citizens and the ground floor - to get them actively involved

3.) My duty to be instrumental in City's growth. facilitate by being active participant vs. sideline voice. lead by example "follow me"

4.) The older population is not really addressed! Enhance their life. So much potential. Exercise 2-3 times a week?! focused to the older populations. Both mind exercises.

5.) I have a lot to offer.

January 23, 2023 Item No. **11a**

Mayor and Members of the City Council

City Council Meeting of March 21, 2023

OPEN A PUBLIC HEARING, TAKE PUBLIC TESTIMONY, AND INTRODUCE ORDINANCE NO. 2023-, AMENDING SECTION 17.46 (SIGNS) OF THE MARINA MUNICIPAL CODE. THE PROPOSED AMENDMENTS ARE EXEMPT FROM CEQA PER SECTION 15061(B)(3).

RECOMMENDATION:

Staff recommends that the City Council:

1. Introduce Ordinance No. 2023-, (**EXHIBIT A**) amending Section 17.46 (Signs) of the Marina Municipal Code based on Findings (**EXHIBIT B**) and a Section 15061(b)(3) CEQA exemption."

GENERAL SITE INFORMATION:

Table 1 Project Information

Location	Citywide (Outside the Coastal zone)
General Plan Designation	n/a
Zoning Districts	Commercial and Residential zones
Year Built	n/a
Owner	n/a
Applicant	n/a
Architect	n/a

BACKGROUND

As part of ongoing efforts to update and improve Title 17 of the City of Marina's (City) Municipal Code (MMC), staff recommends a variety of changes to Section 17.46 pertaining to Signs. The ordinance update would accomplish three (3) major objectives:

1. Remove language regulating signs based on religious or political viewpoints, which would bring the City's ordinance into compliance with the Religious Land Use and Institutionalized Persons Act of 2000 (RLUIPA) that regulates religious and political activities;
2. Shift the review authority for all compliant signs from the Planning Commission to planning staff; and
3. Provide general ordinance cleanup.

On January 12, 2023, the Planning Commission (PC), at a duly noticed public hearing, adopted PC Resolution 2023-01 (**EXHIBIT C**) recommending that the Council adopt the proposed amendments as presented.

PROJECT ANALYSIS

1. The Religious Land Use and Institutionalized Persons Act of 2000 (RLUIPA) ensures that Zoning codes and landmarking laws do not illegally exclude religious assemblies in places where they permit theaters, meeting halls, and other places where large groups of people assemble for secular purposes. By removing the phrase to "…expressing a political, religious or sociological viewpoint…" from MMC Sec. 17.46.220 – *Signs not otherwise regulated*, reference to religious uses is removed from the sign ordinance. The ordinance would be compliant with court rulings over the past two decades, which have consistently found that location-based restrictions on signs are constitutional when sign regulations are content neutral.

2. Currently, the MMC requires that almost all signs be reviewed by the Design Review Board (DRB); e.g., currently the Planning Commission, even if they are compliant with the City's standards and guidelines. This includes alterations to existing signs installed under an approved Master Sign Program unless the original approval of the Master Sign Program includes the authorization of staff to make said changes. In several local jurisdictions, including the City of Pacific Grove, City of Salinas, and City of Monterey, "administrative" or staff-level review and approval are allowed for minor sign types that are compliant with standards.

   A recent example of the situation that staff proposes to change with this amendment is the T-Mobile (226 Reservation Rd) sign permit that went through three (3) PC hearings for a sign that met all of the design standards of the zoning district. Allowing the CDD Director, or their designee, to review and approve signs at an administrative level would save business owners time and money and allow the PC to focus on larger permit and policy issues.

3. Lastly, there are several items that are simply updated and cleaned up including, for instance, Sec. 17.46.080.F and G. relating to rural mailboxes and a nonexistent pedestrian overpass over Del Monte Blvd.

Zoning Analysis

The proposed amendments would result in lateral consistency within Title 17, Section 17.46. The proposed changes apply only to properties outside the Coastal zone and not subject to the City's Local Coastal Program (LCP). No change is proposed in Sec. 17.46.270 – *Signs in the Coastal zone*, which states that "Notwithstanding any provision contained herein, all signs to be erected, constructed, placed, tacked, fastened, displayed, painted, posted, printed or otherwise in the Coastal Zone shall comply first and foremost with the provisions of the Marina local coastal program (LCP) along with the spirit and intent of this chapter. In the case of any conflicts between the documents, the provisions of the LCP shall prevail. It is anticipated that signs and signing programs will be considered as a part of the coastal permit process."

General Plan Compliance

The 2000 General Plan is relatively silent in terms of signs but does prohibit commercial signs on buildings and properties that are visible from the beach (Sec. 4.8.5). The proposed changes apply only to properties outside the Coastal zone and not subject to the City's LCP.

Proposed findings are set forth in Exhibit B to the proposed ordinance.

ENVIRONMENTAL REVIEW

The proposed project is exempt from the California Environmental Quality Act (CEQA) under Section 15061(b)(3) of the State CEQA Guidelines. Staff has determined that the exemption applies in this case because this Section exempts activities that can be seen with certainty to have no possibility for causing a significant effect on the environment.

FISCAL IMPACT

The proposed zoning code amendment, if implemented, will result in a minor reduction in permit fees resulting from the change from permits requiring a public hearing to administrative review (see table below). The yellow fee represents a sign requiring a public hearing (currently the PC is the review authority) and green represents the administrative fee. There are no changes proposed to Sign Program Review or Amendment.

REF #	SERVICE TITLE	CURRENT FEES	Department
S-038	MINING PERMIT/RECLAMATION PLAN	Deposit and Fee Agreement with charges at the Fully Allocated Hourly Rates for all personnel involved plus any outside costs.	Planning
S-039	SIGN PROGRAM REVIEW	$2,945 per application	Planning
S-040	SIGN PROGRAM AMENDMENT	$1,620 per application	Planning
S-041	SIGN REVIEW - DRB	$1,535 per application	Planning
S-042	SIGN REVIEW - ADMINISTRATIVE	With Sign Program - $110 per application Without Sign Program - $285 per application	Planning
S-043	TEMPORARY SIGN/BANNER REVIEW	$30 per application	Planning

CONCLUSION

The proposed amendments achieve the goals of simplifying the Sign ordinance for the public and for staff and ensuring that it does not run afoul of laws that restrict the regulation of content, specifically based on religious and/or political beliefs. This request is submitted for City Council consideration and action.

Respectfully submitted,

_____

Alec Barton, AICP
Contract Planner, Community Development Department
City of Marina

REVIEWED/CONCUR:

_____

Guido Persicone, AICP
Community Development Director
City of Marina

_____

Layne Long
City Manager
City of Marina

ORDINANCE NO. 2023-__

AN ORDINANCE AMENDING TITLE 17, ARTICLE 4, SECTION 17.46 OF THE MARINA MUNICIPAL CODE PERTAINING TO SIGNS.

-oOo-

1. The Community Development Department (CDD) for the City of Marina (City), through its regular use and implementation of the Marina Municipal Code (MMC), has discovered several sections that are unclear and may be in violation of federal law.

2. Through this amendment, staff seeks to streamline sections to add clarity to both the public and staff in the implementation of this section, change the review authority for complying signs from a public hearing to an administrative review process, and to comply with the Religious Land Use and Institutionalized Persons Act of 2000 (RLUIPA), 42 U.S.C. §§ 2000cc, et seq., which protects individuals, houses of worship, and other religious institutions from discrimination in zoning and landmarking laws.

3. Furthermore, the City seeks to allow an administrative process for Signs that comply with the code reserving the Planning Commission for the review of Signs that request exceptions or alternative designs that do not comply with the standards. This will benefit the business community and allow the Planning Commission to focus on larger projects and important policy questions.

4. The City's adopted fee schedule already includes fees for the administrative review of signs with and without an approved Sign Program as well as for the Signs that require a public hearing. No change to the adopted fee schedule is required at this time.

5. An amendment to the City's Municipal Code is needed to provide clarity and transparency in this Section. The proposed ordinance amendment is referenced herein as **Exhibit 1** and is provided in a ~~strike-though~~ and <u>underline</u> format.

6. The City Council of the City of Marina reviewed the proposed amendments and considered the recommendations of the Planning Commission and held a duly noticed public hearing on February 7, 2023.

7. The City of Marina Planning Commission, at a duly noticed public hearing on January 12, 2023, adopted Resolution 2023-01 recommending that the City Council adopt the proposed amendment.

8. Environmental. In accordance with the California Environmental Quality Act (CEQA), this ordinance is not subject to CEQA pursuant to the State CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, Section 15061(b)(3), because the proposed ordinance is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Therefore, the adoption of this ordinance is exempt from CEQA and no further environmental review is necessary.

NOW, THE CITY COUNCIL OF THE CITY OF MARINA DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The foregoing recitals and associated findings are adopted as findings of the City Council as though set forth fully herein.

SECTION 2. The City Council of the City of Marina determines the proposed ordinance amendment is not a project pursuant to CEQA Guideline Section 15061(b)(3).

SECTION 3. The City Council hereby adopts the ordinance amendment attached hereinto as **Exhibit 1** and incorporated by reference.

SECTION 4. Severability. If any portion of this Ordinance is found to be unconstitutional or invalid the City Council hereby declares that it would have enacted the remainder of this Ordinance regardless of the absence of any such invalid part.

SECTION 5. The City Manager is directed to execute all documents and to perform all other necessary acts to implement this Ordinance.

SECTION 6. Effective Date. This Ordinance shall be in full force and effect on thirty

(30) days after its final passage and adoption.

The foregoing Ordinance was introduced at a regular meeting held on March 21, 2023, and passed and adopted by the City Council of the City of Marina at a regular meeting duly held on April 4, 2023, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

_____

Bruce C. Delgado, Mayor

ATTEST:

_____

Anita Sharp, Deputy City Clerk

17.46.010 Purpose and intent.

A. It is the purpose and intent of this chapter to provide the city with a viable and practical set of sign regulations that will promote the orderly growth of the community; facilitate the continual upgrading of the community; preserve the natural beauty of Marina while simultaneously protecting the rights of property and business owners to display signs and the right of individuals to live in, work in, and visit a city that is free from the visual blight that would result from under- or non-regulation of signs.

B. These sign regulations, pursuant to the provisions of the ~~Marina~~ general plan, set forth the minimum acceptable standards necessary to protect and safeguard the life, peace, health, safety, property and general welfare of the public by regulating among other things the location, placement, size, number, area, type, illumination and maintenance of signs and sign structures.

C. In addition to the standards specified above, it is hereby set forth that a primary goal of these regulations shall be to ~~insure~~ensure that signs and sign structures are considered in light of the architectural and landscape design of the buildings and properties along with individual setting or location of the buildings and properties.

17.46.020 Application.

No sign shall be placed, displayed, painted, posted, printed, tacked, fastened, erected, relocated, constructed or otherwise except as provided in this chapter.

17.46.030 Responsibility.

It shall be the sole responsibility of the person making application to place, construct, erect, alter, relocate, tack, fasten, paint, post or display any sign in the city to obtain the necessary authorization from the owner or lessee of the property.

17.46.~~150~~040 Definitions.

As used in this chapter:

"Appeal authority" means the body tasked with hearing appeals to decisions of the review authority or community development director or designee. The site and architectural design review board hears appeals for decisions of the community development director or designee, the planning commission hears appeals for decisions of the site and architectural design review board, and the city council hears appeals for decisions of the planning commission.

"Awning" means a roof-like cover, usually of canvas, extending over or before a place.

"Compliant sign" means a sign that complies with the provisions of this chapter and requires an administrative sign permit issued by the community development director or designee.

"Exempt sign" means a sign that does not require a sign permit.

"Height" when used in reference to a monument sign, means the vertical distance from the average of the lowest and highest points at the finished grade at the base of sign to the topmost point of the sign.

"Noncompliant sign" means a sign that does not comply with the provisions of this chapter and requires a sign permit issued by the review authority.

"Official signs and notices" means signs and notices placed by public officers or public agencies within their territorial or zoning jurisdiction and pursuant to and in accordance with direction or authorization contained in federal, state or local law for the purposes of carrying out an official duty or responsibility. Historical markers authorized by state law and placed by state or local government agencies or nonprofit historical societies shall be considered as official signs.

"Primary business frontage" or "PBF" means that frontage of a building containing the primary or most important entrance to the occupancy thereon. In such cases where there are multiple entrances, the ~~director of planning~~community development director or designee shall determine which frontage is the primary frontage. In no case shall more than one primary business frontage be permitted.

"Public directional signs" means signs containing directional information about public places owned or operated by federal, state or local governments or their agencies; publicly owned natural phenomena, historic, cultural, scientific and educational sites; and publicly owned or operated areas of natural scenic beauty or naturally suited for outdoor recreation, deemed to be in the interest of the traveling public.

"Public utility signs" means warning signs, informational signs, notices or markers which are customarily placed by public or private utilities, as essential to their operations.

"Real estate signs" means signs used to advertise the sale, rental, lease, subdivision, or construction of property.

"Review authority" means the body tasked with reviewing and approving noncompliant sign permit applications and may include the site and architectural design review board or planning commission.

"Secondary business frontage" or "SBF" means that frontage of a building containing any entrance other than a primary business frontage. In no case shall more than two secondary business frontages be permitted.

"Service station" means a business which is primarily in the business of providing service to vehicles such as gasoline, oil, tire, mechanical assistance, parts, etc.~~, and not including convenience markets that sell gasoline, diesel fuel or oil.~~

"Shopping center" means commercial and retail buildings and associated facilities which have been designed and developed as an integrated unit containing more than five separately owned and operated businesses which function as an integral unit and which utilize common off-street parking.

"Sign" means any letters, figures, design, symbol, trademark or illuminating device intended to attract attention to any person, partnership, corporation or unincorporated association, or any place, subject, public performance, article, machine or merchandise, whatsoever, and painted, printed, constructed, erected or displayed in any manner whatsoever.

"Sign area" means that area enclosed by a square, rectangle, triangle or other shape which connects the extreme points or edges of the sign, excluding the supporting structure which does not form part of the sign proper. The area of a sign composed of characters, words or individual letters attached directly to a surface shall be the smallest shape that encloses the whole group. Sign area shall include only one face of any double-faced sign and shall include all faces of any multi-faced sign containing more than two faces. For the purpose of this definition, the faces of a double-faced sign shall be parallel.

"Sign area allotment" means the maximum area of signs that may be displayed on any site, premises, business, building, parcel, lot or otherwise not including signs specifically exempted in this chapter.

"Temporary sign" means a sign posted not more than sixty days prior to an event to which it pertains.

"Uniform Building Code" of "UBC", "Uniform Electrical Code" or "UEC", "Uniform Mechanical Code" or "UMC" means those codes which are currently in full force and effect as adopted by the city council, including any amendments or additions thereto adopted from time to time by the city council.

17.46.~~040~~050 ~~Design review board approval~~ Sign permit required.

A. A sign permit is required unless the sign is exempt as provided in section 17.46.080.

1. ~~Design review board (site and architectural design review board) approval~~ A hearing shall be required ~~of~~ for all noncompliant signs~~. unless otherwise specified in this chapter.~~ A fee shall be collected by the ~~planning department~~community development director or designee prior to consideration of any sign ~~by the site and architectural design review board~~ by the review authority. The fee shall be established from time to time by resolution of the city council.

2. All signs compliant with the provisions of this chapter shall be subject to review and approval by the community development director or designee.

B. In order to facilitate the ~~site and architectural design~~ review and approval process, ~~board review and approval process,~~ any person seeking to obtain a sign permit ~~site and architectural design review board approval~~ shall submit accurate plans, drawings, color boards, examples of materials, or any such other information specified by the ~~director of planning~~community development director or designee. ~~showing the size, shape, location, color, materials and physical relationship to the site of the sign and sign structure. Any decision of the site and architectural design review board may be appealed, in writing, to the planning commission within ten days of the decision. Any decision of the planning commission may likewise be appealed to the city council.~~ Written appeals shall be filed with the ~~planning department~~community development director or designee no later than ten days after the decision of the review authority or community development director or designee. ~~site and architectural design review board or the planning commission.~~

C. During the course of review and approval, the ~~site and architectural design review board or the planning commission on appeal or the council on appeal~~review authority or appeal authority may approve, disapprove, conditionally approve or modify the plans as submitted in order to ~~insure~~ ensure compliance with the spirit and intent of this chapter.

17.46.~~050~~060 ~~Sign~~ Building permit required.

A. In order to ~~insure~~ ensure that the building department is provided with an opportunity to review the placement, construction, erection, relocation or alteration of any and all signs in the city, it is required, unless otherwise specified herein, that a ~~sign~~ building permit shall be obtained from the building department prior to the placement, construction, erection, relocation, alteration or otherwise of the sign.

B. Any person seeking to obtain a ~~sign~~ building permit shall provide the building department with any and all necessary plans, drawings or other materials or information required by the building department along with written evidence that ~~the site and architectural design review board approval~~a sign permit has been obtained ~~for the sign~~. Following a review of the materials submitted, the building department may issue the ~~sign~~ building permit ~~or as an alternative may require that a building permit be obtained~~ pursuant to the provisions of the ~~Uniform Building Code (~~UBC.~~) in lieu of a sign permit.~~ A fee shall be collected by the building department prior to the issuance of any ~~sign or~~ building permit. The fee for a ~~sign~~ building permit shall be ~~established from time to time by resolution of the city council. The fee for a building permit shall be~~ as specified ~~in the UBC~~by department procedure.

17.46.~~160~~070 Prohibited signs.

The following signs shall be prohibited in the city. Definitions and descriptions of these signs are included in this section. Additional definitions pertaining to this chapter are contained in Section 17.46.040. ~~Sections 17.46.150 and 17.46.170.~~

A. *Portable ~~S~~signs.* Signs such as A-board or other such signs capable of standing without support or attachment to a structure or the ground.

B. *Animated ~~S~~signs.* Signs that involve animation, rotation, flashing, projections, scintillation, or any type of movement, not including barber pole signs or time, date and temperature signs.

C. *Billboard ~~S~~signs.* Off-site advertising signs that are designed to direct attention to a business, commodity, service or entertainment, sold or offered elsewhere than on the premises or property on which the sign is located~~., not including temporary signs or banners that are approved by the city council and which are to be used for the purpose of advertising an event of general civic interest or that are to be used as temporary off-site directional signs as approved by the planning commission.~~

~~D. *Vehicle Signs.* Signs that are attached to, painted on or placed on top of any vehicle, trailer or other means of conveyance, for the purpose of advertising a commercial enterprise not including signs attached to or painted on a vehicle for the primary purpose of identifying the ownership or use of the vehicle.~~

~~E~~D. *Roof ~~S~~signs.* Signs that are attached to, supported by, mounted on or project above a roof or other architectural feature including, but not limited to, mansards, parapets and the like.

~~F~~E. *Projecting ~~S~~signs.* Signs that are suspended from or that are supported by a wall, building or structure and project more than three feet outward therefrom or signs that project into the public right-of-way. No provision contained herein shall be construed to prohibit the display or

construction of freestanding signs.

~~C. *Characterization Signs.* Signs characterizing a person, object, place, etc.~~

17.46.080 ~~Exemptions~~Exempt signs.

~~The provisions and regulations of this chapter shall not apply to the following signs; provided, however, that the following signs shall be subject to all safety provisions contained in this chapter~~The following signs are exempt from a sign permit:

A. Official signs and notices, public utility signs, and public directional signs, including time and temperature devices and signs indicating the location or direction of a place or area on the premises upon which the sign is located;

B. Professional nameplates not exceeding three square feet in area;

C. Temporary yard signs, subject to the provisions of Section 17.46.200 ~~of a directional nature approved by the director of planning~~;

D. Emergency, public service or other temporary nonadvertising signs ~~as approved by the city council~~;

E. Memorial signs on tablets, names and dates of buildings when cut into any masonry surface or when flush mounted and constructed of bronze or other noncombustible materials;

F. Accessory signs of a secondary nature, e.g., savings stamp signs or credit card signs not exceeding one square foot;

G. Banners not exceeding 30 square feet when used for advertising the opening of a new business and/or the hiring of employees. Such signs shall be removed after 30 days;

H. Temporary window signs that are painted, placed, taped, displayed, or otherwise suspended within three feet of any window that are visible from outside the place of business and that are designed to be displayed for more than thirty days. Such signs are permitted to cover no more than ten percent of the area of the window; and

J. Real estate signs:

1. *Sale, rental, or lease signs*. Any property being advertised for sale, rent, or lease may have one such sign on the property not exceeding twelve square feet in area.

2. *Subdivision signs*. The land being subdivided may have no more than two signs posted upon it advertising the subdivision. Each sign shall not exceed thirty-two square feet in area.

3. *Under construction signs*. These signs shall not exceed twenty square feet in area. No more than one such sign shall be permitted and shall be removed prior to the issuance of the final occupancy permit.

4. *Portable, temporary signs displayed on private property*. In advertising a property for sale, rental, or lease, a portable sign, not exceeding six square feet in area, may be placed off the site on private property for the purpose of advertising that the subject property is open for inspection. One additional such sign may be displayed on the premises that is open for inspection. Such

signs shall only be displayed when the premises are open for inspection.

5. *Model home signs*. Signs identifying model homes may be displayed on the property upon which the model homes are located. Such signs shall be located adjacent to the entrance of the model home. Such signs shall not exceed eight square feet in area nor three feet in height.

~~F. Rural mailboxes designating the name and address of the person serviced by the mailbox;~~

~~G. Signs placed by the city on the pedestrian overpass over Del Monte Boulevard at intersection with Palm Avenue.~~

17.46.090 Nonconforming signs.

A. Any permanent sign lawfully existing prior to the adoption of this chapter and not conforming to the provisions contained in this chapter is declared to be a lawfully nonconforming sign and may remain as such.

B. No such nonconforming sign shall in any way be altered, relocated, replaced or reworded unless the sign can be made to conform to all provisions of this chapter. Nothing in this section shall be construed to prohibit the normal maintenance and repair of lawfully nonconforming signs.

17.46.~~170~~100 ~~Permitted signs~~Allowed sign types.

A. *Signs requiring a sign permit and review*. The following signs ~~shall be permitted in the city~~require a sign permit. ~~subject to the provisions contained in this section and this chapter.~~ Definitions of ~~permitted~~ allowed signs are included in this section. Additional definitions pertaining to this chapter are contained in Section 17.46.040. ~~Sections 17.46.150 and 17.46.160.~~

~~A. *Accessory Signs.* A sign of a secondary nature, e.g., savings stamp signs, credit card signs not exceeding one square foot. Such signs are not included in the maximum sign area allotment. Site and architectural design review board approval is not required. A sign permit is not required.~~

~~B. *Barber Pole Signs.* A striped pole characteristic of barbershops. Such signs may rotate. One such sign may be permitted per business in addition to any other signs permitted by this chapter. Site and architectural design review board approval is required. A sign permit is required.~~

~~C. *Directional and Public Service Signs.* Public service signs including time and temperature devices and signs indicating the location or direction of a place or area on the premises upon which the sign is located. Such signs are not included in the maximum sign area allotment if they are deemed necessary and appropriate by the director of planning. Site and architectural design review board approval is not required. A sign permit is not required.~~

~~D~~1. ~~*Freestanding* *Monument* *S*~~*signs.* Freestanding signs of a permanent nature not attached to any portion of a building and not projecting over or through a roof, eaves of a building or any public right-of-way. Such signs may be placed within required yard or setback areas. ~~Site and architectural design review board approval is required. A sign permit is required.~~

~~E~~2. *Awning* ~~*S*~~*signs.* A sign attached to the face of or supported by an awning. ~~(Awning: a roof-like cover, usually of canvas extending over or before a place.)~~ Such signs must be parallel to the

face to which attached and must not hang lower or project above the face to which attached. ~~Site and architectural design review board approval is required. A sign permit is required.~~

~~F~~3. *Marquee or ~~C~~canopy ~~S~~signs.* A sign attached to or supported by a marquee or canopy. Such signs must be parallel to the face to which they are attached and may not be made of cloth, canvas or other material of a similar nature nor shall such signs hang lower or project above the face to which attached. Site and architectural design review board approval is required. ~~A sign permit is required.~~

~~G~~4. *Nameplates.* Professional nameplates and occupation signs exceeding three square feet in area. ~~Site and architectural design review board approval is required. A sign permit is required.~~

5. *Neighborhood signs.* Signs identifying a neighborhood or development, not exceeding fifty square feet in area.

~~H~~6. *Readerboard ~~S~~signs.* A sign with detachable or interchangeable letters. ~~Site and architectural design review board approval is required. A sign permit is required.~~

~~I~~7. *Under ~~C~~canopy ~~S~~signs.* A sign attached to the underside of a canopy. The canopy must be of a permanent nature attached to and supported by a building. Such signs that do not exceed four square feet will not be included in the maximum sign area allotment. Any such sign exceeding four square feet shall be included in the maximum sign area allotment. Such signs shall have a minimum clearance of seven feet six inches above the sidewalk. ~~Site and architectural design review board approval is required. A sign permit is required.~~

~~J~~8. *Wall ~~S~~signs.* A sign of either solid face construction or individual letters placed against the exterior wall of any building or structure. Such signs shall not extend more than one foot beyond the wall. ~~Site and architectural design review board approval is required. A sign permit is required.~~

~~K. *Window Signs – Temporary.* Signs that are painted, placed, taped, displayed or otherwise suspended within three feet of any window that are visible from outside the place of business and that are designed to be displayed for a maximum of thirty days. Such signs are permitted to cover no more than fifty percent of the area of the window. Such signs may not be displayed more than thirty days. Such signs are not included in the maximum sign area allotment. Site and architectural design review board approval is not required. A sign permit is not required.~~

~~L. *Window Signs – Permanent.* Signs that are painted, placed, taped, displayed or otherwise suspended within three feet of any window that are visible from outside the place of business and that are designed to be displayed for more than thirty days. Such signs are permitted to cover no more than ten percent of the area of the window. Such signs are not included in the maximum sign area allotment. Site and architectural design review board approval is not required. A sign permit is not required.~~

~~M. *Monument Sign.* A low profile freestanding sign incorporating the design and building materials and accenting the architectural theme of buildings within the same development. Such signs shall be considered the same as a freestanding sign.~~

~~N. *Real Estate Signs.* Real estate signs shall be permitted as specified in Section 17.46.210.~~

~~O. *Signs in General.* Any sign which is not listed under prohibited or permitted signs (Section 17.46.160 and this section, respectively) shall be considered individually by the~~

~~planning commission, which shall determine whether the sign falls in the permitted or prohibited category. If the planning commission determines that such sign falls in the permitted category, permission to display such sign, signs or signing program shall be granted subject to any and all conditions the planning commission may find necessary to achieve the spirit, purpose and intent of this chapter. The conditions of approval may include but not be limited to requiring site and architectural design review board approval and a sign permit.~~

17.46.~~060~~110 Enforcement.

The regulations contained in this chapter shall be enforced as are other zoning, building and safety regulations as set forth in this code.

17.46.~~070~~120 Remedies.

Notwithstanding the procedures for enforcement set forth in this code, the city is authorized to proceed in any other fashion, way or procedure permitted by law.

17.46.~~120~~130 Abandoned signs and abatement thereof.

A. No person shall maintain or permit to be maintained on any premises owned or controlled by said person any sign which has been abandoned. Any such sign shall be promptly abated. Any sign which is located on property which becomes vacant for a period of six months or more and any sign which was erected for an occupant or business unrelated to the present occupant or ~~his~~ their business and any sign which pertains to a time, event or purpose which no longer obtains shall be presumed to have been abandoned.

B. Unless some other form of abatement is approved by the ~~director of planning~~community development director or designee in writing, abatement of abandoned signs shall be accomplished in the following manner:

1. Signs painted on buildings, walls, fences, structures shall be abated by removal of the paint constituting the sign or by painting over the sign in such a way that the sign shall not thereafter become visible.

2. Other types of signs may be abated by removal of the sign including its dependent structures and supports, unless the sign conforms to the provisions contained in this chapter, in which case all faces of the sign shall be screened from view in a manner satisfactory to the director of planning.

17.46.140 Abatement of ~~signs on public property and~~ signs presenting health or safety hazards.

A. *Signs on ~~P~~private ~~P~~property ~~P~~presenting ~~H~~health or ~~S~~safety ~~H~~hazards.* No sign may be placed upon any privately owned property in a manner ~~which~~ that creates a public health or safety hazard. Any sign placed on, above or adjacent to any street, sidewalk or right-of-way ~~which~~ that creates a health or safety hazard through obstructing vision or use of such street, sidewalk or right-of-way may be summarily removed by the public safety, public works or ~~planning~~ community development directors or their respective ~~delegates~~designees. Any sign so

removed shall be returned to the owner upon payment of the costs of removal and storage. Any sign placed on or about private property ~~which~~ that creates a health or safety hazard, including obstructing vision in the public right-of-way, may be removed by the public safety, public works or ~~planning~~ community development directors or their respective ~~delegates~~ designees to a position on the private property where it does not create a health or safety hazard.

B. *Signs on ~~P~~public ~~P~~property.* No sign may be placed in or upon any public right-of-way, the exterior of any public building, any public grounds or property thereon, any public utility pole or appurtenance thereof, wherever located, or any tree on public property. Any such sign may be summarily removed and impounded by the public safety, public works or ~~planning~~ community development directors or their respective ~~delegates~~designees.

C. *Impounded ~~S~~signs.* Any sign impounded under the provisions of subsection A or B of this section shall be stored for a period of not less than thirty days at which time the signs may be salvaged, sold or destroyed in order to defray the costs of removal and storage. The person responsible for the placement of such sign shall be liable for the cost incurred in the removal and storage of the sign and the departments of public safety and public works are authorized to effect the collection of said cost.

D. *Noticing ~~S~~sign ~~O~~owners.* If the person who owns a sign ~~which~~ that has been removed pursuant to this section can be identified, the city official who has removed said sign shall notify that person of the reasons the sign has been removed, the location of the sign and the procedures for the return of the sign.

17.46.~~100~~150 ~~Maintenance and construction~~General provisions.

A. *Maintenance and construction.* The appropriate sections of ~~the Uniform Building Code (UBC), the Uniform Electric Code (UEC)~~UBC, UEC, or any amendment thereto adopted by the city shall apply to the construction, placement or display of signs in the city. All signs having internal or built-in illumination shall be constructed wholly of noncombustible materials or other such fire resistive materials as approved by the building department. Guy wires or exposed strut-like sign structures shall not be utilized. Signs and sign structures shall at all times be maintained in a state of good repair including all braces, bolts, structural parts, supporting frames and fastenings.

B. *Safety.* In addition to all other maintenance and construction provisions contained in this chapter, all signs within the city shall comply with the following provisions:

~~A~~1. *Obstructions to ~~D~~doors, ~~W~~windows or ~~F~~fire ~~E~~escapes.* No sign shall be erected, relocated, altered, maintained or otherwise so as to prevent ingress to or egress from any door, window or fire escape. No sign shall be attached to a standpipe, gutter, drain or fire escape, except signs referring specifically to the standpipe, gutter, drain or fire escape to which it is attached.

~~B~~2. *Signs ~~N~~not to ~~O~~obstruct ~~T~~traffic ~~S~~signals.* No sign regulated by this chapter shall be erected at any location where, by reason of its position, it will obstruct or confuse the view of any authorized traffic sign, signal or device.

~~C~~3. *Exterior of ~~S~~signs.* On all signs which are erected within five feet of a public street or sidewalk, no nails, tacks or wires shall be permitted to protrude therefrom. All structural trim maintained in conjunction with, attached to, or superimposed upon any sign shall be safely and securely built or attached to the sign structure.

C. *Signs in the coastal zone*. Notwithstanding any provision contained herein, all signs to be erected, constructed, placed, tacked, fastened, displayed, painted, posted, printed or otherwise in the Coastal Zone shall comply first and foremost with the provisions of the local coastal program (LCP) along with the spirit and intent of this chapter. In the case of any conflicts between the documents, the provisions of the LCP shall prevail. It is anticipated that signs and signing programs will be considered as a part of the coastal permit process.

17.46.~~130~~160 Illumination of signs.

All illuminated signs in the city shall comply with the following standards:

A. The use of high intensity, unshielded or undiffused lights shall not be permitted.

B. Lights or illumination shall be shielded, oriented or diffused so as to eliminate undue glare onto adjacent properties and not conflict with safe traffic movement.

~~C. Lights shall be shielded or diffused in such a manner as to eliminate the possibility of conflict with safe traffic movement.~~

~~D~~C. The ~~site and architectural design review board or planning commission and city council, on appeal,~~ community development director or designee shall retain the right to require reduction in the intensity of illumination after the installation of any illuminated sign if said illumination creates any undue glare~~, annoyance~~ or hazard.

D. To help eliminate the potential for glare associated with internally illuminated or back-lit signs, the background of such signs shall be opaque.

17.46.~~180~~170 Sign regulations for commercial and industrial districts.

C-1, C-2, P-C, ~~L-M~~ and M Districts.

Sign Table A: Allowed Signs in Commercial and Industrial Districts

Sign Regulations in Commercial and Industrial Districts (C-1, C-2, P-C, M)				
Sign area	1 ½ sq ft for every foot of PBF* (max. 200 sq ft) ½ sq ft for every foot of each SBF** (max. 25 sq ft per SBF)			
Number of signs	4 per business (max.)			
Monument sign height (in feet; max.)	7			
	Shopping Center/Industrial Park Monument Identification Signs			
Site	Commercial: Less than 5 acres	Commercial: 5 to 25 acres	Commercial: More than 25 acres	Industrial: More than 4 buildings
Height (in feet; max.)	10	15	50	10
Sign area (sq ft; max.)	100	100	250	200
Number of signs	1 per principal	1 per principal	2	1 per principal

(max.)	street frontage (max. 2)	street frontage (max. 2)		entrance
*Primary business frontage **Secondary business frontage				

A. *Sign ~~A~~area.* One and one-half square feet are permitted for every foot of primary business frontage to a maximum of two hundred square feet per business. One-half square foot is permitted for every foot of secondary business frontage to a maximum of twenty-five square feet for each secondary business frontage.

B. *Number of ~~S~~signs.* No more than four signs may be permitted per business. Under canopy signs are not counted for the purposes of this section.

C. *Type of ~~S~~sign.* Any sign specified under Section 17.46.100 ~~17.46.170~~ may be displayed in accordance with the provisions of this chapter. Monument signs not associated with a shopping center or industrial park shall be limited to a maximum height of seven feet.

D. *Service ~~S~~stations*. In addition to the signing permitted under Section 17.46.100 ~~17.46.180~~, service stations may be permitted to display two additional signs each of which shall not exceed sixteen square feet. Such signs shall be permanently affixed to the ground or a structure.

~~D. *General Provisions.* All signs and signing programs specified below shall be subject to review and approval by the site and architectural design review board and shall require a sign permit.~~

~~1. Shopping centers may be permitted to erect a freestanding identification sign which may also indicate the principal tenant and other services available on the site. Said sign shall be located adjacent to the principal street frontage and shall not exceed one hundred square feet in area or twenty-five feet in height. If the shopping center has more than one principal street frontage, two such signs may be permitted. The sign area and sign height specified in this section are the maximum limits and the site and architectural design review board reserves the right to approve lesser sign area or height.~~

~~2. Shopping centers containing more than twenty-five acres approved under a single development permit shall be permitted to erect two freestanding identification signs which may also indicate the principal tenants along with other pertinent information deemed appropriate by the site and architectural design review board. Such signs shall not exceed two hundred fifty square feet in area nor fifty feet in height. The sign area and height specified in this section are the maximum limits and the site and architectural design review board reserves the right to approve lesser sign area or height.~~

~~3. Industrial parks containing more than four buildings designed to be architecturally compatible, whether or not on the same parcel of land, shall be permitted to place monument signs along, at, or adjacent to principal entrances to the park. Such signs shall not exceed two hundred square feet or ten feet in height. The actual size, height and number of signs shall be specified by the site and architectural design review board.~~

~~4. Real estate signs shall be permitted subject to the provisions of Section 17.46.210.~~

E. *Master ~~S~~signing ~~P~~program ~~A~~approval ~~R~~required.*

1. Any and all commercial, office or industrial developments designed to contain more than four

occupancies, businesses or buildings are required to obtain approval of a master signing program from the ~~site and architectural design review board~~review authority. Said master signing program plans must be prepared, reviewed and approved by the ~~site and architectural design review board~~review authority prior to the issuance of any occupancy permit in the development. Plans for the master signing program shall include specifications, descriptions and locations of all signs to be displayed on the site including but not limited to advertising, identification, directional and public service signs. ~~The site and architectural design review board may approve, conditionally approve or modify said plans in order to insure that the master signing program is in accordance with the purpose, spirit and intent of this chapter.~~ Any decision of the ~~site and architectural design review board~~review authority on a master signing program may be appealed to the ~~planning commission~~appeal authority. Appeals shall be in writing and shall be filed with the ~~planning department~~community development director or designee within ten days of the decision. ~~Any decision of the planning commission may be appealed to the city council in the same manner as decisions of the site and architectural design review board are appealed.~~

2. Approved master signing programs may be modified from time to time by the review authority. ~~site and architectural design review board or by the planning commission or city council through the appeal process.~~

3. Individual tenant sign changes that comply with an approved master signing program shall be subject to review of the community development director or designee.

4. The following provisions apply to monument identification signs in shopping centers and industrial parks:

a. Shopping centers may be permitted to erect a monument identification sign which may also indicate the principal tenant and other services available on the site. Said sign shall be located adjacent to the principal street frontage and shall not exceed one hundred square feet in area. If the shopping center has more than one principal street frontage, two such signs may be permitted. Freestanding signs allowed for the identification of shopping centers or industrial or business parks of less than five acres shall not exceed a height of ten feet and for sites of less than twenty-five acres shall not exceed a height of fifteen feet.

b. Shopping centers containing more than twenty-five acres approved under a single development permit shall be permitted to erect two monument identification signs which may also indicate the principal tenants. Such signs shall not exceed two hundred fifty square feet in area nor fifty feet in height.

c. Industrial parks containing more than four buildings designed to be architecturally compatible, whether or not on the same parcel of land, shall be permitted to place monument signs along, at, or adjacent to principal entrances to the park. Such signs shall not exceed two hundred square feet or ten feet in height.

F. *Highway signs*. Commercially zoned properties having frontage on Highway 1 are declared to be sites of special significance and all signs and signing programs shall be approved by the planning commission. In considering a sign or signing program for a site of special significance, the following items shall be considered: the signing needs of the proposed use; the location of the site in relation to the freeway access; and the responsibility of the city to protect and preserve the natural beauty of Highway 1 while balancing the city's need for a healthy highway-oriented visitor-serving industry. Any decision of the planning commission concerning a site of special significance may be appealed to the city council, in writing, within ten days of the decision of the planning commission.

17.46.~~190~~180 Sign regulations for residential districts.

R-1, R-2, R-3, R-4 and S-T Districts.

Sign Table B: Allowed Signs in Residential Districts

Sign Regulations in Residential Districts (R-1, R-2, R-3, R-4, S-T) for sites with more than 4 dwelling units	
Sign area (max.)	30 sq ft
Number of signs (max.)	2
For sites with 4 or fewer dwelling units, only one nameplate not exceeding 3 sq ft is permitted. Home occupations are prohibited to identify or advertise businesses within residential zones per Section 17.42.110.	

A. *Single-~~F~~family ~~D~~dwellings, ~~D~~duplexes, ~~T~~triplexes, and ~~F~~fourplexes.* One nameplate not exceeding three square feet per dwelling. ~~Site and architectural design review board approval is not required. A sign permit is not required.~~

B. *Multiple-~~F~~family ~~D~~dwellings containing more than four dwelling units, public, quasi-public, halls, organizations, churches, clubs, lodges, and all similar uses*. ~~Dwellings containing more than four dwelling units may be permitted a~~ ~~m~~Maximum of two signs, each containing a maximum of thirty square feet. ~~Site and architectural design review board approval is required. A sign permit is required.~~

~~C. *Church Signs.* Same as subsection B of this section.~~

~~D. *Public, Quasi-Public, Halls, Organizations, Clubs, Lodges and All Similar Uses.* Same as subsection B of this section.~~

~~E. Nonresidential uses not otherwise specified herein including but not limited to hotels, motels, professional offices and other nonresidential uses that may be permitted in residential zoning districts. Signs for such uses shall be regulated by Section 17.46.180.~~

~~F. *Real Estate Signs.* Real estate signs shall be permitted subject to the provisions of Section 17.46.210.~~

~~G~~C. All signs not permitted by subsections A ~~through~~ and ~~F~~ B of this section are prohibited in residential districts.

17.46.~~200~~190 Sign regulations for ~~districts other than commercial, industrial and residential~~ the O District.

~~U, O, K and T Districts.~~ All signs, other than ~~real estate~~exempt signs which are regulated in Section 17.46.080 ~~17.46.210~~, shall require approval by the ~~site and architectural design review board or the planning commission or city council through the appeal process~~review authority. Any decision of the review authority may be appealed to the appeal authority. Appeals shall be in writing and shall be filed with the community development director or designee within ten

days of the decision. ~~Appeals may be made of any decision of the site and architectural design review board or planning commission as specified in Section 17.46.040.~~ No sign shall be approved unless and until a finding is made that the proposed sign is consistent with the purpose, spirit and intent of this chapter.

17.46.~~220~~200 ~~Signs not otherwise regulated~~Regulations for temporary signs.

A. *General ~~P~~provisions.* The following provisions apply to all ~~signs expressing a political, religious or sociological viewpoint, including elections signs~~temporary signs. Temporary signs do not require a sign permit:

1. No such sign shall be located upon any public street, alley, sidewalk, right-of-way, easement, or other governmental property.

2. All such signs shall be erected, altered and maintained in accordance with the ~~Uniform Building Code~~UBC and the safety provisions set forth in Section 17.46.150 ~~17.46.110~~.

3. All such signs must be stationary and unlighted.

4. Any freestanding sign shall be located at least five feet from any right-of-way line and may not encroach upon required parking or driveways.

5. The posting of any sign regulated by this section shall not in any way affect a property owner's right to erect signs permitted by other provisions of this chapter.

~~6. Site and architectural design review board approval is not required. A sign permit is not required.~~

6. *Time ~~L~~limitations.* Signs regulated by this section may be posted not more than sixty days prior to an event to which they pertain. All such signs must be removed within five days after the event to which they pertain or within sixty-five days of their initial posting, whichever occurs first.

7. *Consent of ~~O~~owner or ~~O~~occupant.* No sign regulated by this section may be posted without the consent of the owner or legal occupant of the premises on which the sign is posted.

8. *Area of ~~S~~signs.* No sign regulated by this section shall exceed thirty-two square feet of sign area, except that in the R-1 district the total sign area shall not exceed eight square feet.

9. *Signs in the R-1 District.* The total area of all signs regulated by this section on any one property in the R-1, single-family residential district shall not exceed eight square feet. However, in this district, the number of such signs on any one property is not limited, provided the total area of all signs does not exceed eight square feet. All signs shall be freestanding, or attached to buildings, fences or windows of buildings.

10. *Signs in ~~A~~all ~~D~~districts ~~O~~other than the R-1 District.* In all zoning districts except the R-1 district, signs regulated by this section shall be freestanding or attached to buildings, fences or windows of buildings. Any freestanding sign shall be placed only upon those vacant portions of a property which are not covered by structures, landscaping, parking areas or driveways. The total

area of all signs on any one property which includes at least four thousand square feet of such vacant area shall be limited to not more than one square foot of sign area for each one hundred twenty-five square feet of such vacant area. For properties which include less than four thousand square feet of vacant area, each such property shall still be allowed up to thirty-two square feet of total sign area with no limitation upon the number of signs composing the thirty-two square feet.

11. *Responsibility for ~~R~~removal.* It shall be the property owner's responsibility to remove all signs regulated by this section within the time limitations specified above, whether or not the owner has consented to the posting or construction of such signs.

B. *Greater ~~S~~sign ~~A~~area and ~~T~~time ~~L~~limitations ~~A~~allowable ~~P~~pursuant to ~~U~~use ~~P~~permit and ~~D~~design ~~R~~review ~~B~~board ~~A~~approval.*

1. ~~Upon application to the planning commission for a use permit,~~ ~~a~~A sign area greater than otherwise allowed by this section may be allowed subject to sign permit approval by the review authority. Sign permits for temporary signs regulated by this section shall be granted for a period of not more than six months. ~~so long as the planning commission finds, after receiving a recommendation from the site and architectural design review board, that:~~

~~a. The sign will not materially conflict with the character of the neighborhood in which it will be displayed; and~~

~~b. The value of property in the zone will not be significantly decreased by the erection or maintenance of the sign.~~

~~2. Use permits for such signs shall be granted for a period of not more than one year.~~

~~17.46.260 Signs for advertising purposes.~~

~~Unless otherwise provided in this chapter, no permanent sign shall be erected, constructed, placed, tacked, fastened, displayed, painted, posted, printed or otherwise where more than twenty-five percent of the area of such sign is used for advertising purposes. Seventy-five percent of the area of such signs shall be used solely for naming, designating or identifying the enterprise or calling.~~

~~17.46.280 Billboard signs.~~

~~Reserved.~~

17.46.~~290~~210 Severability.

If any section, subsection, sentence, clause, phrase or portion of this chapter is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion is a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion hereof.

FINDINGS
Staff finds that this project:

General Plan Compliance

1) General Plan Policy 4.8.5
"No commercial signs shall be permitted on buildings or properties which are visible to people using the beach, while signage which is oriented and sized to be easily visible to travelers on Highway One shall be permitted only for those properties contiguous to the Highway One right-of-way."

   Evidence: The proposed changes apply only to properties outside the Coastal zone and not subject to the City's Local Coastal Program.

Zoning Compliance

2) Lateral consistency with Title 17, Section 17.46

   Evidence: The amended ordinance is consistent with the Religious Land Use and Institutionalized Persons Act of 2000 (RLUIPA) and with the City's adopted General Plan and Local Coastal Program (LCP)

3) Compliance with Section 17.46.270
"Notwithstanding any provision contained herein, all signs to be erected, constructed, placed, tacked, fastened, displayed, painted, posted, printed or otherwise in the Coastal Zone shall comply first and foremost with the provisions of the Marina local coastal program (LCP) along with the spirit and intent of this chapter. In the case of any conflicts between the documents, the provisions of the LCP shall prevail. It is anticipated that signs and signing programs will be considered as a part of the coastal permit process."

   Evidence: No change is proposed to Section 17.46.270.

PC RESOLUTION NO. 2023-01

A PLANNING COMMISSION RESOLUTION RECOMMENDING THAT THE CITY COUNCIL ADOPT CHANGES TO SECTION 17.46 (SIGNS) OF THE MARINA MUNICIPAL CODE. THE PROPOSED AMENDMENTS ARE EXEMPT FROM CEQA PER SECTION 15061(B)(3).

WHEREAS, As part of ongoing efforts to update and improve Title 17 of the City's municipal code, staff recommends a variety of changes to Section 17.46 pertaining to Signs; and

WHEREAS, The ordinance update would remove language regulating signs based on religious or political viewpoints which would bring the ordinance into compliance with the Religious Land Use and Institutionalized Persons Act of 2000 (RLUIPA) that regulates religious and political activities; and

WHEREAS, The ordinance update would shift the review authority for all compliant signs from the Planning Commission to planning staff; and

WHEREAS, The ordinance update would provide general ordinance cleanup.

NOW THEREFORE BE IT RESOLVED that the Planning Commission does hereby recommend that the City Council adopt changes to Section 17.46 (Signs) of the Marina Municipal Code.

PASSED AND ADOPTED by the Planning Commission of the City of Marina at a regular meeting duly held on the 12th day of January 2023, by the following vote:

AYES, COMMISSIONERS: AMADEO, HUR, WALTON, ST. JOHN, WOODSON
NOES, COMMISSIONERS: NONE
ABSENT, COMMISSIONERS: RANA (1 VACANCY)
ABSTAIN, COMMISSIONERS: NONE

Nancy Amadeo, Chair

ATTEST:

Guido Persicone, AICP
Community Development Director
City of Marina

Exhibits:

A. Findings
B. Draft Ordinance Amendment

EXHIBIT A

FINDINGS
Staff finds that this project:

General Plan Compliance

1) General Plan Policy 4.8.5
"No commercial signs shall be permitted on buildings or properties which are visible to people using the beach, while signage which is oriented and sized to be easily visible to travelers on Highway One shall be permitted only for those properties contiguous to the Highway One right-of-way."

Evidence: The proposed changes apply only to properties outside the Coastal zone and not subject to the City's Local Coastal Program.

Zoning Compliance

2) Lateral consistency with Title 17, Section 17.46

Evidence: The amended ordinance is consistent with the Religious Land Use and Institutionalized Persons Act of 2000 (RLUIPA) and with the City's adopted General Plan and Local Coastal Program (LCP)

3) Compliance with Section 17.46.270
"Notwithstanding any provision contained herein, all signs to be erected, constructed, placed, tacked, fastened, displayed, painted, posted, printed or otherwise in the Coastal Zone shall comply first and foremost with the provisions of the Marina local coastal program (LCP) along with the spirit and intent of this chapter. In the case of any conflicts between the documents, the provisions of the LCP shall prevail. It is anticipated that signs and signing programs will be considered as a part of the coastal permit process."

Evidence: No change is proposed to Section 17.46.270.

EXHIBIT B

17.46.010 Purpose and intent.

A. It is the purpose and intent of this chapter to provide the city with a viable and practical set of sign regulations that will promote the orderly growth of the community; facilitate the continual upgrading of the community; preserve the natural beauty of Marina while simultaneously protecting the rights of property and business owners to display signs and the right of individuals to live in, work in, and visit a city that is free from the visual blight that would result from under- or non-regulation of signs.

B. These sign regulations, pursuant to the provisions of the general plan, set forth the minimum acceptable standards necessary to protect and safeguard the life, peace, health, safety, property and general welfare of the public by regulating among other things the location, placement, size, number, area, type, illumination and maintenance of signs and sign structures.

C. In addition to the standards specified above, it is hereby set forth that a primary goal of these regulations shall be to ensure that signs and sign structures are considered in light of the architectural and landscape design of the buildings and properties along with individual setting or location of the buildings and properties.

17.46.020 Application.

No sign shall be placed, displayed, painted, posted, printed, tacked, fastened, erected, relocated, constructed or otherwise except as provided in this chapter.

17.46.030 Responsibility.

It shall be the sole responsibility of the person making application to place, construct, erect, alter, relocate, tack, fasten, paint, post or display any sign in the city to obtain the necessary authorization from the owner or lessee of the property.

17.46.040 Definitions.

As used in this chapter:

"Appeal authority" means the body tasked with hearing appeals to decisions of the review authority or community development director or designee. The site and architectural design review board hears appeals for decisions of the community development director or designee, the planning commission hears appeals for decisions of the site and architectural design review board, and the city council hears appeals for decisions of the planning commission.

"Awning" means a roof-like cover, usually of canvas, extending over or before a place.

"Compliant sign" means a sign that complies with the provisions of this chapter and requires an administrative sign permit issued by the community development director or designee.

"Exempt sign" means a sign that does not require a sign permit.

"Height" when used in reference to a monument sign, means the vertical distance from the average of the lowest and highest points at the finished grade at the base of sign to the topmost point of the sign.

"Noncompliant sign" means a sign that does not comply with the provisions of this chapter and requires a sign permit issued by the review authority.

"Official signs and notices" means signs and notices placed by public officers or public agencies within their territorial or zoning jurisdiction and pursuant to and in accordance with direction or authorization contained in federal, state or local law for the purposes of carrying out an official duty or responsibility. Historical markers authorized by state law and placed by state or local government agencies or nonprofit historical societies shall be considered as official signs.

"Primary business frontage" or "PBF" means that frontage of a building containing the primary or most important entrance to the occupancy thereon. In such cases where there are multiple entrances, the community development director or designee shall determine which frontage is the primary frontage. In no case shall more than one primary business frontage be permitted.

"Public directional signs" means signs containing directional information about public places owned or operated by federal, state or local governments or their agencies; publicly owned natural phenomena, historic, cultural, scientific and educational sites; and publicly owned or operated areas of natural scenic beauty or naturally suited for outdoor recreation, deemed to be in the interest of the traveling public.

"Public utility signs" means warning signs, informational signs, notices or markers which are customarily placed by public or private utilities, as essential to their operations.

"Real estate signs" means signs used to advertise the sale, rental, lease, subdivision, or construction of property.

"Review authority" means the body tasked with reviewing and approving noncompliant sign permit applications and may include the site and architectural design review board or planning commission.

"Secondary business frontage" or "SBF" means that frontage of a building containing any entrance other than a primary business frontage. In no case shall more than two secondary business frontages be permitted.

"Service station" means a business which is primarily in the business of providing service to vehicles such as gasoline, oil, tire, mechanical assistance, parts, etc.

"Shopping center" means commercial and retail buildings and associated facilities which have been designed and developed as an integrated unit containing more than five separately owned

and operated businesses which function as an integral unit and which utilize common off-street parking.

"Sign" means any letters, figures, design, symbol, trademark or illuminating device intended to attract attention to any person, partnership, corporation or unincorporated association, or any place, subject, public performance, article, machine or merchandise, whatsoever, and painted, printed, constructed, erected or displayed in any manner whatsoever.

"Sign area" means that area enclosed by a square, rectangle, triangle or other shape which connects the extreme points or edges of the sign, excluding the supporting structure which does not form part of the sign proper. The area of a sign composed of characters, words or individual letters attached directly to a surface shall be the smallest shape that encloses the whole group. Sign area shall include only one face of any double-faced sign and shall include all faces of any multi-faced sign containing more than two faces. For the purpose of this definition, the faces of a double-faced sign shall be parallel.

"Sign area allotment" means the maximum area of signs that may be displayed on any site, premises, business, building, parcel, lot or otherwise not including signs specifically exempted in this chapter.

"Temporary sign" means a sign posted not more than sixty days prior to an event to which it pertains.

"Uniform Building Code" of "UBC", "Uniform Electrical Code" or "UEC", "Uniform Mechanical Code" or "UMC" means those codes which are currently in full force and effect as adopted by the city council, including any amendments or additions thereto adopted from time to time by the city council.

17.46.050 Sign permit required.

A. A sign permit is required unless the sign is exempt as provided in section 17.46.080.

1. A hearing shall be required for all noncompliant signs. A fee shall be collected by the community development director or designee prior to consideration of any sign by the review authority. The fee shall be established from time to time by resolution of the city council.

2. All signs compliant with the provisions of this chapter shall be subject to review and approval by the community development director or designee.

B. In order to facilitate the review and approval process, any person seeking to obtain a sign permit shall submit accurate plans, drawings, color boards, examples of materials, or any such other information specified by the community development director or designee. Written appeals shall be filed with the community development director or designee no later than ten days after the decision of the review authority or community development director or designee.

C. During the course of review and approval, the review authority or appeal authority may approve, disapprove, conditionally approve or modify the plans as submitted in order to ensure compliance with the spirit and intent of this chapter.

17.46.060 Building permit required.

A. In order to ensure that the building department is provided with an opportunity to review the placement, construction, erection, relocation or alteration of any and all signs in the city, it is required, unless otherwise specified herein, that a building permit shall be obtained from the building department prior to the placement, construction, erection, relocation, alteration or otherwise of the sign.

B. Any person seeking to obtain a building permit shall provide the building department with any and all necessary plans, drawings or other materials or information required by the building department along with written evidence that a sign permit has been obtained. Following a review of the materials submitted, the building department may issue the building permit pursuant to the provisions of the UBC. A fee shall be collected by the building department prior to the issuance of any building permit. The fee for a building permit shall be as specified by department procedure.

17.46.070 Prohibited signs.

The following signs shall be prohibited in the city. Definitions and descriptions of these signs are included in this section. Additional definitions pertaining to this chapter are contained in Section 17.46.040.

A. *Portable signs.* Signs such as A-board or other such signs capable of standing without support or attachment to a structure or the ground.

B. *Animated signs.* Signs that involve animation, rotation, flashing, projections, scintillation, or any type of movement, not including barber pole signs or time, date and temperature signs.

C. *Billboard signs.* Off-site advertising signs that are designed to direct attention to a business, commodity, service or entertainment, sold or offered elsewhere than on the premises or property on which the sign is located.

D. *Roof signs.* Signs that are attached to, supported by, mounted on or project above a roof or other architectural feature including, but not limited to, mansards, parapets and the like.

E. *Projecting signs.* Signs that are suspended from or that are supported by a wall, building or structure and project more than three feet outward therefrom or signs that project into the public right-of-way. No provision contained herein shall be construed to prohibit the display or construction of freestanding signs.

17.46.080 Exempt signs.

The following signs are exempt from a sign permit:

A. Official signs and notices, public utility signs, and public directional signs, including time and temperature devices and signs indicating the location or direction of a place or area on the premises upon which the sign is located;

B. Professional nameplates not exceeding three square feet in area;

C. Temporary yard signs, subject to the provisions of Section 17.46.200;

D. Emergency, public service or other temporary nonadvertising signs;

E. Memorial signs on tablets, names and dates of buildings when cut into any masonry surface or when flush mounted and constructed of bronze or other noncombustible materials;

F. Accessory signs of a secondary nature, e.g., savings stamp signs or credit card signs not exceeding one square foot;

G. Banners not exceeding 30 square feet when used for advertising the opening of a new business and/or the hiring of employees. Such signs shall be removed after 30 days;

H. Temporary window signs that are painted, placed, taped, displayed, or otherwise suspended within three feet of any window that are visible from outside the place of business and that are designed to be displayed for more than thirty days. Such signs are permitted to cover no more than ten percent of the area of the window; and

J. Real estate signs:

1. *Sale, rental, or lease signs*. Any property being advertised for sale, rent, or lease may have one such sign on the property not exceeding twelve square feet in area.

2. *Subdivision signs*. The land being subdivided may have no more than two signs posted upon it advertising the subdivision. Each sign shall not exceed thirty-two square feet in area.

3. *Under construction signs*. These signs shall not exceed twenty square feet in area. No more than one such sign shall be permitted and shall be removed prior to the issuance of the final occupancy permit.

4. *Portable, temporary signs displayed on private property*. In advertising a property for sale, rental, or lease, a portable sign, not exceeding six square feet in area, may be placed off the site on private property for the purpose of advertising that the subject property is open for inspection. One additional such sign may be displayed on the premises that is open for inspection. Such signs shall only be displayed when the premises are open for inspection.

5. *Model home signs.* Signs identifying model homes may be displayed on the property upon which the model homes are located. Such signs shall be located adjacent to the entrance of the model home. Such signs shall not exceed eight square feet in area nor three feet in height.

17.46.090 Nonconforming signs.

A. Any permanent sign lawfully existing prior to the adoption of this chapter and not conforming to the provisions contained in this chapter is declared to be a lawfully nonconforming sign and may remain as such.

B. No such nonconforming sign shall in any way be altered, relocated, replaced or reworded unless the sign can be made to conform to all provisions of this chapter. Nothing in this section shall be construed to prohibit the normal maintenance and repair of lawfully nonconforming signs.

17.46.100 Allowed sign types.

A. *Signs requiring a sign permit and review.* The following signs require a sign permit. Definitions of allowed signs are included in this section. Additional definitions pertaining to this chapter are contained in Section 17.46.040.

1. *Monument signs.* Freestanding signs of a permanent nature not attached to any portion of a building and not projecting over or through a roof, eaves of a building or any public right-of-way. Such signs may be placed within required yard or setback areas.

2. *Awning signs.* A sign attached to the face of or supported by an awning. Such signs must be parallel to the face to which attached and must not hang lower or project above the face to which attached.

3. *Marquee or canopy signs.* A sign attached to or supported by a marquee or canopy. Such signs must be parallel to the face to which they are attached and may not be made of cloth, canvas or other material of a similar nature nor shall such signs hang lower or project above the face to which attached. Site and architectural design review board approval is required.

4. *Nameplates.* Professional nameplates and occupation signs exceeding three square feet in area.

5. *Neighborhood signs.* Signs identifying a neighborhood or development, not exceeding fifty square feet in area.

6. *Readerboard signs.* A sign with detachable or interchangeable letters.

7. *Under canopy signs.* A sign attached to the underside of a canopy. The canopy must be of a permanent nature attached to and supported by a building. Such signs that do not exceed four square feet will not be included in the maximum sign area allotment. Any such sign exceeding

four square feet shall be included in the maximum sign area allotment. Such signs shall have a minimum clearance of seven feet six inches above the sidewalk.

8. *Wall signs.* A sign of either solid face construction or individual letters placed against the exterior wall of any building or structure. Such signs shall not extend more than one foot beyond the wall.

17.46.110 Enforcement.

The regulations contained in this chapter shall be enforced as are other zoning, building and safety regulations as set forth in this code.

17.46.120 Remedies.

Notwithstanding the procedures for enforcement set forth in this code, the city is authorized to proceed in any other fashion, way or procedure permitted by law.

17.46.130 Abandoned signs and abatement thereof.

A. No person shall maintain or permit to be maintained on any premises owned or controlled by said person any sign which has been abandoned. Any such sign shall be promptly abated. Any sign which is located on property which becomes vacant for a period of six months or more and any sign which was erected for an occupant or business unrelated to the present occupant or their business and any sign which pertains to a time, event or purpose which no longer obtains shall be presumed to have been abandoned.

B. Unless some other form of abatement is approved by the community development director or designee in writing, abatement of abandoned signs shall be accomplished in the following manner:

1. Signs painted on buildings, walls, fences, structures shall be abated by removal of the paint constituting the sign or by painting over the sign in such a way that the sign shall not thereafter become visible.

2. Other types of signs may be abated by removal of the sign including its dependent structures and supports, unless the sign conforms to the provisions contained in this chapter, in which case all faces of the sign shall be screened from view in a manner satisfactory to the director of planning.

17.46.140 Abatement of signs presenting health or safety hazards.

A. *Signs on private property presenting health or safety hazards.* No sign may be placed upon any privately owned property in a manner that creates a public health or safety hazard. Any sign placed on, above or adjacent to any street, sidewalk or right-of-way that creates a health or safety hazard through obstructing vision or use of such street, sidewalk or right-of-way may be summarily removed by the public safety, public works or community development directors or their respective designees. Any sign so removed shall be returned to the owner upon payment of the costs of removal and storage. Any sign placed on or about private property that creates a health or safety hazard, including obstructing vision in the public right-of-way, may be removed by the public safety, public works or community development directors or their respective designees to a position on the private property where it does not create a health or safety hazard.

B. *Signs on public property.* No sign may be placed in or upon any public right-of-way, the exterior of any public building, any public grounds or property thereon, any public utility pole or appurtenance thereof, wherever located, or any tree on public property. Any such sign may be summarily removed and impounded by the public safety, public works or community development directors or their respective designees.

C. *Impounded signs.* Any sign impounded under the provisions of subsection A or B of this section shall be stored for a period of not less than thirty days at which time the signs may be salvaged, sold or destroyed in order to defray the costs of removal and storage. The person responsible for the placement of such sign shall be liable for the cost incurred in the removal and storage of the sign and the departments of public safety and public works are authorized to effect the collection of said cost.

D. *Noticing sign owners.* If the person who owns a sign that has been removed pursuant to this section can be identified, the city official who has removed said sign shall notify that person of the reasons the sign has been removed, the location of the sign and the procedures for the return of the sign.

17.46.150 General provisions.

A. *Maintenance and construction.* The appropriate sections of UBC, UEC, or any amendment thereto adopted by the city shall apply to the construction, placement or display of signs in the city. All signs having internal or built-in illumination shall be constructed wholly of noncombustible materials or other such fire resistive materials as approved by the building department. Guy wires or exposed strut-like sign structures shall not be utilized. Signs and sign structures shall at all times be maintained in a state of good repair including all braces, bolts, structural parts, supporting frames and fastenings.

B. *Safety.* In addition to all other maintenance and construction provisions contained in this chapter, all signs within the city shall comply with the following provisions:

1. *Obstructions to doors, windows or fire escapes.* No sign shall be erected, relocated, altered, maintained or otherwise so as to prevent ingress to or egress from any door, window or fire escape. No sign shall be attached to a standpipe, gutter, drain or fire escape, except signs referring specifically to the standpipe, gutter, drain or fire escape to which it is attached.

2. *Signs not to obstruct traffic signals.* No sign regulated by this chapter shall be erected at any location where, by reason of its position, it will obstruct or confuse the view of any authorized traffic sign, signal or device.

3. *Exterior of signs.* On all signs which are erected within five feet of a public street or sidewalk, no nails, tacks or wires shall be permitted to protrude therefrom. All structural trim maintained in conjunction with, attached to, or superimposed upon any sign shall be safely and securely built or attached to the sign structure.

C. *Signs in the coastal zone.* Notwithstanding any provision contained herein, all signs to be erected, constructed, placed, tacked, fastened, displayed, painted, posted, printed or otherwise in the Coastal Zone shall comply first and foremost with the provisions of the local coastal program (LCP) along with the spirit and intent of this chapter. In the case of any conflicts between the documents, the provisions of the LCP shall prevail. It is anticipated that signs and signing programs will be considered as a part of the coastal permit process.

17.46.160 Illumination of signs.

All illuminated signs in the city shall comply with the following standards:

A. The use of high intensity, unshielded or undiffused lights shall not be permitted.

B. Lights or illumination shall be shielded, oriented or diffused so as to eliminate undue glare onto adjacent properties and not conflict with safe traffic movement.

C. The community development director or designee shall retain the right to require reduction in the intensity of illumination after the installation of any illuminated sign if said illumination creates any undue glare or hazard.

D. To help eliminate the potential for glare associated with internally illuminated or back-lit signs, the background of such signs shall be opaque.

17.46.170 Sign regulations for commercial and industrial districts.

C-1, C-2, P-C, and M Districts.

Sign Table A: Allowed Signs in Commercial and Industrial Districts

Sign Regulations in Commercial and Industrial Districts (C-1, C-2, P-C, M)		
Sign area	1 ½ sq ft for every foot of PBF* (max. 200 sq ft) ½ sq ft for every foot of each SBF** (max. 25 sq ft per SBF)	
Number of signs	4 per business (max.)	
Monument sign height (in feet; max.)		7
	Shopping Center/Industrial Park Monument Identification Signs	

Site	Commercial: Less than 5 acres	Commercial: 5 to 25 acres	Commercial: More than 25 acres	Industrial: More than 4 buildings
Height (in feet; max.)	10	15	50	10
Sign area (sq ft; max.)	100	100	250	200
Number of signs (max.)	1 per principal street frontage (max. 2)	1 per principal street frontage (max. 2)	2	1 per principal entrance
*Primary business frontage **Secondary business frontage				

A. *Sign area.* One and one-half square feet are permitted for every foot of primary business frontage to a maximum of two hundred square feet per business. One-half square foot is permitted for every foot of secondary business frontage to a maximum of twenty-five square feet for each secondary business frontage.

B. *Number of signs.* No more than four signs may be permitted per business. Under canopy signs are not counted for the purposes of this section.

C. *Type of sign.* Any sign specified under Section 17.46.100 may be displayed in accordance with the provisions of this chapter. Monument signs not associated with a shopping center or industrial park shall be limited to a maximum height of seven feet.

D. *Service stations.* In addition to the signing permitted under Section 17.46.100, service stations may be permitted to display two additional signs each of which shall not exceed sixteen square feet. Such signs shall be permanently affixed to the ground or a structure.

E. *Master signing program approval required.*

1. Any and all commercial, office or industrial developments designed to contain more than four occupancies, businesses or buildings are required to obtain approval of a master signing program from the review authority. Said master signing program plans must be prepared, reviewed and approved by the review authority prior to the issuance of any occupancy permit in the development. Plans for the master signing program shall include specifications, descriptions and locations of all signs to be displayed on the site including but not limited to advertising, identification, directional and public service signs. Any decision of the review authority on a master signing program may be appealed to the appeal authority. Appeals shall be in writing and shall be filed with the community development director or designee within ten days of the decision.

2. Approved master signing programs may be modified from time to time by the review authority.

3. Individual tenant sign changes that comply with an approved master signing program shall be subject to review of the community development director or designee.

4. The following provisions apply to monument identification signs in shopping centers and industrial parks:

a. Shopping centers may be permitted to erect a monument identification sign which may also indicate the principal tenant and other services available on the site. Said sign shall be located adjacent to the principal street frontage and shall not exceed one hundred square feet in area. If the shopping center has more than one principal street frontage, two such signs may be permitted. Freestanding signs allowed for the identification of shopping centers or industrial or business parks of less than five acres shall not exceed a height of ten feet and for sites of less than twenty-five acres shall not exceed a height of fifteen feet.

b. Shopping centers containing more than twenty-five acres approved under a single development permit shall be permitted to erect two monument identification signs which may also indicate the principal tenants. Such signs shall not exceed two hundred fifty square feet in area nor fifty feet in height.

c. Industrial parks containing more than four buildings designed to be architecturally compatible, whether or not on the same parcel of land, shall be permitted to place monument signs along, at, or adjacent to principal entrances to the park. Such signs shall not exceed two hundred square feet or ten feet in height.

F. *Highway signs.* Commercially zoned properties having frontage on Highway 1 are declared to be sites of special significance and all signs and signing programs shall be approved by the planning commission. In considering a sign or signing program for a site of special significance, the following items shall be considered: the signing needs of the proposed use; the location of the site in relation to the freeway access; and the responsibility of the city to protect and preserve the natural beauty of Highway 1 while balancing the city's need for a healthy highway-oriented visitor-serving industry. Any decision of the planning commission concerning a site of special significance may be appealed to the city council, in writing, within ten days of the decision of the planning commission.

17.46.~~190~~180 Sign regulations for residential districts.

R-1, R-2, R-3, R-4 and S-T Districts.

Sign Table B: Allowed Signs in Residential Districts

Sign Regulations in Residential Districts (R-1, R-2, R-3, R-4, S-T) for sites with more than 4 dwelling units	
Sign area (max.)	30 sq ft
Number of signs (max.)	2
For sites with 4 or fewer dwelling units, only one nameplate not exceeding 3 sq ft is permitted. Home	

occupations are prohibited to identify or advertise businesses within residential zones per Section 17.42.110.

A. *Single-family dwellings, duplexes, triplexes, and fourplexes.* One nameplate not exceeding three square feet per dwelling.

B. *Multiple-family dwellings containing more than four dwelling units, public, quasi-public, halls, organizations, churches, clubs, lodges, and all similar uses.* Maximum of two signs, each containing a maximum of thirty square feet.

C. All signs not permitted by subsections A and B of this section are prohibited in residential districts.

17.46.190 Sign regulations for the O District.

All signs, other than exempt signs which are regulated in Section 17.46.080 , shall require approval by the review authority. Any decision of the review authority may be appealed to the appeal authority. Appeals shall be in writing and shall be filed with the community development director or designee within ten days of the decision. No sign shall be approved unless and until a finding is made that the proposed sign is consistent with the purpose, spirit and intent of this chapter.

17.46.200 Regulations for temporary signs.

A. *General provisions.* The following provisions apply to all temporary signs. Temporary signs do not require a sign permit:

1. No such sign shall be located upon any public street, alley, sidewalk, right-of-way, easement, or other governmental property.

2. All such signs shall be erected, altered and maintained in accordance with the UBC and the safety provisions set forth in Section 17.46.150.

3. All such signs must be stationary and unlighted.

4. Any freestanding sign shall be located at least five feet from any right-of-way line and may not encroach upon required parking or driveways.

5. The posting of any sign regulated by this section shall not in any way affect a property owner's right to erect signs permitted by other provisions of this chapter.

6. *Time limitations.* Signs regulated by this section may be posted not more than sixty days prior to an event to which they pertain. All such signs must be removed within five days after the event to which they pertain or within sixty-five days of their initial posting, whichever occurs first.

7. *Consent of owner or occupant.* No sign regulated by this section may be posted without the consent of the owner or legal occupant of the premises on which the sign is posted.

8. *Area of signs.* No sign regulated by this section shall exceed thirty-two square feet of sign area, except that in the R-1 district the total sign area shall not exceed eight square feet.

9. *Signs in the R-1 District.* The total area of all signs regulated by this section on any one property in the R-1, single-family residential district shall not exceed eight square feet. However, in this district, the number of such signs on any one property is not limited, provided the total area of all signs does not exceed eight square feet. All signs shall be freestanding, or attached to buildings, fences or windows of buildings.

10. *Signs in all districts other than the R-1 District.* In all zoning districts except the R-1 district, signs regulated by this section shall be freestanding or attached to buildings, fences or windows of buildings. Any freestanding sign shall be placed only upon those vacant portions of a property which are not covered by structures, landscaping, parking areas or driveways. The total area of all signs on any one property which includes at least four thousand square feet of such vacant area shall be limited to not more than one square foot of sign area for each one hundred twenty-five square feet of such vacant area. For properties which include less than four thousand square feet of vacant area, each such property shall still be allowed up to thirty-two square feet of total sign area with no limitation upon the number of signs composing the thirty-two square feet.

11. *Responsibility for removal.* It shall be the property owner's responsibility to remove all signs regulated by this section within the time limitations specified above, whether or not the owner has consented to the posting or construction of such signs.

B. *Greater sign area and time limitations allowable pursuant to use permit and design review board approval.*

1. A sign area greater than otherwise allowed by this section may be allowed subject to sign permit approval by the review authority. Sign permits for temporary signs regulated by this section shall be granted for a period of not more than six months.

17.46.210 Severability.

If any section, subsection, sentence, clause, phrase or portion of this chapter is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion is a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion hereof.

Continued from March 7, 2023

February 28, 2023 Item No. **11b**

Mayor and Members of the City Council

City Council Meeting of March 21, 2023

OPEN A PUBLIC HEARING, TAKE PUBLIC TESTIMONY, AND INTRODUCING ORDINANCE NO. 2023-, AMENDING SECTION 17.42.040 (ACCESSORY DWELLING UNITS) OF THE MARINA MUNICIPAL CODE. AT A NOTICED PUBLIC HEARING ON JANUARY 26, 2023, THE PLANNING COMMISSION ADOPTED RESOLUTION 2023-06 RECOMMENDING APPROVAL OF THE PROPOSED AMENDMENTS. THE PROPOSED AMENDMENTS ARE EXEMPT FROM CEQA PER SECTION 15303(a).

RECOMMENDATION:

It is requested that the City Council consider:

1. Introducing Ordinance No. 2023-, amending Section 17.42.040 (Accessory Dwelling Units) of the Marina Municipal Code (**"EXHIBIT A"**). This action is exempt from CEQA per Section 15303(a) of the CEQA Guidelines."

GENERAL SITE INFORMATION:

Table 1 Project Information

Location	Citywide (All zones where single-family or multifamily residential uses are allowed)
General Plan Designation	n/a
Zoning Districts	Multiple
Year Built	n/a
Owner	n/a
Applicant	n/a
Architect	n/a

BACKGROUND

In response to a severe statewide housing shortage, the California State Legislature has for the past several years adopted a suite of bills each legislative cycle designed to increase the supply of housing in California. Legislation addressing the development of accessory dwelling units (ADUs) has been adopted each cycle. In 2020, the City of Marina adopted an ordinance concerning ADUs. Periodic updates to the ordinance have been necessary to maintain compliance with state law.

Senate Bill (SB) 897 (Wieckowski) represents the most recent update to state ADU legislation. SB 897 was signed into law by Governor Newsom on September 28, 2022, and went into effect January 1, 2023. Amendments to the Marina Municipal Code are necessary to bring the code into compliance with SB 897.

On January 26, 2023, the Planning Commission, at a duly noticed public hearing, adopted PC Resolution 2023-06 **("EXHIBIT B")** recommending that the Council adopt the proposed amendments as presented.

PROJECT ANALYSIS

While SB 897 results in mostly minor changes to state law, some changes will be significant at the local level. Table 1 summarizes changes to state law.

Table 1: SB 897 Changes to State ADU Law

Topic	Old Requirement	New Requirement	Condition(s)
Height – Detached ADU	16 feet	18 feet	• ADU is within ½ mile walking distance of transit, OR • ADU is on a lot with existing multifamily, multistory dwelling
Height – Attached ADU	16 feet	25 feet[1]	--

Topic	Old Requirement	New Requirement
Parking Standards	Applied to ADU included in application to create new single-family or multifamily dwelling	Do not apply to ADU included in application to create new single-family or multifamily dwelling
Fire Sprinklers	Construction of ADU could trigger req. for fire sprinklers in primary dwelling	Construction of ADU can no longer trigger req. for fire sprinklers in primary dwelling

NOTE:

1. The allowed height is 25 feet or the height limitation that applies to the primary dwelling on the project site, whichever is lower. Because the allowed height for primary dwellings in all residential zoning districts in Marina is greater than 25 feet, the City must allow attached ADUs that are up to 25 feet in height.

Building Height

The height limit will increase for detached ADUs in many areas of the city and for attached ADUs citywide.

Detached ADUs

According to recent analysis by Monterey-Salinas Transit, approximately 2,100 parcels in Marina lie within ½ mile of a major transit stop, defined as a transit stop with two or more major bus routes with a frequency of service interval of 15 minutes or less during morning and afternoon peak commutes (see attached map). In addition, there are several multi-story multi-family developments located outside of major transit stop buffer areas. The height limit for detached ADUs in these areas is now **18 feet**.

Attached ADUs

The maximum height for attached ADUs is 25 feet or the height limitation in the zoning ordinance that applies to the primary dwelling, whichever is lower. Because the height limit for primary dwellings exceeds 25 feet in each of the zoning districts where dwelling units are permitted, the height limit for attached ADUs is now **25 feet** citywide.

Parking Standards

The City can no longer apply parking standards to any ADU included in an application to create a new single-family or multifamily dwelling on the same lot.

Fire Sprinklers
Construction of an ADU can no longer trigger a requirement for fire sprinklers in the primary dwelling if sprinklers were not already required.

Junior ADUs (JADUs)
SB 897 clarifies that attached garages are considered part of the proposed or existing single-family residence. Marina planning staff have already been permitting JADUs in attached garages, so this will not result in a change to current planning practice. Other changes include:

- A JADU not including a separate bathroom must have a separate entrance from the main entrance to the structure, with an interior entry to the main living area.
- Local agencies cannot deny an application for a permit to create a JADU due to the correction of nonconforming zoning conditions, building code violations, or unpermitted structures that do not present a threat to public health and safety.

Street Side Yard Setbacks
After the Planning Commission adopted Resolution 2023-06, planning staff discovered an additional inconsistency in the ordinance. The current ordinance regulates street side yard setbacks according to the standard for the zoning district in which the ADU is located. However, updates to state law have clarified that the 4-foot side yard setback applies to both interior and street facing side yards. Staff has incorporated this minor change into the draft ordinance to ensure compliance with state law.

Zoning Analysis
The proposed amendments achieve consistency with state law and the city's zoning ordinance. ADUs are permitted in any zoning district where single-family or multifamily dwellings are a permitted or conditionally permitted land use. JADUs are permitted in any zoning district where single-family dwellings are a permitted or conditionally permitted land use (MMC 17.42.040.A.2).

General Plan Compliance
The 2000 General Plan calls for housing that meets the needs of all economic groups, accommodates a broad range of lifestyles, conserves land, and is environmentally and socially responsible (GP 2.31, 2.31.1, 2.31.4, 2.31.6). The development of ADUs and JADUs furthers each of these goals.

ENVIRONMENTAL DETERMINATION
The proposed project is exempt from the California Environmental Quality Act (CEQA) under Section 15303(a) of the State CEQA Guidelines. Staff has determined that the exemption applies in this case because this Section exempts second dwellings in urbanized areas. There is no reasonable possibility that the project will have a significant effect on the environment due to unusual circumstances. No further environmental review is necessary.

FISCAL IMPACT
The proposed zoning code amendments are routine updates designed to bring Section 17.42.040 of the Marina Municipal Code into compliance with state law. There will be no fiscal impact.

CONCLUSION
The proposed amendments are compliant with recent updates to state law pertaining to ADUs. This request is submitted for City Council action.

Respectfully submitted,

_____
Alec Barton, AICP
Contract Planner, Community Development Department
City of Marina

REVIEWED/CONCUR:

_____
Guido Persicone, AICP
Community Development Director
City of Marina

_____
Layne Long
City Manager
City of Marina

EXHIBIT A

ORDINANCE NO. 2023-__

AN ORDINANCE AMENDING TITLE 17, ARTICLE 4, SECTION 17.46.040 OF THE MARINA MUNICIPAL CODE PERTAINING TO ACCESSORY DWELLING UNITS.

-oOo-

1. The Community Development Department (CDD) for the City of Marina (City), in response to Senate Bill (SB) 897, has recommended changes to several sections to bring the Marina Municipal Code (MMC) into compliance with state law.

2. Through this amendment, staff seeks to amend standards pertaining to building height for attached and detached accessory dwelling units (ADUs), parking standards, fire sprinklers, and junior accessory dwelling units (JADUs).

3. The City's adopted fee schedule allows the Building Department to collect permitting fees for ADUs and JADUs based on the construction valuation of the project. The City's adopted fee schedule does not currently allow CDD to collect impact fees or ADUs larger than 750 square feet. No additional fees may be assessed under state law. No change to the adopted fee schedule is proposed or required at this time.

4. An amendment to the City's Municipal Code is needed to provide clarity and transparency in this Section, and to bring this Section into compliance with state law. The proposed ordinance amendment is referenced herein as **Exhibit 1** and is provided in a ~~strike-though~~ and underline format.

5. The City Council of the City of Marina reviewed the proposed amendments and considered the recommendations of the Planning Commission and held a duly noticed public hearing on March 7, 2023.

6. The City of Marina Planning Commission, at a duly noticed public hearing on January 26, 2023, adopted Resolution 2023-06 recommending that the City Council adopt the proposed amendment.

7. Environmental. In accordance with the California Environmental Quality Act (CEQA), this ordinance is not subject to CEQA pursuant to the State CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, Section 15303(a), pertaining to new construction or conversion of small structures. Therefore, the adoption of this ordinance is exempt from CEQA and no further environmental review is necessary.

NOW, THE CITY COUNCIL OF THE CITY OF MARINA DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The foregoing recitals are adopted as findings of the City Council as though set forth fully herein.

SECTION 2. The City Council of the City of Marina determines the proposed ordinance amendment is not a project pursuant to CEQA Guidelines Section 15303(a).

SECTION 3. The City Council hereby adopts the ordinance amendment attached hereinto as **Exhibit 1** and incorporated by reference.

SECTION 4. Severability. If any portion of this Ordinance is found to be unconstitutional or invalid the City Council hereby declares that it would have enacted the remainder of this Ordinance regardless of the absence of any such invalid part.

SECTION 5. The City Manager is directed to execute all documents and to perform all other necessary acts to implement this Ordinance.

SECTION 6. Effective Date. This Ordinance shall be in full force and effect on thirty (30) days after its final passage and adoption.

The foregoing Ordinance was introduced on March 21, 2023, and passed and adopted by the City Council of the City of Marina at a regular meeting duly held on April 4, 2023 by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

_____

Bruce C. Delgado, Mayor

ATTEST:

_____

Anita Sharp, Deputy City Clerk

Exhibit 1

17.42.040 Accessory Dwelling Units

This section establishes standards for the location and construction of accessory dwelling units and junior accessory dwelling units (jointly referred to as "accessory units" in this section) in conformance with California Government Code Sections 65852.2 and 65852.22. These standards are intended to allow for accessory units as an important form of affordable housing and to comply with state law.

A. *Permits Required.*

1. Accessory units consistent with the requirements of this section are allowed by right with the issuance of a building permit.

2. *Time Limit to Act.* The city shall complete its review of an accessory unit application and approve or deny the application within sixty days of receipt of the application if there is an existing single-family or multifamily dwelling on the lot. If the permit application to create an accessory unit is submitted with a permit application to create a new single-family dwelling on the lot, the city shall delay acting on the permit application for the accessory unit until the city acts on the permit application to create the new single-family dwelling. If the applicant requests a delay, the sixty-day time limit shall be extended for the period of the requested delay. In either case the application to create the accessory unit shall be considered without discretionary review or hearing.

B. *Permitted Zoning Districts.*

1. Accessory dwelling units are permitted in any zoning district where single-family or multifamily dwellings are a permitted or conditionally permitted land use as identified in this title. Junior accessory dwelling units are permitted in any zoning district where single-family dwellings are a permitted or conditionally permitted land use as identified in this title.

C. *Site and Design Standards.*

1. *General.* Accessory units are subject to the same requirements that apply to primary dwellings on the same lot in the applicable zoning district except as specified in this section.

2. *Number of Accessory Units.* No more than one junior accessory dwelling unit and one accessory dwelling unit is permitted on a single lot with a single-family dwelling. Lots with existing multifamily dwellings shall have a number of internal or attached accessory dwelling units equal to twenty-five percent of the existing multifamily dwelling units. Fractions of units of one-half and above shall be rounded up. Accessory dwelling units may include portions of dwelling structures that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages; provided, that each unit complies with state building standards for dwellings. At least one accessory dwelling unit shall be permitted per lot within existing multifamily dwellings. Not more than two detached accessory dwelling units shall be permitted on lots with existing multifamily dwellings.

3. *Relationship to Primary Dwelling.*

a. An accessory dwelling unit may be within, attached to, or detached from the primary dwelling. Attachment to the primary dwelling shall be by sharing a common interior wall or

common roof. No passageway (as defined in California Government Code Section 65852.2) is required in conjunction with the construction of an accessory dwelling unit.

b. An accessory dwelling unit shall have its own kitchen, bathroom facilities, and entrance separate from the primary dwelling.

c. The city shall allow junior accessory dwelling units as defined in California Government Code Section 65852.22 to be constructed within the walls of the proposed or existing single-family residence with a separate entrance from the main entrance to the primary dwelling, an efficiency kitchen as defined herein, and shared or independent bathroom facilities.

4. *Height.*

a. A detached accessory dwelling unit is limited to sixteen feet in height. A detached accessory dwelling unit may be up to eighteen feet in height if it is (a) within one-half mile walking distance of a major transit stop or high quality transit corridor, or (b) on a lot that has an existing multifamily, multistory dwelling.

b. An attached accessory dwelling unit is limited to twenty-five feet in height or the height limitation that applies to the primary dwelling, whichever is lower.

~~An accessory unit is limited to sixteen feet in height; however, an accessory dwelling unit may be up to a maximum height limitation of twenty-four feet; provided, that it is constructed on a vacant lot in conjunction with a newly constructed primary single-family dwelling located on the same lot, and that the first story of the accessory dwelling unit structure includes parking for the unit and access to that parking is provided from the street with an unobstructed driveway or alleyway access of at least twelve feet in width.~~

5. *Maximum Unit Size.*

a. The maximum floor area for a studio or one-bedroom accessory dwelling unit shall be eight hundred fifty square feet, except accessory dwelling units which do not conform to subsections (A)(3)(d)(i) and (A)(3)(f)(iii) of this section which shall be limited to eight hundred square feet. The maximum floor area for an accessory dwelling unit of two bedrooms or more shall be one thousand square feet. In situations where an existing accessory structure is being converted to an accessory dwelling unit, an additional one hundred fifty square feet are allowed for expansion beyond the physical dimensions of the accessory dwelling unit, limited to providing ingress and egress only.

b. The maximum floor area of a junior accessory dwelling unit shall be five hundred square feet.

6. *Property Line Setbacks.*

a. No setback is required for an existing accessory structure or living area as defined herein that is converted to an accessory dwelling unit.

b. No setback is required for an accessory dwelling unit constructed in the same location and the same footprint as an existing accessory structure.

c. A minimum setback of four feet from the side and rear property lines is required for an accessory dwelling unit ~~twenty-four~~ twenty-five feet in height or less. If there is a recorded constraint, such as a no-build easement (e.g., public utility easement), then the recorded constraint prevails in determining the setback. Front ~~and street side~~ yard setbacks shall be the

same as the underlying zoning district. An accessory dwelling unit in excess of ~~twenty-four~~ twenty-five feet in height shall comply with setback requirements of the main structure of the applicable zoning district.

7. *Parking.*

a. Except as specified in this subsection, on-site parking for accessory dwelling units shall comply with all parking requirements in Chapter 17.44.

b. On-site parking is not required for junior accessory dwelling units.

c. In addition to on-site parking spaces required for the primary dwelling, one on-site parking space shall be provided for each accessory dwelling unit per unit or bedroom, whichever is less.

d. On-site parking spaces for accessory dwelling units may be covered or uncovered, may be tandem, and may be located within the front, side, or rear setback areas unless there is a specific site or regional condition related to fire or life safety that would make parking in setback areas unsafe.

e. No on-site parking is required for an accessory dwelling unit in the following cases:

i. The accessory dwelling unit is located within one-half mile walking distance of public transit.

ii. The accessory dwelling unit is located within a National Register Historic District or other historic district officially designated by the city council.

iii. The accessory dwelling unit is constructed within the primary residence or within an accessory structure.

iv. On-street parking permits are required but not offered to the occupant of the accessory dwelling unit.

v. A car-share vehicle pick-up/drop-off location is located within one block of the accessory dwelling unit.

vi. The accessory dwelling unit is part of an application to create a new single-family or multifamily dwelling on the same lot.

8. *Utility Connections.*

a. *General.* An accessory unit shall not be considered a new residential use for the purposes of calculating local agency connection fees or capacity charges for utilities, including water and sewer service, unless constructed in conjunction with a new single-family residence.

b. *Accessory Units in Existing Space.* For accessory units within an existing primary dwelling, garage, or other accessory structure, the city shall not require an applicant to install a new or separate utility connection directly between the accessory unit and utility or impose a related connection fee or capacity charge.

c. *Attached and Detached Accessory Dwelling Units.* Consistent with California Government Code Section 66013, a utility connection may be subject to a connection fee or capacity charge that shall be proportionate to the burden of the proposed accessory dwelling unit, based upon either its size or the number of its plumbing fixtures, upon the water or sewer system. This fee or

charge shall not exceed the reasonable cost of providing this service.

d. *Fire Sprinklers.* ~~The installation of fire sprinklers shall not be required in an accessory unit if sprinklers are not required for the primary residence~~ Accessory units shall not be required to provide fire sprinklers if they are not required for the primary residence. The construction of a dwelling unit shall not trigger a requirement for fire sprinklers to be installed in the existing primary dwelling.

9. *Septic Tank Disposal System.*

a. In areas where septic tank disposal systems are allowed due to lack of sanitary sewer lines, detached accessory dwelling units shall be served by separate and independent septic tank sewage disposal systems. All leach lines shall be designed and installed in accordance with current septic system requirements of the county of Monterey health department.

b. In other areas of the city, accessory dwelling units shall be connected to the sanitary sewer system through the existing lateral line serving the primary dwelling.

10. *Deed Restrictions.*

a. *Deed Restriction Required.* Before obtaining a building permit for an accessory unit, the property owner shall file with the county recorder a declaration of restrictions containing a reference to the deed under which the property was acquired by the current owner. The deed restriction shall state that:

i. The accessory unit may not be sold separately from the primary dwelling.

ii The accessory unit is restricted to the approved size as set forth in subsection (A)(3)(e) of this section.

iii. The accessory unit shall not be rented for a period of less than thirty-one days.

iv. *Binding on Future Owners.* The above declarations shall be binding upon any successor in ownership of the property. Lack of compliance shall be cause for code enforcement and/or revoking the city's approval of the accessory unit.

11. *Fees.*

a. Impact fees shall not be imposed on an accessory dwelling unit less than seven hundred fifty square feet in size.

b. Impact fees charged for an accessory dwelling unit of seven hundred fifty square feet or more shall be charged proportionately in relation to the square footage of the primary dwelling.

FINDINGS

Staff finds that this project:

General Plan Compliance

1) General Plan Policy 2.31
"It is the City of Marina's intent to promote construction of new housing that is environmentally and socially responsible."

   a. General Plan Policy 2.31.1
   "In order to promote the social and fiscal well-being of the community, new housing shall be phased and shall provide for the needs of all economic groups."

   b. General Plan Policy 2.31.4
   "New housing shall accommodate a broad range of lifestyles."

   c. General Plan Policy 2.31.6
   "New housing shall be constructed at densities and in patterns which conserve land, reduce reliance on the private automobile, and result in walkable, attractive neighborhoods."

   Evidence: The development of ADUs and JADUs is consistent with General Plan Policy 2.31 in that accessory units are more environmentally sustainable and more accessible to a broad range of income groups than a traditional single-family house.

Zoning Compliance

2) Lateral consistency with Title 17, Section 17.42.040

   Evidence: The amended ordinance is consistent with the state law and the City's adopted standards for accessory units.

California Environmental Quality Act (CEQA) Compliance

The proposed project is exempt from the California Environmental Quality Act (CEQA) under Section 15303(a) of the State CEQA Guidelines. Staff has determined that the exemption applies in this case because this Section exempts up to three single-family residences in urbanized areas.

RESOLUTION NO. 2023-06

A PLANNING COMMISSION RESOLUTION RECOMMENDING THAT THE CITY COUNCIL ADOPT CHANGES TO SECTION 17.42.040 (ACCESSORY DWELLING UNITS) OF THE MARINA MUNICIPAL CODE. THE PROPOSED AMENDMENTS ARE EXEMPT FROM CEQA PER SECTION 15303(a).

WHEREAS, the adoption of SB 897 by the California State Legislature resulted in changes to state ADU laws pertaining to building height, parking standards, and fire sprinklers; and

WHEREAS, changes to the Marina Municipal Code are necessary to bring Section 17.42.040 (Accessory Dwelling Units) into compliance with state law; and

WHEREAS, the proposed amendments are consistent with state law, the Marina Municipal Code, and the Marina General Plan; and

WHEREAS, the project is exempt from CEQA per Section 15303(a) pertaining to second dwellings in urbanized areas.

NOW THEREFORE BE IT RESOLVED that the Planning Commission does hereby recommend that the City Council adopt changes to Section 17.42.040 (Accessory dwelling units) of the Marina Municipal Code.

PASSED AND ADOPTED by the Planning Commission of the City of Marina at a regular meeting duly held on the 26th day of January 2023, by the following vote:

AYES, COMMISSIONERS: WOODSON, ST. JOHN, AMADEO, HUR, JACOBSEN
NOES, COMMISSIONERS: NONE
ABSENT, COMMISSIONERS: RANA, WALTON
ABSTAIN, COMMISSIONERS: NONE

Nancy Amadeo (Feb 16, 2023 11:24 PST)

Nancy Amadeo, Chair

ATTEST:

Guido Persicone

Guido Persicone, AICP
Community Development Director
City of Marina

EXHIBIT A

FINDINGS
Staff finds that this project:

General Plan Compliance

1) General Plan Policy 2.31
"It is the City of Marina's intent to promote construction of new housing that is environmentally and socially responsible."

   a. General Plan Policy 2.31.1
   "In order to promote the social and fiscal well-being of the community, new housing shall be phased and shall provide for the needs of all economic groups."

   b. General Plan Policy 2.31.4
   "New housing shall accommodate a broad range of lifestyles."

   c. General Plan Policy 2.31.6
   "New housing shall be constructed at densities and in patterns which conserve land, reduce reliance on the private automobile, and result in walkable, attractive neighborhoods."

   Evidence: The development of ADUs and JADUs is consistent with General Plan Policy 2.31 in that accessory units are more environmentally sustainable and more accessible to a broad range of income groups than a traditional single-family house.

Zoning Compliance

2) Lateral consistency with Title 17, Section 17.42.040

   Evidence: The amended ordinance is consistent with the state law and the City's adopted standards for accessory units.

EXHIBIT B

17.42.040 Accessory dwelling units.

This section establishes standards for the location and construction of accessory dwelling units and junior accessory dwelling units (jointly referred to as "accessory units" in this section) in conformance with California Government Code Sections 65852.2 and 65852.22. These standards are intended to allow for accessory units as an important form of affordable housing and to comply with state law.

A. *Accessory Dwelling Units.*

1. *Permits Required.*

a. Accessory units consistent with the requirements of this section are allowed by right with the issuance of a building permit.

b. *Time Limit to Act.* The city shall complete its review of an accessory unit application and approve or deny the application within sixty days of receipt of the application if there is an existing single-family or multifamily dwelling on the lot. If the permit application to create an accessory unit is submitted with a permit application to create a new single-family dwelling on the lot, the city shall delay acting on the permit application for the accessory unit until the city acts on the permit application to create the new single-family dwelling. If the applicant requests a delay, the sixty-day time limit shall be extended for the period of the requested delay. In either case the application to create the accessory unit shall be considered without discretionary review or hearing.

2. *Permitted Zoning Districts.*

a. Accessory dwelling units are permitted in any zoning district where single-family or multifamily dwellings are a permitted or conditionally permitted land use as identified in this title. Junior accessory dwelling units are permitted in any zoning district where single-family dwellings are a permitted or conditionally permitted land use as identified in this title.

3. *Site and Design Standards.*

a. *General.* Accessory units are subject to the same requirements that apply to primary dwellings on the same lot in the applicable zoning district except as specified in this section.

b. *Number of Accessory Units.* No more than one junior accessory dwelling unit and one accessory dwelling unit is permitted on a single lot with a single-family dwelling. Lots with existing multifamily dwellings shall have a number of internal or attached accessory dwelling units equal to twenty-five percent of the existing multifamily dwelling units. Fractions of units of one-half and above shall be rounded up. Accessory dwelling units may include portions of dwelling structures that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages; provided, that each unit complies with state building standards for dwellings. At least one accessory dwelling unit shall

be permitted per lot within existing multifamily dwellings. Not more than two detached accessory dwelling units shall be permitted on lots with existing multifamily dwellings.

c. *Relationship to Primary Dwelling.*

i. An accessory dwelling unit may be within, attached to, or detached from the primary dwelling. Attachment to the primary dwelling shall be by sharing a common interior wall or common roof. No passageway (as defined in California Government Code Section 65852.2) is required in conjunction with the construction of an accessory dwelling unit.

ii. An accessory dwelling unit shall have its own kitchen, bathroom facilities, and entrance separate from the primary dwelling.

iii. The city shall allow junior accessory dwelling units as defined in California Government Code Section 65852.22 to be constructed within the walls of the proposed or existing single-family residence with a separate entrance from the main entrance to the primary dwelling, an efficiency kitchen as defined herein, and shared or independent bathroom facilities.

d. *Height.*

i. A detached accessory dwelling unit is limited to sixteen feet in height. A detached accessory dwelling unit may be up to eighteen feet in height if it is (a) within one-half mile walking distance of a major transit stop or high quality transit corridor, or (b) on a lot that has an existing multifamily, multistory dwelling.

ii. An attached accessory dwelling unit is limited to twenty-five feet in height or the height limitation that applies to the primary dwelling, whichever is lower.

~~An accessory unit is limited to sixteen feet in height; however, an accessory dwelling unit may be up to a maximum height limitation of twenty-four feet; provided, that it is constructed on a vacant lot in conjunction with a newly constructed primary single-family dwelling located on the same lot, and that the first story of the accessory dwelling unit structure includes parking for the unit and access to that parking is provided from the street with an unobstructed driveway or alleyway access of at least twelve feet in width.~~

e. *Maximum Unit Size.*

i. The maximum floor area for a studio or one-bedroom accessory dwelling unit shall be eight hundred fifty square feet, except accessory dwelling units which do not conform to subsections (A)(3)(d)(i) and (A)(3)(f)(iii) of this section which shall be limited to eight hundred square feet. The maximum floor area for an accessory dwelling unit of two bedrooms or more shall be one thousand square feet. In situations where an existing accessory structure is being converted to an accessory dwelling unit, an additional one hundred fifty square feet are allowed for expansion beyond the physical dimensions of the accessory dwelling unit, limited to providing ingress and egress only.

ii. The maximum floor area of a junior accessory dwelling unit shall be five hundred square feet.

f. *Property Line Setbacks.*

i. No setback is required for an existing accessory structure or living area as defined herein that is converted to an accessory dwelling unit.

ii. No setback is required for an accessory dwelling unit constructed in the same location and the same footprint as an existing accessory structure.

iii. A minimum setback of four feet from the side and rear property lines is required for an accessory dwelling unit ~~twenty-four~~twenty-five feet in height or less. If there is a recorded constraint, such as a no-build easement (e.g., public utility easement), then the recorded constraint prevails in determining the setback. Front and street side yard setbacks shall be the same as the underlying zoning district. An accessory dwelling unit in excess of ~~twenty-four~~twenty-five feet in height shall comply with setback requirements of the main structure of the applicable zoning district.

g. *Parking.*

i. Except as specified in this subsection, on-site parking for accessory dwelling units shall comply with all parking requirements in Chapter 17.44.

ii. On-site parking is not required for junior accessory dwelling units.

iii. In addition to on-site parking spaces required for the primary dwelling, one on-site parking space shall be provided for each accessory dwelling unit per unit or bedroom, whichever is less.

iv. On-site parking spaces for accessory dwelling units may be covered or uncovered, may be tandem, and may be located within the front, side, or rear setback areas unless there is a specific site or regional condition related to fire or life safety that would make parking in setback areas unsafe.

v. No on-site parking is required for an accessory dwelling unit in the following cases:

a. The accessory dwelling unit is located within one-half mile walking distance of public transit.

b. The accessory dwelling unit is located within a National Register Historic District or other historic district officially designated by the city council.

c. The accessory dwelling unit is constructed within the primary residence or within an accessory structure.

d. On-street parking permits are required but not offered to the occupant of the accessory dwelling unit.

e. A car-share vehicle pick-up/drop-off location is located within one block of the accessory dwelling unit.

f. The accessory dwelling unit is part of an application to create a new single-family or multifamily dwelling on the same lot.

h. *Utility Connections.*

i. *General.* An accessory unit shall not be considered a new residential use for the purposes of calculating local agency connection fees or capacity charges for utilities, including water and sewer service, unless constructed in conjunction with a new single-family residence.

ii. *Accessory Units in Existing Space.* For accessory units within an existing primary dwelling, garage, or other accessory structure, the city shall not require an applicant to install a new or separate utility connection directly between the accessory unit and utility or impose a related connection fee or capacity charge.

iii. *Attached and Detached Accessory Dwelling Units.* Consistent with California Government Code Section 66013, a utility connection may be subject to a connection fee or capacity charge that shall be proportionate to the burden of the proposed accessory dwelling unit, based upon either its size or the number of its plumbing fixtures, upon the water or sewer system. This fee or charge shall not exceed the reasonable cost of providing this service.

iv. *Fire Sprinklers.* The installation of fire sprinklers shall not be required in an accessory unit if sprinklers ~~are~~ were not already required for the primary residence.

i. *Septic Tank Disposal System.*

i. In areas where septic tank disposal systems are allowed due to lack of sanitary sewer lines, detached accessory dwelling units shall be served by separate and independent septic tank sewage disposal systems. All leach lines shall be designed and installed in accordance with current septic system requirements of the county of Monterey health department.

ii. In other areas of the city, accessory dwelling units shall be connected to the sanitary sewer system through the existing lateral line serving the primary dwelling.

j. *Deed Restrictions.*

i. *Deed Restriction Required.* Before obtaining a building permit for an accessory unit, the property owner shall file with the county recorder a declaration of restrictions containing a reference to the deed under which the property was acquired by the current owner. The deed restriction shall state that:

a. The accessory unit may not be sold separately from the primary dwelling.

b. The accessory unit is restricted to the approved size as set forth in subsection (A)(3)(e) of this section.

c. The accessory unit shall not be rented for a period of less than thirty-one days.

ii. *Binding on Future Owners.* The above declarations shall be binding upon any successor in ownership of the property. Lack of compliance shall be cause for code enforcement and/or revoking the city's approval of the accessory unit.

k. *Fees.*

i. Impact fees shall not be imposed on an accessory dwelling unit less than seven hundred fifty square feet in size.

ii. Impact fees charged for an accessory dwelling unit of seven hundred fifty square feet or more shall be charged proportionately in relation to the square footage of the primary dwelling.

ADU_Ord_Update_PC_RESO 2023-06

Final Audit Report 2023-02-28

Created:	2023-02-28
By:	Alec Barton (abarton@cityofmarina.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAARFoTE9yB9AfE2AwEE9ifWeaEU9-UBBrV

"ADU_Ord_Update_PC_RESO 2023-06" History

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Document emailed to nancyamadeo@gmail.com for signature
2023-02-28 - 7:15:41 PM GMT

Email viewed by nancyamadeo@gmail.com
2023-02-28 - 7:23:38 PM GMT

Signer nancyamadeo@gmail.com entered name at signing as Nancy Amadeo
2023-02-28 - 7:24:31 PM GMT

Document e-signed by Nancy Amadeo (nancyamadeo@gmail.com)
Signature Date: 2023-02-28 - 7:24:33 PM GMT - Time Source: server

Document emailed to Guido Persicone (gpersicone@cityofmarina.org) for signature
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2023-02-28 - 7:27:38 PM GMT

Document e-signed by Guido Persicone (gpersicone@cityofmarina.org)
Signature Date: 2023-02-28 - 7:27:44 PM GMT - Time Source: server

Agreement completed.
2023-02-28 - 7:27:44 PM GMT

Continued from March 7, 2023

March 2, 2023 Item No. **13a**

Honorable Mayor and Members of the Marina City Council

City Council Meeting of March 21,2023

CITY COUNCIL TO CONSIDER AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO NEGOTIATE A MEMORANDUM OF UNDERSTANDING WITH THE MARINA EQUESTRIAN ASSOCIATION (MEA) FOR EQUESTRIAN BOARDING AT A DESIGNATED CITY-OWNED PROPERTY; AND DIRECTING THE CITY MANAGER TO RETURN TO CITY COUNCIL WITH A RESOLUTION TO CONSIDER ADOPTION OF A MUTUALLY AGREEABLE MOU BETWEEN THE CITY AND MEA.

REQUEST:

It is requested that the City Council:

1. Consider adopting Resolution No. 2023-, authorizing the City Manager, or his designee, to negotiate a Memorandum of Understanding (MOU) with the Marina Equestrian Association (MEA) for the provision of equestrian boarding and related uses, and
2. Directing the City Manager to return to Council with a resolution to consider adoption of a mutually agreeable MOU between the City and MEA.

BACKGROUND:

As a companion effort to finalizing the new concessionaire agreement with Chapparal Country Corporation to provide public facilities and programs at the Marina Equestrian Center (MEC) Park, staff has been assessing the possibility of constructing boarding stables adjacent to the MEC on city-owned land so that the Marina Equestrian Association (MEA) can continue to provide equestrian boarding-related services. The adjacent property consists of approximately 3 acres of land bordering the Las Animas Concrete plant (at the former Fort Ord Stockade) that can be readied for equestrian uses **("EXHIBIT A").**

(For background information, see Item 11C from the regularly scheduled City Council meeting of October 18, 2022.)

ANALYSIS:

Staff has engaged a consultant, Baker Tilly (formerly Management Partners), to assist with implementing short- and longer-term plans to construct equestrian boarding facilities and associated infrastructure through a leasing arrangement with MEA. The first substantive step in this process is to negotiate an MOU with MEA to provide the structure for determining mutually beneficial terms and conditions for constructing and maintaining equestrian use facilities on the designated parcel. The MOU will establish roles and responsibilities for each party.

Approval of staff's recommendations will allow staff to engage with MEA to negotiate terms of the MOU and return to Council with a resolution to recommend signature execution of the agreement, at which time lease discussions can commence.

FISCAL IMPACT:
The fiscal impact related to the recommended City Council action is limited to the professional services effort of Baker Tilly which can be paid for out of CIP QLP 2018 which has sufficient funding. The Baker Tilly effort is currently limited to less than $25,000. Once an MOU is approved, staff will enter into lease negotiations with MEA and provide Council with a fiscal impact estimate based on current assumptions.

CONCLUSION:
This request is submitted for City Council consideration and possible action.

Respectfully submitted,

Brian McMinn, P.E., P.L.S.
Public Works Director/City Engineer
City of Marina

REVIEWED/CONCUR:

Layne P. Long
City Manager
City of Marina

RESOLUTION NO. 2023-

CITY COUNCIL TO CONSIDER AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO NEGOTIATE A MEMORANDUM OF UNDERSTANDING WITH THE MARINA EQUESTRIAN ASSOCIATION (MEA) FOR EQUESTRIAN BOARDING AT A DESIGNATED CITY-OWNED PROPERTY; AND DIRECTING THE CITY MANAGER TO RETURN TO CITY COUNCIL WITH A RESOLUTION TO CONSIDER ADOPTION OF A MUTUALLY AGREEABLE MOU BETWEEN THE CITY AND MEA.

WHEREAS, as a companion effort to finalizing the new concessionaire agreement with Chapparal Country Corporation to provide public facilities and programs at the Marina Equestrian Center (MEC) Park, staff has been assessing the possibility of constructing boarding stables adjacent to the MEC on city-owned land so that the Marina Equestrian Association (MEA) can continue to provide equestrian boarding-related services, and;

WHEREAS, staff has engaged a consultant, Baker Tilly (formerly Management Partners), to assist with implementing short- and longer-term plans to construct equestrian boarding facilities and associated infrastructure through a leasing arrangement with MEA, and;

WHEREAS, the first substantive step in this process is to negotiate an MOU with MEA to provide the structure for determining mutually beneficial terms and conditions for constructing and maintaining equestrian use facilities on the designated parcel, and;

WHEREAS, approval of staff's recommendations will allow staff to engage with MEA to negotiate terms of the MOU and return to Council with a resolution to recommend signature execution of the agreement, at which time lease discussions can commence.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Marina does hereby:

1. Authorize the City Manager, or his designee, to negotiate a Memorandum of Understanding (MOU) with the Marina Equestrian Association (MEA) for the provision of equestrian boarding and related uses, and

2. Direct the City Manager to return to Council with a resolution to consider adoption of a mutually agreeable MOU between the City and MEA.

PASSED AND ADOPTED, at a regular meeting of the City Council of the City of Marina, duly held on the 21st day of March 2023, by the following vote:

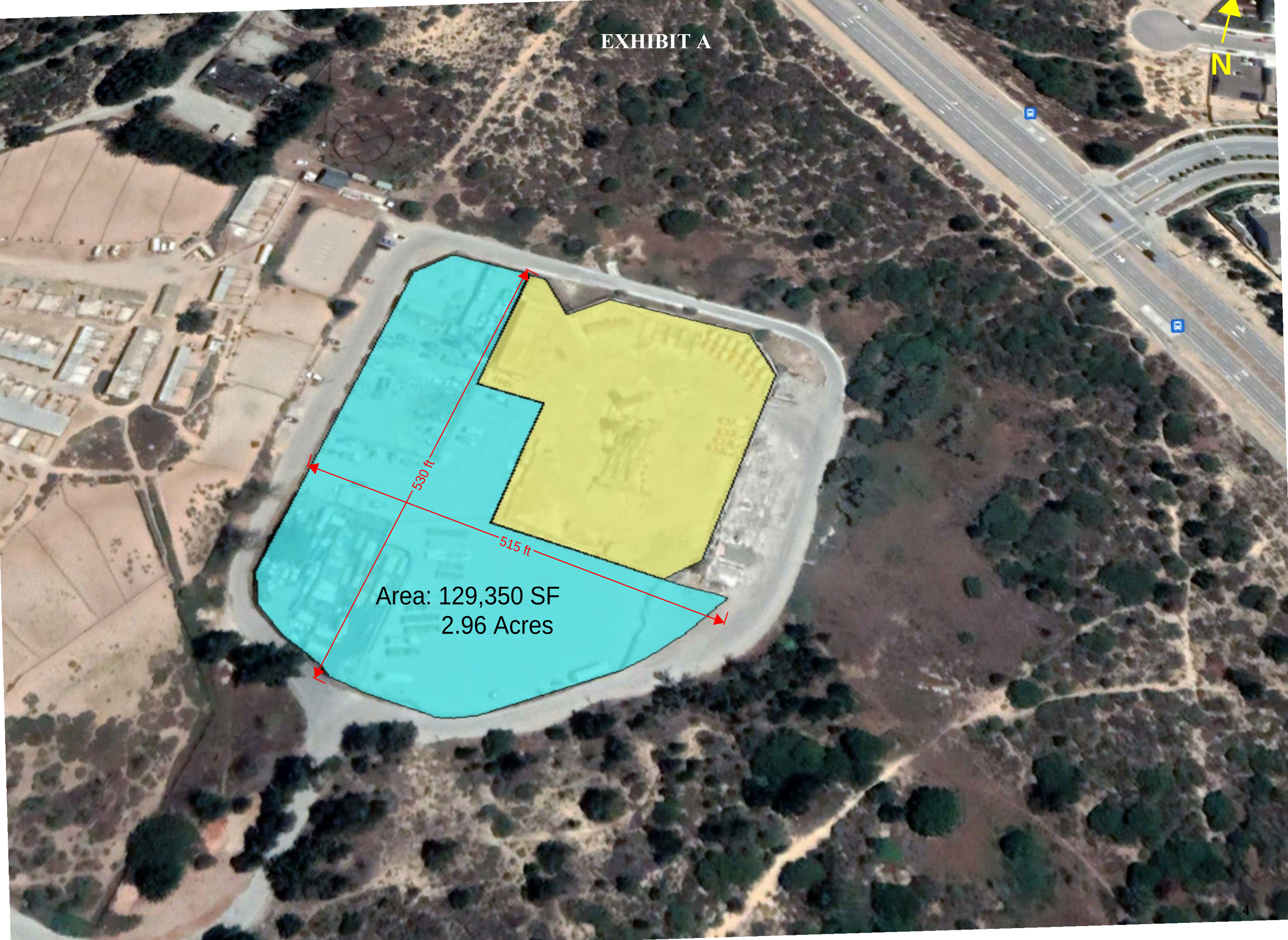
AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

_____
Bruce C. Delgado, Mayor

ATTEST:

_____
Anita Sharp, Deputy City Clerk

EXHIBIT A



March 8, 2023 Item No. **13b**

Honorable Mayor and Members of the Marina City Council

City Council Meeting of March 21, 2023

CITY COUNCIL CONSIDER ADOPTING RESOLUTION NO. 2023-, APPROVING THE PHASE 1B-PROMENADE PUBLIC IMPROVEMENT AGREEMENT BETWEEN CITY OF MARINA AND SHEA HOMES, LP, AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE PUBLIC IMPROVEMENT AGREEMENT ON BEHALF OF CITY SUBJECT TO FINAL REVIEW AND APPROVAL BY THE CITY ATTORNEY

RECOMMENDATION:

It is requested that the City Council:

1. Consider adopting Resolution No. 2023-, approving the Phase 1B-Promenade Public Improvement Agreement between City of Marina and Shea Homes, LP, ("Developer") ("**EXHIBIT A**"), and;

2. Authorizing the City Manager to execute the Public Improvement Agreement on behalf of City subject to final review and approval by the City Attorney.

BACKGROUND:

At the regularly scheduled meeting of May 31, 2005, the City Council adopted Resolution No. 2005-127, certifying the Final Environmental Impact Report for the University Village Development Project.

At the regularly scheduled meeting of May 31, 2005, the City Council adopted Resolution No. 2005-128, approving the General Plan Amendments, Resolution No. 2005-130, for the Specific Plan, Resolution No. 2005-131, for the Tentative Map and Resolution No. 2005-132, Design Review for the regional retail, the Village Promenade and all residential phases for the former University Village Development Project.

At the regularly scheduled meeting of December 17, 2019, the City Council adopted Resolution No. 2019-140, approving an Operating Agreement as an administrative amendment of the Development Agreement clarifying and modifying certain project approvals for Specific Plan for The Dunes on Monterey Bay including to the Conforming Clarifications to the Schedule of Performance.

At the regularly scheduled meeting of May 3, 2022, the City Council adopted Resolution No. 2022-52, approving an amendment to University Village Phase 1B-Promenade Tentative Map.

ANALYSIS:

Shea Homes Limited Partnership ("Developer") has submitted a Public Improvement Agreement and will provide labor and materials and faithful performance bonds required for the recordation of the Final Map and construction of approved public infrastructure. The Map is on this Agenda as a separate item for consideration of approval.

Not all of the Phase 1B-Promenade public improvements have been approved such as street-lights, landscaping, and traffic signals. These improvements will require their own separate Public Improvement Agreement to be presented to Council for approval at a later date.

All required future phased final maps must meet all the appropriate conditions of approval and will be presented to City Council for consideration at a future date.

FISCAL IMPACT:

Should the City Council approve this request, the City requires the Developer to provide satisfactory evidence of their ability to complete the public improvements by the posting of labor and material and faithful performance subdivision improvement bonds in an amount of 100% of the City Engineer's estimate of the cost to perform the work.

For the construction of improvements for Phase 1B-Promenade, the Developer will post a bond in the amount of Two Million Seven Hundred Forty Eight Thousand Two Hundred ninety Seven Dollars ($2,748,297.00), for completion of the public improvements and a bond in the amount of Two Million Seven Hundred Forty Eight Thousand Two Hundred ninety Seven Dollars ($2,748,297.00), to secure payment for labor and materials prior to the recording of the Final Map for Phase 1B-Promenade.

Continued maintenance of public streets, sidewalks, streetlights and stormwater facilities shall be incorporated into the existing Dunes Community Facilities District (CFD) and funded by the special tax assessment collected by the special District. Administration of the District shall be in accordance with City Ordinance 3.32.

CONCLUSION:

This request is submitted for City Council consideration and possible action.

Respectfully submitted,

_____

Edrie Delos Santos, P.E.
Senior Engineer
Public Works Department
City of Marina

REVIEWED/CONCUR:

_____

Brian McMinn, P.E., P.L.S.
Public Works Director/City Engineer
City of Marina

_____

Layne P. Long
City Manager
City of Marina

RESOLUTION NO. 2023-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA APPROVING THE PHASE 1B-PROMENADE PUBLIC IMPROVEMENT AGREEMENT BETWEEN CITY OF MARINA AND SHEA HOMES, LP, AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE PUBLIC IMPROVEMENT AGREEMENT ON BEHALF OF CITY SUBJECT TO FINAL REVIEW AND APPROVAL BY THE CITY ATTORNEY

WHEREAS, at the regularly scheduled meeting of May 31, 2005, the City Council adopted Resolution No. 2005-127, certifying the Final Environmental Impact Report for the University Village Development Project, and;

WHEREAS, at the regularly scheduled meeting of May 31, 2005, the City Council adopted Resolution No. 2005-128, approving the General Plan Amendments, Resolution No. 2005-130, for the Specific Plan, Resolution No. 2005-131, for the Tentative Map and Resolution No. 2005-132, Design Review for the regional retail, the Village Promenade and all residential phases for the former University Village Development Project, and;

WHEREAS, at the regularly scheduled meeting of December 17, 2019, the City Council adopted Resolution No. 2019-140, approving an Operating Agreement as an administrative amendment of the Development Agreement clarifying and modifying certain project approvals for Specific Plan for The Dunes on Monterey Bay including to the Conforming Clarifications to the Schedule of Performance, and;

WHEREAS, at the regularly scheduled meeting of May 3, 2022, the City Council adopted Resolution No. 2022-52, approving an amendment to University Village Phase 1B-Promenade Tentative Map, and;

WHEREAS, Shea Homes Limited Partnership ("Developer") has submitted a Public Improvement Agreement and will provide labor and materials and faithful performance bonds required for the recordation of the Final Map and construction of approved public infrastructure. The Map is on this Agenda as a separate item for consideration of approval, and;

WHEREAS, not all of the Phase 1B-Promenade public improvements have been approved such as street-lights, landscaping, and traffic signals. These improvements will require their own separate Public Improvement Agreement to be presented to Council for approval at a later date, and;

WHEREAS, all required future phased final maps must meet all the appropriate conditions of approval and will be presented to City Council for consideration at a future date, and;

WHEREAS, should the City Council approve this request, the City requires the Developer to provide satisfactory evidence of their ability to complete the public improvements by the posting of labor and material and faithful performance subdivision improvement bonds in an amount of 100% of the City Engineer's estimate of the cost to perform the work, and;

WHEREAS, for the construction of improvements for Phase 1B-Promenade, the Developer will post a bond in the amount of Two Million Seven Hundred Forty Eight Thousand Two Hundred ninety Seven Dollars ($2,748,297.00), for completion of the public improvements and a bond in the amount of Two Million Seven Hundred Forty Eight Thousand Two Hundred ninety Seven Dollars ($2,748,297.00), to secure payment for labor and materials prior to the recording of the Final Map for Phase 1B-Promenade, and;

WHEREAS, continued maintenance of public streets, sidewalks, streetlights and stormwater facilities shall be incorporated into the existing Dunes Community Facilities District (CFD) and funded by the special tax assessment collected by the special District. Administration of the District shall be in accordance with City Ordinance 3.32.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Marina does hereby:

1. Approve the Phase 1B-Promenade Public Improvement Agreement between City of Marina and Shea Homes, LP, ("Developer") ("**EXHIBIT A**"), and;

2. Authorize the City Manager to execute the Public Improvement Agreement on behalf of City subject to final review and approval by the City Attorney.

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting held on the 21st day of March 2023, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

_____
Bruce Delgado, Mayor

ATTEST:

_____
Anita Sharp, City Clerk

Exhibit A

PUBLIC IMPROVEMENT AGREEMENT

CITY OF MARINA

PUBLIC IMPROVEMENT AGREEMENT

AGREEMENT FOR IMPROVEMENT OF STREETS, INSTALLATION OF STORM DRAINS AND OTHER PUBLIC WORKS FACILITIES
"The Dunes on Monterey Bay" Project
– Phase 1B the Promenade –

This Agreement for Improvement of Streets, Installation of Storm Drains and Other Public Works Facilities ("Agreement") is made and entered into this ___ day of _____, 2022, by and between the City of Marina, herein called the "City," a municipal corporation, and Marina Community Partners, LLC, a Delaware limited liability company , a real property owner, developer or subdivider, herein called the "Developer."

WHEREAS, pursuant to the Development Agreement dated July 8, 2005, the Disposition and Development Agreement dated May 31, 2005, as amended by the Implementation Agreements, and the Quitclaim Deed dated September 21, 2006, Marina Community Partners, LLC, as the "Master Developer" is the owner of the land known as The Dunes Phase 1B; and

WHEREAS, on May 31, 2005, by Resolution 2005-130 the Master Developer received approval from the City for: (1) the University Village (now "The Dunes on Monterey Bay") Specific Plan (Resolution 2005-130); and (2) a Tentative Subdivision Map ("Tentative Map") consistent with the City's General Plan and the Specific Plan (Resolution 2005-131) subject to Conditions of Approval attached to Resolution 2005-131 including: Condition 3 requiring a subdivision improvement agreement and bonding; and Condition 18 requiring establishment of a Landscape and Lighting District ("LLD") prior to approval of the first Final Map; and

WHEREAS, the Master Developer conducted deconstruction and demolition activities affecting the Property (as defined below) under the terms of a Right of Entry Agreement from the City dated September 30, 2005; and

WHEREAS, the Marina Redevelopment Agency and the Master Developer entered into the Implementation Agreement Regarding University Village on September 6, 2006, which provided for construction of the project in three major phases, Phases 1, 2 and 3 and which further split Phase 1 into three separate sub phases termed Phase 1A, Phase 1B and Phase 1C, and established Conforming Clarification(s) to the Schedule of Performance for each sub phase; and

WHEREAS, on October 2, 2007, in Resolution 2007-229 the City approved a Final Map that included Phase 1B and a Subdivision Improvement Agreement. However, due to subsequent changes in economic conditions the Phase 1B Final Map was never recorded and a Subdivision Improvement Agreement for Phase 1B was never executed. The October 2, 2007, approval of the Phase 1B Final Map and the authority to enter into the Subdivision

Improvement Agreement, were rescinded by the adoption of Resolution 2015-16 approving a Public Improvement Agreement for Phase 1A First Phase/Residential; and

WHEREAS, following the Master Developer's invocation of an excused delay in the construction of Phase 1, Phase 2 and Phase 3 due to the impact of economic conditions on the feasibility of the project, on August 5, 2008, the Marina Redevelopment Agency and the Master Developer entered into the Second Implementation Agreement Regarding University Village to provide for the Master Developer's continued construction of the project in spite of the economic downturn and made certain changes to the Disposition and Development Agreement and to the Conforming Clarifications to the Schedule of Performance; and

WHEREAS, on August 12, 2008, in accordance with Resolution 2008-173 the City and the Master Developer entered into a Public Improvement Agreement to provide for the improvement of streets, installation of storm drains and other public works facilities for a portion of Phase 1C and 2 designated as residential in the Specific Plan (the "Initial Phase/Residential"); and

WHEREAS, on October 21, 2008, by Resolution 2008-209 the City approved an amendment to the Tentative Map affecting Phase 1B, adopting two additional Conditions of Approval to the Tentative Map and thereby changing the numbering of Condition 18 to Condition 20; and

WHEREAS, on May 18, 2010, by Resolution 2010-13(MRA) the Marina Redevelopment Agency and the City, by Resolution 2010-75, approved a modification to the Schedule of Performance; and

WHEREAS, The Master Developer remains obligated under the Disposition and Development Agreement and Development Agreement for the balance of the Project not yet conveyed to third parties; and

WHEREAS, the Conditions of Approval of the Tentative Map, as adopted by Resolution 2005-131 and as amended by Resolution 2008-209 require the establishment of a Landscape and Lighting District prior to recording of a final map; and

WHEREAS, on June 2, 2015, by Resolution 2015-01 the City approved the formation of Community Facilities District No. 2015-01 (The Dunes); and

WHEREAS, by Resolution 2015-11 the Master Developer received approval from the City for an amendment to Conditions of Approval Nos.3 and 20 (Resolution 2008-209) for the Tentative Map which provided for the establishment of a Community Facilities District in lieu of a Landscape and Lighting District and permitted the Developer to record a final map for Phase 1C First Phase/Residential prior to the establishment of the Community Facilities District but that the City shall not accept any of the infrastructure improvements or easements for Phase 1C First Phase/Residential to be maintained by the

Community Facilities District, including infrastructure improvements to be completed by the Developer, until such time as the Community Facilities District is established; and

WHEREAS, on December 9, 2021, the City approved the Site and Architectural Design Review Application (SADRA) for the Promenade, a portion Phase 1B of the Dunes on Monterey Bay Specific Plan (the Project), Exhibit A; and

WHEREAS, on May 3, 2022, by Resolution 2022-52, the City approved a Tentative Subdivision Map amendment for Phase 1B of the Dunes On Monterey Bay (Exhibit B); and

WHEREAS, the Developer will subsequently submit for approval by the City and subsequent recording with the office of the Monterey County Recorder, a final map ("Final Map") for Phase 1B; and

WHEREAS, revised improvement plans entitled "The Dunes on Monterey Bay, Phase 1B" herein the "Improvement Plans," signed by the City Engineer on _____, 2022, and incorporated herein by reference, have been submitted to the City for approval and acceptance, including certain streets constituting a portion of Phase 1B of The Dunes on Monterey Bay Project, referred to herein as Phase 1B the Promenade development area, or the "Project," located on and along 2nd Avenue, from Jetty Street to a portion of 8th Street, and the southerly end of General Stilwell Drive, herein the "Property". Improvements are to include new storm drain system, curb, gutter, asphalt concrete pavement, streetlights and electrical facilities, sidewalk, striping, traffic signs, and survey monuments, as shown on Exhibit C, herein the "Improvements;" and

WHEREAS, the City will not accept any of the Phase 1B public improvements to be constructed pursuant to this Agreement until all the conditions of this Agreement are satisfied in full; and

WHEREAS, the Developer requires certain utilities and public works facilities in order to service the Project under the minimum standards established by the City; and

WHEREAS, the City, by and through its City Council, has enacted certain Codes, Ordinances and Resolutions and certain Rules and Regulations have been promulgated concerning the subject matter of this Agreement; and

WHEREAS, the City has certain responsibilities for maintenance and operation of such Improvements, utilities and public service facilities after acceptance by City, and for providing the necessary connecting system, and the City has agreed to discharge those responsibilities following its acceptance of the Improvements.

NOW THEREFORE, in consideration of the foregoing and in order to carry on the intent and purpose of said Codes, Ordinances, Resolutions, Rules and Regulations, it is agreed by and between the parties as follows:

SECTION 1

The recitals to this Agreement are hereby incorporated into the terms of this Agreement. All applicable Codes, Ordinances, Resolutions, Rules and Regulations and established policies of the City and the laws of the State of California and the United States of America concerning the subject matter of this Agreement are hereby referred to and incorporated herein to the same effect as if they were set out a length herein. Said Codes, Ordinances, Resolutions, Rules and Regulations include, but are not limited to, the following: The Municipal Code of the City of Marina, including the current Zoning Ordinance, and the currently adopted California Building Code.

SECTION 2

The Developer agrees:

a. To perform each and every provision required by the City to be performed by the Developer in each and every one of the applicable Codes, Ordinances, Resolutions, Rules and other Regulations and to comply with the foregoing and all applicable laws.

b. To annex the Property to Community Facilities District No.2015-01 to provide for the imposition of special assessments on the Property providing funding for the maintenance of the Improvements to be constructed by the Developer pursuant to this Agreement in a timely manner in order to ensure that the annexation to the Community Facilities District is accomplished prior to the sale or conveyance of any portion of the Property.

c. To grant to the City or other entities entitled thereto, from property owned by the Developer, without charge and free and clear of monetary liens and encumbrances, any and all public, private, utility, drainage, construction or access easements and rights of way (herein "easements") in and to the Property necessary for the City, in order that the storm drain and street improvements to said real property may be extended; however, City shall not be obligated to accept any such easement, right-of-way or improvements thereon prior to the annexation of the Property to the Community Facilities District. At no cost to the Developer, City and Developer will work cooperatively with the owners of other real property to acquire all easements necessary to construct the Improvements. At no cost to the City, City agrees to support Developer in acquisition of easements necessary to construct the Improvements and to accept said easements upon execution of easement grant deeds to the City by grantors, subject to the condition set forth above regarding the annexation to the Community Facilities District. City also agrees to issue Developer and/or Developer's contractors encroachment permits necessary to accomplish said work.

Prior to acceptance of the Improvements by the City, to indemnify, defend with counsel of City's choice and hold the City and any of its officials, boards and commissions and members thereof, agents and employees, free and harmless from all suits, fees, claims, demands, causes of action, costs, losses, damages, liabilities and expenses (including

without limitation attorney's fees) because of or arising or resulting directly or indirectly from (i) any damage done to any utility, public facility or other material or installation of the City on said real estate as a result of the Developer or any contractor or subcontractor of the Developer, or any employee of the foregoing, grading or working upon said real estate; or (ii) any act or omission of Developer or Developer's contractors, or subcontractors, or any employee of the foregoing in connection with the design, construction or other work performed by them in connection with this Agreement, including without limitation all claims relating to injury or death of any person or damage to any property, except for such claims, demands, causes of action liability, or loss arising out of the sole active negligence of the City or any of its officials, boards and commissions and members thereof, agents and employees. City shall not be responsible for the design or construction of the Improvements pursuant to the Improvement Plans, regardless of any negligent action or inaction taken by City in approving the Improvement Plans unless the particular improvement design was specifically required by City over written objection by Developer submitted to the City Engineer before construction and acceptance of the Improvements, which objection indicated that the particular improvement design was dangerous or defective and suggested an alternate safe and feasible design. Prior to acceptance, Developer shall remain obligated for routine maintenance. After acceptance, Developer shall remain obligated to eliminate any defect in design or dangerous condition caused by the design of construction defect, however, Developer shall not be responsible for routine maintenance. Provisions of this Section shall remain in full force and effect for ten years following acceptance by City of the Improvements. The Improvement security shall not be required to cover the provisions of this Section. Developer shall reimburse City 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 City in enforcing the provisions of this Section

d. To construct and improve all public works facilities and other improvements described on the Engineer's Estimate referenced in Section 3 of this agreement and the Improvement Plans submitted to the City in furtherance of this Agreement on file with the City. All construction and improvements shall be completed in accordance with all standards established in the applicable Codes, Ordinances, Resolutions, Rules and Regulations, all applicable laws and this Agreement, and in accordance with the grades, plans, and specifications approved by the City Engineer or his or her designee. Developer shall furnish two good and sufficient bonds, in an amount of 100% of the City Engineer's, or his or her designee's, estimated cost of the City's public Improvements, guaranteeing Developer's performance of this Agreement: (1) a Payment Bond on a form provided by the City; and (2) a Faithful Performance Bond, both of which must be secured from a surety company admitted to do business in California. Each bond shall set forth a time period for performance by the contractor of its obligations and the terms and conditions on which the City may obtain the proceeds of the bond. Alternatively, the Developer may provide a cash deposit in an amount of 100% of the City Engineer's, or his or her designee's, estimated cost of the City's public Improvements to guarantee Developer's performance of this Agreement.

The Faithful Performance Bond shall be in an amount not less than one hundred percent (100%) of the total estimated amount payable for the City's public Improvements described in this agreement, and shall secure payment to City of any loss due to the default of the Developer or its contractors or their inability or refusal to perform this contract, and to guarantee or warranty the work done pursuant to this Agreement for a period of one year following acceptance thereof by City against any defective work or labor done or defective materials furnished. The performance bond shall by its terms remain in full force and effect for a period of not less than one year after completion of the Improvements by Developer and acceptance of the Improvements by the City, provided that Developer may substitute for the performance bond securing the warranty described above with a separate warranty bond issued by an admitted surety in the amount of ten percent (10%) of the total contract price of the Improvements (provided that amount of said bond shall not be less than One Thousand Dollars ($1,000) to cover the one-year warranty period. Government Code §66499.7, and as it may hereafter be amended, extended, or otherwise modified, shall apply to a request by Developer for release, in whole or in part, of the Faithful Performance Bond.

The Payment Bond shall be in an amount not less than one hundred percent (100%) of the total estimated amount payable for the City's public Improvements described in this Agreement. The Payment Bond shall secure the payment of those persons or entities to whom the Developer may become legally indebted for labor, materials, tools, equipment or services of any kind used or employed by the contractor or subcontractor in performing the work, or taxes or amounts to be withheld thereon. The Payment Bond shall provide that the surety will pay the following amounts should the Developer, or its contractor or subcontractors fail to pay the same, plus reasonable attorneys' fees to be fixed by the court if suit is brought upon the bond: (1) amounts due to any of the persons named in California Civil Code Sections 8520, 8530 and 9100; (2) amounts due under the Unemployment Insurance Code with respect to work or labor performed for the improvements described in this agreement; and (3) any amounts required to be deducted, withheld, and paid over to the Employment Development Department from the wages of employees of the Developer, its contractors and subcontractors pursuant to Section 13020 of the Unemployment Insurance Code with respect to the work and labor. The Payment Bond shall, by its terms, inure to the benefit of any of the persons named in Civil Code Sections 8520, 8530 and 9100 so as to give a right of action to those persons or their assigns in any suit brought upon the bond

The Developer shall submit the following for both the surety that furnishes the Payment Bond and the surety that furnishes the Faithful Performance Bond: (1) a current printout from California Department of Insurances website (www.insurance.ca.gov) showing that the surety is admitted to do business in the State; or (2) a certificate from the Clerk of the County of Monterey that the surety's certificate of authority has not been surrendered, revoked, canceled, annulled, or suspended or in the event that it has, than renewed authority has been granted.

e. At all times during the term of this Agreement and until the City's public Improvements constructed by Developer are accepted by City, Developer shall, at no cost to City obtain and maintain (a) a policy of general liability and property damage insurance in the

minimum amount of Two Million Dollars ($2,000,000), combined single limit for both bodily injury and property damage; (b) workers' compensation insurance as required by law; and (c) broad form "Builder's Risk" property damage insurance limits of not less than 100% of the estimated value of the City's public Improvements to be constructed by Developer pursuant to this Agreement (Builders Risk Insurance is not required when only mass grading and roadway-related improvements consisting of no structures are to be constructed).

All such policies shall provide that thirty (30) days written notice must be given in advance to City prior to termination, cancellation or modification. The insurance specified in (a) above shall name City as additional insured and the insurance (b) shall name the City as a loss payee, and (c) shall provide that City, although an additional insured or loss payee, may recover for any loss suffered by reason of the acts or omissions of Developer or Developer's contractors or their respective employees. Developer hereby waives, and Developer shall cause each of its contractors and subcontractors to waive, all rights to recover against City for any loss or damage arising from a cause covered by the insurance required to be carried pursuant to this Agreement, and will cause each insurer to waive all rights of subrogation against City in connection therewith. All policies shall be written on an occurrence basis and not on a claims made basis and shall be issued by insurance companies acceptable to City. Prior to commencing any work pursuant this Agreement, Developer shall deliver to City the insurance company's certificate evidencing the required coverage, or if required by City a copy of the policies obtained.

f. Not to offer for dedication to and acceptance by the City any of the public improvements constructed by Developer and located on the Property until such time as the Property is annexed to the Community Facilities District.

g. Not to convey, transfer, assign, or sell in one transaction or a series of transactions, subsequent to recordation of the Final Map for Phase 1B – the Promenade and prior to the annexation to the Community Facilities District, any portion or interest of the Developer in the Property or the Project. Notwithstanding the foregoing, Developer may transfer, assign or sell in one transaction or a series of transactions all or any portion or interest of the Developer in the Property or the Project with consent of the City, such consent not to be unreasonably delayed, conditioned or withheld, to any entity which controls, is controlled by or is under common control with the Developer or the Master Developer, provided that said assignee assumes, in full, the obligations of Developer under this Agreement.

SECTION 3

An estimate of the cost for construction of the City's public Improvements and performing land development work in connection with the public Improvements according to the Improvement Plans has been made and has been approved by the City Engineer or his or her designee. That estimated amount is Two Million Seven Hundred and Forty-

Eight Thousand Two Hundred Ninety Seven Dollars ($2,748,297). The basis for the estimate is on file in the Office of the City Engineer and is incorporated into this Agreement by reference.

SECTION 4

Developer will commence substantial construction of the Improvements required by this Agreement within the time period set forth in the Conforming Clarifications to the Schedule of Performance ("Schedule of Performance") between City and Master Developer, as the Schedule of Performance may be subsequently amended. All the provisions of this Agreement and all work to be done pursuant to the terms of this Agreement are to be completed within the time periods set forth in such Schedule of Performance. Developer shall maintain such public works facilities and other improvements described in this Agreement at Developer's sole cost and expense at all times prior to acceptance by City in a manner which will preclude any hazard to life or health or damage to property. City shall accept the Improvements no later than six (6) months after such time as the Improvements are (i) completed to the satisfaction of the City Engineer, (ii) the annexation to the CFD is completed and (iii) the City is in receipt of funds from the CFD to maintain the Improvements.

SECTION 5

a) Default of Developer shall include, but not be limited to: (1) failure to timely commence construction of the Improvements; (2) failure to timely complete construction of the Improvements; (3) failure to timely commence and complete the annexation of the Property to the Community Facilities District; (4) failure to timely cure any defect of the Improvements; (5) failure to perform substantial construction work for a period of sixty calendar days after commencement of the work; (6) Developer's insolvency, appointment of a receiver, or the filing of any petition in bankruptcy either voluntary or involuntary which Developer fails to discharge within thirty days; (7) commencement of a foreclosure action against the project or a portion thereof, or any conveyance in lieu or in avoidance of foreclosure; or (8) failure to perform any other obligation under this Agreement. Notwithstanding the foregoing, Developer shall not be in default under this Agreement if it cures any default within thirty days' notice of such default, or if the default may not reasonably be curing within such time period, if it commences to cure within thirty days and thereafter diligently proceeds to complete the cure.

b) City reserves to itself all remedies available to it at law or in equity for breach of Developer's obligations under this Agreement. City shall have the right, subject to this Section, to draw upon or utilize the appropriate security to mitigate City's damages in the event of default by the Developer. The right of City to draw upon or utilize the security is additional to and not in lieu of any other remedy available to City. It is specifically recognized that the estimated costs and security amounts may not reflect the

actual cost of construction or installation of the Improvements and, therefore, City's damages for Developer's default shall not exceed the cost of completing the Improvements. The sums provided by the security for the Improvements may be used by City for the completion of the Improvements in accordance with the Improvement Plans referenced herein.

c) In the event of Developer's default under this Agreement, Developer authorizes City to perform such obligation sixty days after mailing written notice of default to Developer and to Developer's surety, and agrees to pay the entire cost of such performance by City. City may take over the work and prosecute the same to completion by contract or by any other method City may deem advisable, for the account and at the expense of Developer, and Developer's surety shall be liable to the City for any excess cost or damages occasioned City thereby, including but not limited to fees and charges or architects, engineers, attorneys, other professionals and court costs. In such event, City without liability for doing so, may take possession of, and utilize in completing the work, such materials, appliances, plants and other property belonging to Developer as may be on the site of the work and necessary for performance of the work.

d) Failure of City to take an enforcement action with respect to a default, or to declare a breach, shall not be construed as a waiver of that default or breach or any subsequent default or breach of Developer.

SECTION 6

That the following General Stipulations and any attached stipulations shall be completed, subject to the approval of the City Engineer.

1. Locate and properly dispose of any wells, septic tanks and underground fuel storage facilities.

2. Schedule the construction of improvements along existing public roads so that the work affecting vehicular traffic is complete with a minimum interruption of traffic

3. All work within the public right-of-way shall be subject to the approval of the City Engineer or his or her designee.

4. All construction work shall be coordinated so that the existing residents and/or businesses have access to their properties.

5. All improvements shall be installed per the approved Improvement Plans.

6. The Developer shall provide to the City of Marina electronic copy of the "As Built" Improvement Plans as an AutoCAD drawing file (DWG format, AutoCAD 2002 minimum or latest version).

7. Any reimbursements due the Developer, unless specified otherwise in writing in this agreement, will expire ten (10) years after the date of execution of this agreement.

8. Until the roads on the Property are open to the public, Developer shall give good and adequate warning to the public of each and every dangerous condition on the existing public roads, and will take all reasonable actions to protect the public from such dangerous condition.

SECTION 7

Developer shall, at Developer's expense, obtain all necessary permits and licenses for the construction and installation of the Improvements, give all necessary notices and pay all fees and taxes required by law. Developer shall make a deposit for inspection services as required by City of Marina's Municipal Code (Ordinance No. 2018-03) as may be updated from time to time. At any time the City's costs associated with inspection services for the project exceed the deposit amount(s) provided, Developer shall deposit additional funds with the City within 30 days of a request made in writing by the City to the Developer. The City will provide Developer with quarterly statements of actual costs paid for inspection services and a final statement of costs as well as a refund of unused funds (if any) will be provided within 30 days of final acceptance of the public Improvements by the City, or as otherwise agreed to by the parties in writing.

SECTION 8

Neither Developer nor any of Developer's agents, contractors or subcontractors are or shall be considered to be agents of City in connection with the performance of Developer's obligations under this Agreement.

SECTION 9

Nothing contained in this Agreement shall preclude City from expending monies pursuant to agreements concurrently or previously executed between the parties, or from entering into agreements with other developers for the apportionment of costs of water and sewer mains, or other improvements, pursuant to the provisions of the City ordinance providing therefor, nor shall anything in this Agreement commit the City to any such apportionment.

SECTION 10

Developer shall not be entitled to assign its obligations under this Agreement to any transferee of all or any part of the property within the Project or to any other third party without the express written consent of City.

SECTION 11

Acceptance of the work, or any portion of the work on behalf of the City shall be made by the City Council upon recommendation of the City Engineer after final completion and inspection of all Improvements and only after the annexation of the Property to the Community Facilities District. Such acceptance shall not constitute a waiver of defects by City.

SECTION 12

The provisions of this Agreement are severable. If any portion of this Agreement is held invalid by a court of competent jurisdiction, the remainder of the Agreement shall remain in full force and effect unless amended or modified by the mutual consent of the parties.

SECTION 13

In the event that suit or arbitration is brought to enforce the terms of this Agreement, the prevailing party shall be entitled to litigation costs and reasonable attorney's fees.

SECTION 14

This Agreement shall be interpreted in accordance with the laws of the State of California. Jurisdiction of all disputes of this Agreement shall be in the County of Monterey, State of California.

SECTION 15

Time is of the essence of this Agreement.

SECTION 16

This Agreement, the Conditions, the Disposition and Development Agreement as amended by the Implementation Agreements, the Agreement for Improvement of Streets,

Installation of Storm Drains and Other Public Works Facilities "The Dunes on Monterey Bay' Project A Portion of Phase 1C – First Phase Residential, the Agreement Forming Community Facilities District No. 2015-01, and the Agreement for Improvement of Streets, Installation of Storm Drains and Other Public Works Facilities "The Dunes on Monterey Bay, Phase 1B the Promenade" constitute the entire agreement of the parties with respect to the subject matter. All modifications, amendments or waivers of the terms of this Agreement must be in writing and signed by an authorized representative of the parties.

SECTION 17

In the event the Schedule of Performance (including any Conforming Clarifications thereto) is tolled, the time for commencement of construction or completion of the Improvements hereunder shall be extended for the same duration as applies to the Schedule of Performance. Any such extension may be granted without notice to Developer's surety and shall not affect the validity of this Agreement or release the surety on any security given for this Agreement.

.

IN WITNESS WHEREOF, City and Developer have executed this Agreement as of the date first written above.

ATTEST:

_____

Acting Deputy City Clerk

CITY OF MARINA

_____

Layne Long
City Manager

APPROVED AS TO FORM:

_____

City Attorney

IN WITNESS WHEREOF Developer has executed this agreement as of _____.

MARINA COMMUNITY PARTNERS, LLC, a Delaware limited liability company.

BY: SHEA HOMES LIMITED PARTNERSHIP, a California Limited Partnership

It's: Sole Partner

By: _____

It's: _____

By: _____

It's: _____

NOTE: If Developer is a corporation, the complete legal name and corporate seal of the corporation and the corporate titles of the persons signing for the corporation shall appear above.

State of California County of _____ On _____ before me, (here insert name and title of the officer), 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 _____ (Seal)

Per GC Sec. 40814; CC Sec. 1181

EXHIBIT A

EXHIBIT B

RESOLUTION NO. 2022-52

THE CITY COUNCIL OF THE CITY OF MARINA HEREBY APPROVES THE TENTATIVE MAP AMENDMENT TO THE DUNES ON MONTEREY BAY (FORMERLY UNIVERSITY VILLAGES) PHASE 1B-PROMENADE TENTATIVE MAP (EIR SCH NO. 2004091167).

WHEREAS, at the regular meeting of May 31, 2005, City Council adopted Resolution No. 2005-127, certifying the Environmental Impact Report for the University Village Development Project, Resolution No. 2005-130, approving the University Village Specific Plan, Resolution No. 2005-131, approving the University Village Tentative Map and Resolution No. 2005-132, approving Sign Program for Regional Retail, Village promenade, Site Plans, Landscaping Plans, Lighting Plans and Building Elevations for Residential Units; and,

WHEREAS, at the regular meeting of October 2, 2007, the City Council adopted Resolution No. 2007-229, approving Phase 1C Final Map for The Dunes Development Project Subdivision (formerly University Village) and approving Subdivision Improvement Agreement between City of Marina and Marina Community Partners, LLC, (MCP); and,

WHEREAS, at the regular meeting of the Planning Commission on October 9, 2008, the Planning Commission reviewed and recommended that City Council open a public hearing and certify and Addendum to the Environmental Impact Report (EIR SCH No. 2004091167) originally approved by Council on May 31, 2005, approve an amended tentative map (Resolution No. 2008-27), and approve a revised site plan for the Dunes Phase 1B, subject to conditions; and,

WHEREAS, at the regular meeting of October 21, 2008, the City Council adopted Resolution No. 2008-209, certifying an addendum to the Environmental Impact Report EIR SCH No. 2004091167, approving an amended tentative map and conditions of approval, revised site plan for the Dunes Phase 1B and revised Project and Tenant Sign Criteria, subject to conditions; and,

WHEREAS, at the regular meeting of December 17, 2019, the City Council adopted Resolution No. 2019-140 approving an Operating Agreement for the Dunes on Monterey Bay, including but not limited to, the Specific Plan, Development Agreement, the Schedule of Performance, and the 2019 project pro formas; and,

WHEREAS, as part of the approved Schedule of Performance, MCP is responsible for the construction of approximately 27,285 sq. ft of commercial pads, which the parcels are included in this amended Tentative Map; and,

WHEREAS, Marina Community Partners (MCP) proposes amendments to the previously approved Tentative Map for Phase 1B area of the Dunes on Monterey Bay (formerly University Villages). The request changes from the approved amended 2008 Tentative Map are as follows:

1. Remainder Parcel – Individual Lot Lines and Right of Way for the Linear Park Street have been incorporated into the overall site plan.
2. Remainder Parcel – Parcels have been added to create individual lot for residential buildings.
3. Property Lines – The property lines shown in the amended Tentative Map have been refined to adjust to the current design site plan for the commercial, retail, live-work and residential units.

4. Parcels – Parcels have been adjusted and added for private streets, open space area to assist with the amended Commercial Association, which will be annexed into the existing CAM.
5. Grading – The project grading concept has not substantially changed. The current grading has been refined to fit the current layout of the new site plan.
6. Street Sections – Street sections have been adjusted to reflect existing road conditions built on the site. All sections are consistent with the Specific Plan.
7. Right of Way entry to the town square from the south is realigned and narrowed to promote a more friendly pedestrian access between all the retail centers for the project.

WHEREAS, the City of Marina Planning Division determined the project is consistent with the Environmental Impact Report (SCH No.2004091167) certified for the University Villages Specific Plan and no new environmental impacts will occur and the City Council will take action on the final CEQA determination; and,

WHEREAS, at a public hearing, upon hearing and considering all testimony and arguments, if any, of all interested persons desiring to be heard, said Planning Commission did affirm the findings regarding the referenced case, and further, did recommend that the City Council approve the Amended Tentative Map, subject to conditions; and,

WHEREAS, at a public hearing, upon hearing and considering all testimony and arguments, if any, of all interested persons desiring to be heard, the City Council did affirm the findings regarding the referenced case, and further, did find the following facts to justify approval of the Amended Tentative Map, subject to conditions, as follows:

1. The proposed amended map proposes no changes to the adopted Specific Plan for the project and is consistent with the City of Marina General Plan and University Villages Specific Plan in that this proposal consolidates land uses so as to avoid urban sprawl by making efficient use of lands designated for residential uses.
2. The design or improvement of the proposed subdivision is consistent with the City of Marina General Plan and University Villages Specific Plan in that the proposed amended tentative map will implement the Specific Plan which allows for the creation of a unique fully integrated community of diverse housing types, infrastructure and recreational facilities.
3. The site remains physically suitable for development in that the proposed grading plan will allow for the general retention of the natural topography of the site, with limited need for retaining walls.
4. The site remains physically suitable for the proposed density of development in that the proposal is consistent with the General Plan commercial floor area ratio (FAR) and residential densities.
5. The design of the subdivision or the proposed amended improvements are not likely to cause substantial environmental damage nor substantially injure fish or wildlife or their habitat in that a biology report was prepared as part of the Environmental Impact Report in accordance with the California Environmental Quality Act and appropriate mitigations will be imposed.

6. The design of the amended subdivision or type of improvements are not likely to cause serious public health problems in that an Environmental Impact Report was prepared in accordance with the California Environmental Quality Report and findings were made that public health problems will be a less than significant impact with the implementation of appropriate mitigation measures.
7. The proposed amended tentative map does not contemplate or propose substantial changes in the prior project modifications, which will or would require major revisions of EIR No. 2004091167, due to the involvement of new significant environmental effects or a substantial increase in the severity of significant effects previously identified in the EIR above. Rather, the proposed modification concerns a change in, and construction related to, the approved uses within a specific area of The Dunes on Monterey Bay, which specific area is approved for retails, commercial and residential mixed use.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Marina that does hereby:

1. Find the Project exempt from the California Environmental Act (CEQA) pursuant to State CEQA Guidelines Section 15183; and,
2. Approving the Phase 1B Tentative Map Amendment, subject to finds and conditions of approval.

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting duly held on the 3rd day of May 2022, by the following vote:

AYES, COUNCIL MEMBERS: Medina Dirksen, Burnett, Berkley, Biala, Delgado
NOES, COUNCIL MEMBERS: None
ABSENT, COUNCIL MEMBERS: None
ABSTAIN, COUNCIL MEMBERS: None

_____
Bruce C. Delgado, Mayor

ATTEST:

_____
Anita Sharp, Deputy City Clerk

AMENDED TENTATIVE MAP

FOR CONDOMINIUM PURPOSES

UNIVERSITY VILLAGES - PHASE 1B

MARINA, CALIFORNIA

PROJECT DESCRIPTION

UNIVERSITY VILLAGES SPECIFIC PLAN IS A 337.8 ACRE RESIDENTIAL AND MIXED-USE PROJECT. THE PROMENADE IS A 16.4 ACRE PORTION OF THE UNIVERSITY VILLAGES PROJECT AND INCLUDES RESIDENTIAL USE, COMMERCIAL USE, STREETS, PARKS, ROADWAYS, AND VILLAGE SQUARE.

SHEET INDEX

1 TM01 TITLE SHEET
2 TM02 EXISTING CONDITIONS & DEMOLITION PLAN
3 TM03 EXISTING CONDITIONS & DEMOLITION PLAN
4 TM04 BOUNDARY MAP EXHIBIT
5 TM05 LOTS & PARCELS
6 TM06 PROPOSED PUBLIC RIGHT OF WAY & EASEMENTS
7 TM07 STREET SECTIONS (PROPOSED PUBLIC RIGHT OF WAY)
8 TM08 GRADING AND DRAINAGE PLAN
9 TM09 GRADING AND DRAINAGE PLAN
10 TM10 GRADING SECTIONS
11 TM11 UTILITY PLAN
12 TM12 UTILITY PLAN

LOT SUMMARY

USE	LOTS	ACREAGE
RESIDENTIAL	LOTS 3-8, 9, 12, 14-16, 21-26, 33-38	4.84
COMMERCIAL	LOTS 2, 8, 11-13, 18, 20	3.34
PUBLIC STREETS*	LOTS 7, 28, 30, 32	3.19
PRIVATE STREET/DRIVE AISLE	LOTS 1, 27, 29, 31, 39	2.18
OPEN SPACE	LOTS 10	0.49
TOTAL		13.84

*TO BE DEDICATED TO THE CITY OF MARINA FOR PUBLIC STREET PURPOSES

RESIDENTIAL CONDOMINIUM UNIT SUMMARY

TYPE	LOTS	UNITS
LOFTS/MIX	LOTS 3, 15, 14, 21	135
FLATS	LOTS 5-8, 16, 18, 33-38	83
TOWNHOMES	LOTS 23, 24, 25	18
TOTAL		236

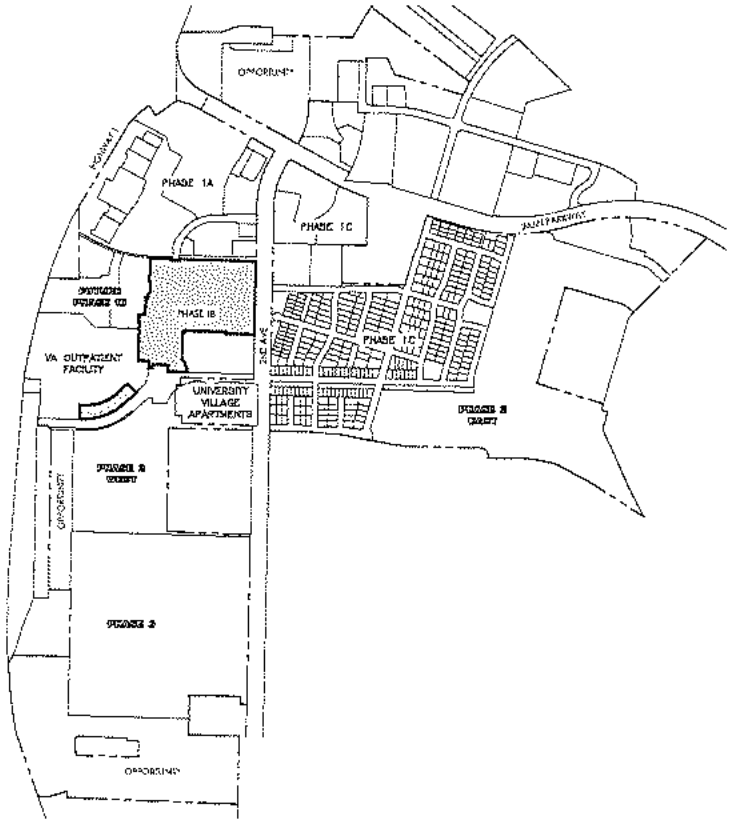
NOTE: LOT 17 NOT USED

LEGEND

PROPOSED		EXISTING
STORM DRAIN	STORM DRAIN	
SEWER LINE	SEWER LINE	
WATER LINE	WATER LINE	
RECYCLED WATER	RECYCLED WATER	
	STORM DRAIN INLET	
	STORM DRAIN MANHOLE	
	SEWER MANHOLE	
	FIRE HYDRANT	
	WATER SERVICE	
	FIRE SERVICE	
	SEWER SERVICE	
	PROPERTY BOUNDARY	
	EASEMENT	
	ACCESS EASEMENT	
	CURB AND GUTTER TO BE REMOVED WITH NEW CURB/GUTTER	
	PAVEMENT TO BE REMOVED (TYP)	
	BUILDING OVERHANG	
	HARDSCAPE	
	TRASH ENCLOSURE	
	STREET LIGHT	
12.34	GRADE ELEVATION	
5.0%	SLOPE	
	SWALE	

ABBREVIATIONS

ADA	ACCESSIBLE UNIT
AVAIL	AVAILABLE
CONST	CONSTRUCT
EVAE	EMERGENCY VEHICLE ACCESS EASEMENT
FF	FACE OF CURB
FFE	FINISHED FLOOR
FUT	FUTURE
LA	LANDSCAPE
MWD	MARINA COAST WATER DISTRICT
PUE	PUBLIC UTILITY EASEMENT
RW	RECYCLED WATER
SD	STORM DRAIN
SSE	SANITARY SEWER EASEMENT
SS	SANITARY SEWER
SW	SIDEWALK
TOC	TOP OF CURB
TOE	TOE OF ROLLED CURB
TOF	TOP OF FLUSH CURB
W	WATER



SITE PLAN
SCALE: 1"=400'



VICINITY MAP
NTS

GENERAL NOTES

1. OWNER/DEVELOPER/SUBDIVIDER:	MARINA COMMUNITY PARTNERS, LLC
2. CIVIL ENGINEER:	WOOD RODGERS, INC 4670 WILLOW RD, SUITE 125 PLEASANTON, CA 94588
3. GEOTECHNICAL ENGINEER:	BERLOGAR STEVENS & ASSOCIATES 3387 TRIMBLE BLVD PLEASANTON, CA 94588
4. UTILITY CONSULTANT:	DAKELAND DESIGN SERVICES, INC. 1020 GRAM COURT ANTIOCH, CA 94509
5. LANDSCAPE ARCHITECT:	ED GOLLAGHER/HMC 100 AVENIDA MIRAMAR SAN CLEMENTE, CA 92672
6. ASSESSOR'S PARCEL NUMBERS:	031-202-028 THROUGH 43, 031-282-047, LOTS 5-20 & 24, AND THE REMAINDER OF PARCEL 031-202-049
7. SITE AREA:	18A +/- ACRES
8. GENERAL PLAN DESIGNATION:	NEIGHBORHOOD DISTRICT - UNIVERSITY VILLAGE
9. CURRENT LAND USE:	VACANT AND UNIMPROVED, CURRENTLY USED BY TEMPORARY CONSTRUCTION TRAILERS FOR THE DUNES PROJECT
10. CURRENT ZONING:	MULTIPLE USE UNDER THE UNIVERSITY VILLAGE SPECIFIC PLAN (MUSP)
11. PROPOSED LAND USE:	COMMERCIAL, RESIDENTIAL, AND PARKS OR PUBLIC OPEN SPACES.
12. UTILITIES:	
SANITARY SEWER/POTABLE WATER/ RECYCLED WATER:	MARINA COAST WATER DISTRICT 11 RESERVATION ROAD MARINA, CA 93933
STORM DRAIN:	SPECIAL DISTRICT
GAS & ELECTRIC:	PACIFIC GAS & ELECTRIC 401 MONTE STREET SEASIDE, CA 93955
TELEPHONE:	AT&T 2180 CALIFORNIA AVE STE B SAND CITY, CA 93955
CABLE COMPANY:	COMCAST CABLE 1400 HENDERSON WAY MONTEREY, CA 93940
FIRE:	MARINA FIRE DEPARTMENT 211 HILLCREST MARINA, CA 93933

13. THE PROPOSED GRADING AS SHOWN IS PRELIMINARY AND IS SUBJECT TO FINAL DESIGN.

14. ALL GRADING SHALL BE DONE IN CONFORMANCE WITH THE RECOMMENDATIONS AND CONDITIONS OF THE DESIGN LEVEL GEOTECHNICAL INVESTIGATION REPORT FOR THE BALANCE OF PHASE 1 OF UNIVERSITY VILLAGES, PREPARED BY BERLOGAR STEVENS & ASSOCIATES DATED FEBRUARY 21, 2020 AND SUPPLEMENTAL LETTER DATED OCTOBER 14, 2021.

15. UTILITY LOCATIONS, STREET GRADES, AND LOT DIMENSIONS ARE PRELIMINARY AND ARE SUBJECT TO FINAL ENGINEERING DESIGN AND HOUSE PLOTTING.

16. FINAL MAPS MAY BE FILED IN MULTIPLE PHASES.

17. APPROVAL OF THIS TENTATIVE MAP ACCRUES FOR FURTHER SUBDIVISION INTO CONDOMINIUM UNITS AS PROVIDED IN SECTION 66424 AND 66427 OF THE SUBDIVISION MAP ACT.

18. ALL EXISTING EASEMENTS AS SHOWN ON THESE PLANS ARE TO REMAIN UNLESS OTHERWISE NOTED. NEW EASEMENTS SHALL BE DEDICATED TO THE APPROPRIATE AGENCIES. PEDESTRIAN ACCESS AND EMERGENCY ACCESS EASEMENTS WILL BE RETAINED WITHIN PUBLIC RIGHT-OF-WAYS.

19. TOPOGRAPHY SHOWN IS BASED ON AN AERIAL SURVEY BY MATSON ENGINEERS, FLOWN ON OCTOBER 2019. ELEVATIONS ARE RELATIVE TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88) WITH TIES TO NATIONAL GEODETIC SURVEY CONTROL STATIONS CB32(+) AND CU2130.

20. REIMBURSABLE UTILITY COSTS TO BE ADDRESSED AS PART OF THE UNIVERSITY DEVELOPMENT AGREEMENT.

21. FINAL ENGINEERING DESIGN MAY REQUIRE CHANGES TO THE LOCATION OF INFRASTRUCTURE AND DRAINAGE FACILITIES.

22. ALL NOTES, AREAS, VOLUMES, LENGTHS AND DISTANCES CONTAINED HEREIN ARE ONLY APPROXIMATE, AND ARE NOT INTENDED, NOR SHOULD THEY BE ACCEPTED AS EXACT MEASUREMENTS.

WOOD RODGERS
4670 WILLOW ROAD, SUITE 125
PLEASANTON, CA 94588
PH: 925-847-1444
FAX: 925-847-1593

SUBMITTAL / REVISION	DATE	BY
1	12/27/2021	DRT
2	1/24/2022	ADDRESS DRT COMMENTS
3	2/4/2022	DRT
4	3/4/2022	DRT SUBMITTAL
5	3/28/2022	PLNC DRT SUBMITTAL

AMENDED TENTATIVE MAP
UNIVERSITY VILLAGES - PHASE 1B
MARINA, CALIFORNIA

TITLE SHEET

SCALE: N/A
DRAWN: EJH
JOB No: 12080.01C

SHEET
TM01
1 OF 12

AMENDED TENTATIVE MAP
UNIVERSITY VILLAGES - PHASE 1B

EXISTING CONDITIONS & DEMOLITION PLAN

DAVIS, CALIFORNIA

SUBMITTAL / REVISION	
1 10/2021	CITY SUBMITTAL
2 12/2021	ADDRESS CITY COMMENTS
3 1/2022	CITY RESUBMITTAL
4 3/14/22	FINAL CITY SUBMITTAL

WOOD RODGERS

SHEET TM02

SCALE: 1"=30'

DRAWN: GR

JOB No. 2190421.19

AMENDED TENTATIVE MAP
UNIVERSITY VILLAGES - PHASE 1B
EXISTING CONDITIONS & DEMOLITION PLAN

WOOD RODGERS

(SEE SHEET TM02)

DEVELOPMENT AREA NORTH

DEVELOPMENT AREA SOUTH

9TH STREET

10TH STREET

1ST AVENUE

MATCH LINE



WOOD RODGERS
1331 Garden Highway, Suite 200, Sacramento, CA 95833
Tel: 916.341.7760 Fax: 916.341.7767

NO.	DATE	BY	DESCRIPTION
1	10/2021	JM	CITY SUBMITTAL
2	1/2022	JM	ADDRESS CITY COMMENTS
3	1/2022	JM	CITY SUBMITTAL
4	3/2022	JM	FINAL CITY SUBMITTAL

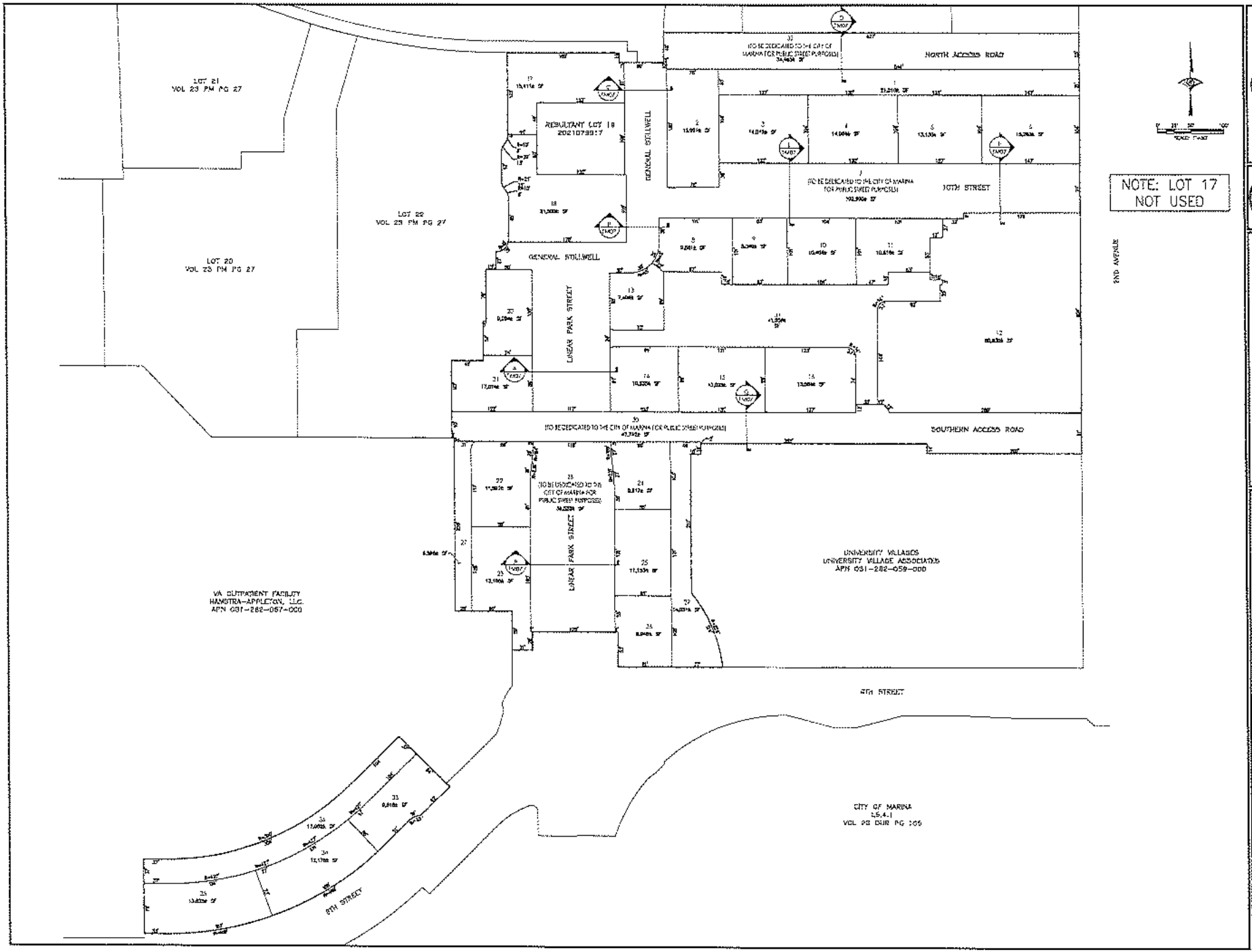
AMENDED TENTATIVE MAP
UNIVERSITY VILLAGES - PHASE 1B

BOUNDARY MAP EXHIBIT

MARINA, CALIFORNIA

SCALE: 1"=50'
DRAWN: CR
JOB No.3368.015

SHEET
TM04
4 OF 13



WOOD RODGERS

AMENDED TENTATIVE MAP
UNIVERSITY VILLAGES - PHASE 1B

LOTS & PARCELS

SCALE: 1"=50'
DRAWN: CR
JOB No.: 3089.015
SHEET: TM05
5 OF 12

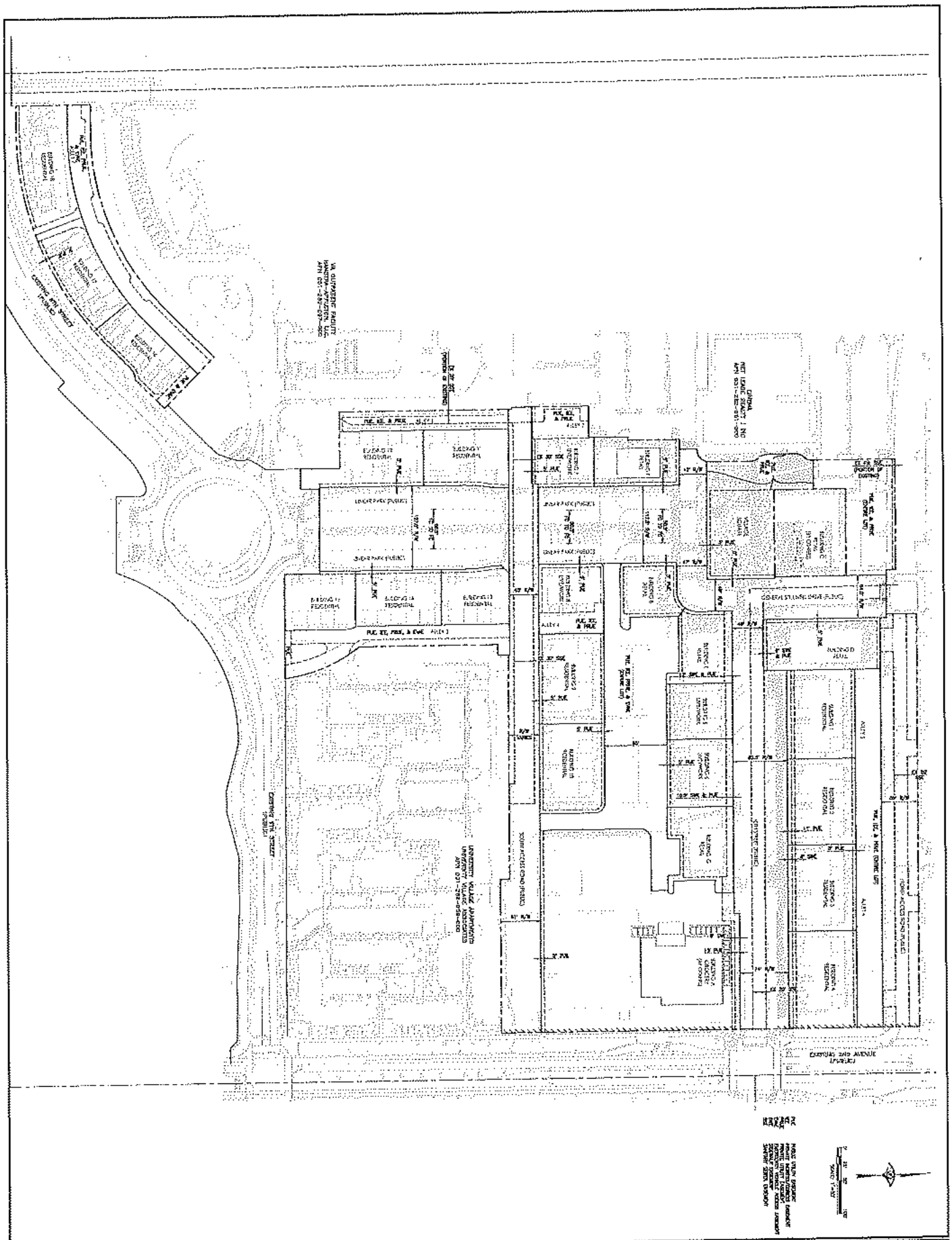

AMENDED TENTATIVE MAP
UNIVERSITY VILLAGES - PHASE 1B
PROPOSED PUBLIC RIGHT OF WAY
& EASEMENTS
MARINA, CALIFORNIA
TM 06
SHEET
SCALE
DRAWN
JOB No.
DATE
CHECKED
SUBMITTAL / REVISION
1 10/26/21 CITY SUBMITTAL
2 12/9/21 ADDRESS CITY COMMENTS
3 1/7/22 CITY SUBMITTAL
4 2/22 & 3/11/22 FINAL CITY SUBMITTAL
WOOD RODGERS
EXISTING 2ND AVENUE (PUBLIC)
EXISTING 9TH STREET
EXISTING 8TH STREET
EXISTING 7TH STREET
EXISTING 6TH STREET
EXISTING 5TH STREET
EXISTING 4TH STREET
EXISTING 3RD STREET
EXISTING 2ND STREET
EXISTING 1ST STREET
EXISTING 2ND AVENUE (PUBLIC)
EXISTING 3RD AVENUE (PUBLIC)
EXISTING 4TH AVENUE (PUBLIC)
EXISTING 5TH AVENUE (PUBLIC)
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EXHIBIT C

IMPROVEMENT PLANS FOR

THE DUNES PROMENADE - PHASE 1B

CITY OF MARINA, MONTEREY COUNTY, CA

DEVELOPER
SEA HAVEN — MARINA COMMUNITY PARTNERS
3411 SILAS STREET
MARINA, CA 93933
(925) 640-2846
CONTACT: MARK DAS

CIVIL ENGINEER
WOOD RODGERS, INC.
4670 WILLOW ROAD, SUITE 320
PLEASANTON, CA 94588
(925) 847-1547
CONTACT: KARRIE MCHUGH, PE

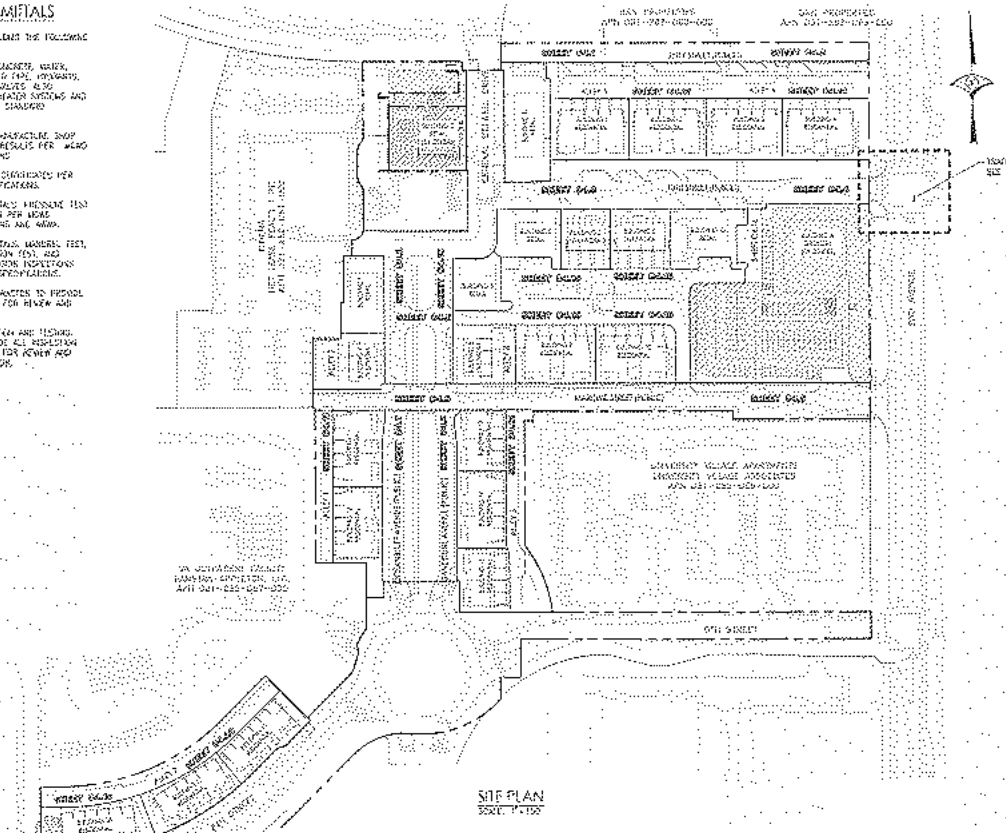
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MCWD SUBMITTALS

THE CONTRACTOR SHALL SUBMIT THE FOLLOWING TO MCWD FOR REVIEW:

1. MATERIAL LIST: SOIL, CONCRETE, WATER, SEWER, RECYCLED WATER PIPE, HYDRANTS, FITTINGS, BOXES, AND VALVES. ALSO PROVIDE THE WATER HEATER SYSTEMS AND APPLIANCES FOR MCWD STANDARD SPECIFICATIONS.
2. PRECAST STRUCTURE MANUFACTURE SHOP DRAWING AND TESTING RESULTS PER MCWD STANDARD SPECIFICATIONS.
3. UNDERGROUND TESTING CERTIFICATES PER MCWD STANDARD SPECIFICATIONS.
4. WATER PLANNING SUBMITTALS: PRESSURE TEST AND DISINFECTION PLAN PER MCWD STANDARD SPECIFICATIONS AND AWWA.
5. SEWER TESTING SUBMITTALS: MANDREL TEST, LEAKAGE AND INFILTRATION TEST, AND CLOSED-CIRCUIT TELEVISION INSPECTIONS PER MCWD STANDARD SPECIFICATIONS.
6. AS-BUILT PLANS: CONTRACTOR TO PROVIDE AS-BUILT TO THE ENGINEER FOR REVIEW AND APPROVAL.
7. CONSTRUCTION INSPECTION AND TESTING: CONTRACTOR TO PROVIDE ALL INSPECTION AND TESTING REPORTS FOR REVIEW AND ACCEPTANCE TO THE ENGINEER.



March 8, 2023 Item No. **13c**

Honorable Mayor and Members of the Marina City Council

City Council Meeting of March 21, 2023

CITY COUNCIL CONSIDER ADOPTING RESOLUTION NO. 2023-, APPROVING THE PHASE 1B-PROMENADE FINAL MAP FOR THE DUNES ON MONTEREY BAY DEVELOPMENT PROJECT SUBDIVISION (FORMERLY UNIVERSITY VILLAGE), AND AUTHORIZING THE CITY CLERK TO EXECUTE THE FINAL MAP ON BEHALF OF CITY SUBJECT TO FINAL REVIEW AND APPROVAL BY THE CITY ATTORNEY

RECOMMENDATION:

It is requested that the City Council:

1. Consider adopting Resolution No. 2023-, approving the Phase 1B-Promenade Final Map for The Dunes on Monterey Bay Development Project Subdivision ("**EXHIBIT A**"), and;

2. Consider authorizing the City Clerk to execute the Final Map on behalf of City subject to final review and approval by the City Attorney.

BACKGROUND:

At the regularly scheduled meeting of May 31, 2005, the City Council adopted Resolution No. 2005-127, certifying the Final Environmental Impact Report for the University Village Development Project.

At the regularly scheduled meeting of May 31, 2005, the City Council adopted Resolution No. 2005-128, approving the General Plan Amendments, Resolution No. 2005-130, for the Specific Plan, Resolution No. 2005-131, for the Tentative Map and Resolution No. 2005-132, Design Review for the regional retail, the Village Promenade and all residential phases for the former University Village Development Project.

At the regularly scheduled meeting of December 17, 2019, the City Council adopted Resolution No. 2019-140, approving an Operating Agreement as an administrative amendment of the Development Agreement clarifying and modifying certain project approvals for Specific Plan for The Dunes on Monterey Bay including to the Conforming Clarifications to the Schedule of Performance.

At the regularly scheduled meeting of May 3, 2022, the City Council adopted Resolution No. 2022-52, approving an amendment to University Village Phase 1B-Promenade Tentative Map.

ANALYSIS:

Shea Homes Limited Partnership ("Developer") has submitted the Phase 1B-Promenade Final Map to the City for review and approval. Staff has reviewed the improvement plans for construction and approved the plans on December 13, 2022. It has been determined that the Tentative Map Conditions of Approval as amended have been met. The Community Development Director and Public Works Director will sign off on the Final Map in accordance with their respective findings.

The Developer has also submitted a Public Improvement Agreement and will provide labor and materials and faithful performance bonds required for the recordation of the Final Map. The Agreement is on this Agenda as a separate item for consideration of approval.

A review of water supply availability to serve Phase 1B-Promeande also been provided by Bowman Consulting Group (dated December 21, 2022) ("**EXHIBIT B**") pursuant to Section II A of the University Villages Settlement Agreement with Save Our Peninsula Committee. The required finding is made in the draft Resolution.

All required future phased final maps must meet all the appropriate conditions of approval and will be presented to City Council for consideration at a future date.

FISCAL IMPACT:

Should the City Council approve this request, the City requires the developer to provide satisfactory evidence of their ability to complete the public improvements by the posting of labor and material and faithful performance subdivision improvement bonds in an amount of 100% of the City Engineer's estimate of the cost to perform the work.

CONCLUSION:

This request is submitted for City Council consideration and possible action.

Respectfully submitted,

_____

Edrie Delos Santos, P.E.
Senior Engineer
Public Works Department
City of Marina

REVIEWED/CONCUR:

_____

Brian McMinn, P.E., P.L.S.
Public Works Director/City Engineer
City of Marina

_____

Layne P. Long
City Manager
City of Marina

RESOLUTION NO. 2023-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA APPROVING THE PHASE 1B-PROMENADE FINAL MAP FOR THE DUNES ON MONTEREY BAY DEVELOPMENT PROJECT SUBDIVISION (FORMERLY UNIVERSITY VILLAGE), AND AUTHORIZING THE CITY CLERK TO EXECUTE THE FINAL MAP ON BEHALF OF CITY SUBJECT TO FINAL REVIEW AND APPROVAL BY THE CITY ATTORNEY

WHEREAS, at the regularly scheduled meeting of May 31, 2005, the City Council adopted Resolution No. 2005-127, certifying the Final Environmental Impact Report for the University Village Development Project, and;

WHEREAS, at the regularly scheduled meeting of May 31, 2005, the City Council adopted Resolution No. 2005-128, approving the General Plan Amendments, Resolution No. 2005-130, for the Specific Plan, Resolution No. 2005-131, for the Tentative Map and Resolution No. 2005-132, Design Review for the regional retail, the Village Promenade and all residential phases for the former University Village Development Project, and;

WHEREAS, at the regularly scheduled meeting of December 17, 2019, the City Council adopted Resolution No. 2019-140, approving an Operating Agreement as an administrative amendment of the Development Agreement clarifying and modifying certain project approvals for Specific Plan for The Dunes on Monterey Bay including to the Conforming Clarifications to the Schedule of Performance, and;

WHEREAS, at the regularly scheduled meeting of May 3, 2022, the City Council adopted Resolution No. 2022-52, approving an amendment to University Village Phase 1B-Promenade Tentative Map, and;

WHEREAS, Shea Homes Limited Partnership ("Developer") has submitted the Phase 1B-Promenade Final Map to the City for review and approval. Staff has reviewed the improvement plans for construction and approved the plans on December 13, 2022. It has been determined that the Tentative Map Conditions of Approval as amended have been met. The Community Development Director and Public Works Director will sign off on the Final Map in accordance with their respective findings, and;

WHEREAS, the Developer has also submitted a Public Improvement Agreement and will provide labor and materials and faithful performance bonds required for the recordation of the Final Map. The Agreement is on this Agenda as a separate item for consideration of approval, and;

WHEREAS, a review of water supply availability to serve Phase 1B-Promeande also been provided by Bowman Consulting Group (dated December 21, 2022) ("**EXHIBIT B**") pursuant to Section II A of the University Villages Settlement Agreement with Save Our Peninsula Committee. The required finding is made in the draft Resolution, and;

WHEREAS, all required future phased final maps must meet all the appropriate conditions of approval and will be presented to City Council for consideration at a future date, and;

WHEREAS, should the City Council approve this request, the City requires the developer to provide satisfactory evidence of their ability to complete the public improvements by the posting of labor and material and faithful performance subdivision improvement bonds in an amount of 100% of the City Engineer's estimate of the cost to perform the work, and;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Marina does hereby approve the Phase 1B-Promenade Final Map for The Dunes on Monterey Bay Development Project Subdivision ("**EXHIBIT A**"), and authorizing the City Clerk to execute the Final Map on behalf of City subject to final review and approval by the City Attorney based on the following finding:

Findings:

1. Based on substantial evidence in the record, sufficient water supplies from water allocations that have been made or may be made by the City will be available for development encompassed by this Final Map.

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting held on the 21st day of March 2023, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

_____
Bruce Delgado, Mayor

ATTEST:

_____
Anita Sharp, City Clerk

OWNER'S STATEMENT

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF, OR HAVE SOME RIGHT, TITLE OR INTEREST IN AND TO, THE REAL PROPERTY INCLUDED WITHIN THE SUBDIVISION SHOWN UPON THIS MAP, AND THAT WE ARE THE ONLY PERSONS WHOSE CONSENT IS NECESSARY TO PASS CLEAR TITLE TO SAID PROPERTY, THAT WE CONSENT TO THE PREPARATION AND RECORDATION OF THIS MAP AND SUBDIVISION AS SHOWN WITHIN THE SUBDIVISION BOUNDARY LINES.

THE REAL PROPERTY DESCRIBED IN THE NEXT PARAGRAPH IS DEDICATED IN FEE TO THE CITY OF MARINA FOR PUBLIC PURPOSES:

LOT 7, LOT 28, LOT 30, LOT 32 AND 9TH STREET DEDICATION. THESE LOTS HAVE THE FOLLOWING STREET NAMES AS SHOWN ON THIS MAP: 10TH STREET, OCEAN BLUFF AVENUE, SAND DUNE AVENUE, MARITIME STREET, GENERAL STILWELL DRIVE, JETTY STREET AND 9TH STREET.

THE REAL PROPERTY DESCRIBED BELOW IS DEDICATED AS AN EASEMENT FOR PUBLIC PURPOSES:

THOSE AREAS LABELED AS PUBLIC UTILITY EASEMENT (PUE) TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR THE PURPOSE OF INSTALLATION, REPAIR, REPLACEMENT AND MAINTENANCE OF PUBLIC UTILITIES. SAID STRIPS ARE TO BE KEPT OPEN AND FREE FROM BUILDINGS AND STRUCTURES NOT SERVING THE PURPOSE OF THIS EASEMENT.

THOSE AREAS LABELED AS SIDEWALK EASEMENT (SWE) FOR PEDESTRIAN INGRESS AND EGRESS.

THOSE AREAS LABELED AS EMERGENCY VEHICLE ACCESS EASEMENTS (EVAE) FOR EMERGENCY VEHICLE INGRESS AND EGRESS.

WE ALSO HEREBY RELINQUISH ANY AND ALL RIGHTS OF INGRESS AND EGRESS TO VEHICULAR TRAFFIC (ABUTTER'S RIGHTS) ACROSS THE LINES AS SHOWN ON HEREON MAP AND DEPICTED AS _|_|_|_|_|_|_|_|_|_

WE ALSO HEREBY DEDICATE TO THE ADJACENT OWNER EAST OF LOT 29 ON THIS MAP, UNIVERSITY VILLAGE APARTMENTS, THE EASEMENT LABELED "AE" (ACCESS EASEMENTS) FOR VEHICLE AND PEDESTRIAN INGRESS AND EGRESS.

AND THE UNDERSIGNED DO HEREBY RESERVE TO ITSELF, AND TO THE OWNERS, RESIDENTS, CUSTOMERS AND OTHERS DESIGNATED BY THE OWNER'S ASSOCIATION(S), THE AREAS DESIGNATED AS "IEE" (PRIVATE INGRESS AND EGRESS EASEMENT) FOR THE PURPOSES OF VEHICULAR INGRESS AND EGRESS AND PARKING. MAINTENANCE OF SAID EASEMENT AREAS SHALL BE THE RESPONSIBILITY OF THE OWNER'S ASSOCIATION(S), IN ACCORDANCE WITH THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS (CC&R'S) GOVERNING THIS SUBDIVISION. SAID EASEMENTS ARE NOT OFFERED FOR DEDICATION TO THE PUBLIC AND SHALL BE CONVEYED TO THE OWNER'S ASSOCIATION(S) BY SEPARATE INSTRUMENT RECORDED SUBSEQUENT TO THE FILING OF THIS MAP.

AND THE UNDERSIGNED DO HEREBY RESERVE TO ITSELF, AND TO THE OWNERS, RESIDENTS, CUSTOMERS AND OTHERS DESIGNATED BY THE OWNER'S ASSOCIATION(S), THE AREAS DESIGNATED AS "PRUE" (PRIVATE UTILITY EASEMENT) FOR THE PURPOSES OF INSTALLATION AND MAINTENANCE OF PRIVATE UTILITIES. MAINTENANCE OF SAID EASEMENT AREAS SHALL BE THE RESPONSIBILITY OF THE OWNER'S ASSOCIATION(S), IN ACCORDANCE WITH THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS (CC&R'S) GOVERNING THIS SUBDIVISION. SAID EASEMENTS ARE NOT OFFERED FOR DEDICATION TO THE PUBLIC AND SHALL BE CONVEYED TO THE OWNER'S ASSOCIATION(S) BY SEPARATE INSTRUMENT RECORDED SUBSEQUENT TO THE FILING OF THIS MAP.

LOTS 1, 19, 27, 29, 31 AND 36 ARE RESERVED FOR PRIVATE PARKING, PRIVATE ACCESS AND PRIVATE UTILITIES. LOT 18 IS RESERVED FOR PRIVATE OPEN SPACE. SAID LOTS IN THIS PARAGRAPH SHALL BE CONVEYED TO THE OWNER'S ASSOCIATION(S) BY SEPARATE INSTRUMENT RECORDED SUBSEQUENT TO THE FILING OF THIS MAP.

LOT 17 IS RESERVED BY THE SUBDIVIDER FOR FUTURE DEVELOPMENT PURPOSES.

SUBDIVIDER SHALL DEFEND, INDEMNIFY, AND HOLD HARMLESS THE CITY, THE CITY COUNCIL, PLANNING COMMISSION, AGENTS, OFFICERS AND EMPLOYEES FROM ANY CLAIM, ACTION OR PROCEEDING AGAINST THE CITY OR THE CITY COUNCIL, PLANNING COMMISSION, AGENTS, OFFICERS OR EMPLOYEES, TO ATTACK, SET ASIDE, VOID OR ANNUL AN APPROVAL OF THE CITY, THE CITY COUNCIL, PLANNING COMMISSION, OR OTHER BOARD, ADVISORY AGENCY OR LEGISLATIVE BODY CONCERNING THIS SUBDIVISION. CITY WILL PROMPTLY NOTIFY THE SUBDIVIDER OF ANY CLAIM, ACTION OR PROCEEDING AGAINST IT AND WILL COOPERATE FULLY IN THE DEFENSE. THIS CONDITION IS IMPOSED PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 66474.9.

OWNERS

MARINA COMMUNITY PARTNERS, LLC, A DELAWARE LIMITED LIABILITY COMPANY

BY: _____
DONALD A. HOFER, AUTHORIZED AGENT

BY: _____
STEVE LUCAS, AUTHORIZED AGENT

OWNER'S ACKNOWLEDGEMENT

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 _____} SS.

COUNTY OF _____}

ON _____, BEFORE ME, _____, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, 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:
SIGNATURE:_____
NAME (PRINT):_____
PRINCIPAL COUNTY OF BUSINESS:_____
COMMISSION NO.: _____
COMMISSION EXPIRES: _____

OWNER'S ACKNOWLEDGEMENT

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 _____} SS.

COUNTY OF _____}

ON _____, BEFORE ME, _____, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, 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:
SIGNATURE:_____
NAME (PRINT):_____
PRINCIPAL COUNTY OF BUSINESS:_____
COMMISSION NO.: _____
COMMISSION EXPIRES: _____

CITY CLERK'S STATEMENT

I, ANITA SHARP, DEPUTY CITY CLERK OF THE CITY OF MARINA, HEREBY CERTIFY THAT THE CITY COUNCIL OF SAID CITY OF MARINA APPROVED THE HEREIN MAP ON THE _____ DAY OF _____, 20_____ AND ACCEPTS ON BEHALF OF THE PUBLIC, IN FEE, SUBJECT TO IMPROVEMENTS, THOSE PORTIONS OF SAID LANDS DESIGNATED ON SAID MAP BY RESOLUTION NO. _____ AND ACCEPTS ON BEHALF OF THE PUBLIC ALL DEDICATIONS, IN CONFORMITY WITH THE TERMS OF THE OFFER OF DEDICATION, AND ACCEPTS ALL PUBLIC EASEMENTS OFFERED FOR DEDICATION.

PURSUANT TO GOVERNMENT CODE SECTION 66434(G), I CERTIFY THE CITY OF MARINA DOES HEREBY ABANDON THE PUBLIC UTILITY EASEMENTS THAT ARE LOCATED WITHIN THE BOUNDARY OF THIS MAP AS SHOWN ON SHEET 3 OF THIS MAP. SAID EASEMENTS ARE BEING REPLACED BY ANOTHER PUBLIC STREET EASEMENT CREATED BY THIS TRACT MAP.

BY _____
ANITA SHEPHERD–SHARP
DEPUTY CITY CLERK OF MARINA

CITY ENGINEER'S & CITY SURVEYOR'S STATEMENT

I, BRIAN McMINN, CITY ENGINEER AND SURVEYOR OF THE CITY OF MARINA HEREBY STATE THAT I HAVE EXAMINED THIS MAP AND AM SATISFIED THAT IT IS TECHNICALLY CORRECT; THAT THE SUBDIVISION AS SHOWN HEREON IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP AND ANY APPROVED ALTERATIONS THEREOF, AS APPROVED BY THE CITY COUNCIL OF THE CITY OF MARINA ON THE _____
THAT ALL PROVISIONS OF THE "CALIFORNIA SUBDIVISION MAP ACT", AS AMENDED, AND THE CITY OF MARINA SUBDIVISION ORDINANCE, TITLE 16 OF THE MUNICIPAL CODE HAVE BEEN COMPLIED WITH.

_____ _____
BRIAN McMINN DATE
P.E. 64143
PLS 8116
CITY ENGINEER AND SURVEYOR, CITY OF MARINA

PLANNING COMMISSION STATEMENT

I, GUIDO PERSICONE, COMMUNITY DEVELOPMENT DEPARTMENT DIRECTOR, CITY OF MARINA HEREBY STATE THAT I HAVE EXAMINED THIS MAP; THAT THE SUBDIVISION AS SHOWN HEREON IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP AND ANY APPROVED ALTERATIONS THEREOF, AS APPROVED BY THE CITY COUNCIL OF THE CITY OF MARINA ON THE _____
THAT ALL PROVISIONS OF THE "CALIFORNIA SUBDIVISION MAP ACT", AS AMENDED, AND THE CITY OF MARINA SUBDIVISION ORDINANCE, TITLE 16 OF THE MUNICIPAL CODE HAVE BEEN COMPLIED WITH.

_____
GUIDO PERSICONE
COMMUNITY DEVELOPMENT DEPARTMENT DIRECTOR
CITY OF MARINA

COUNTY RECORDER'S STATEMENT

FILED THIS_____ DAY OF _____, 20_____, AT_____M.
IN VOLUME _____ OF CITIES AND TOWNS, AT PAGE _____
AT THE REQUEST OF CHICAGO TITLE COMPANY.

_____
NAME
ASSESSOR – RECORDER – COUNTY CLERK
MONTEREY COUNTY, CALIFORNIA

BY:
_____
ASSISTANT / DEPUTY COUNTY RECORDER

SERIAL NUMBER _____ FEE:_____

THE DUNES PROMENADE - PHASE 1B FINAL MAP

ALL OF LOTS 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, 17, 18, 24 AND A PORTION OF THE REMAINDER PARCEL AS SHOWN ON THE PARCEL MAP FILED IN VOLUME 23 OF PARCEL MAPS AT PAGE 27.
ALSO RESULTANT LOT 11 AND RESULTANT LOT 20 AS DESCRIBED IN CERTIFICATES OF COMPLIANCE RECORDED NOVEMBER 29, 2021 AS INSTRUMENT NOs. 2021079916, 2021079918
OFFICIAL RECORDS OF MONTEREY COUNTY
CITY OF MARINA, COUNTY OF MONTEREY

WOOD RODGERS
BUILDING RELATIONSHIPS ONE PROJECT AT A TIME
4670 WILLOW ROAD, STE 125 TEL 925.847.1556
PLEASANTON, CA 94588 FAX 925.847.1557

FEBRUARY 2023
Sheet 1 of 8
JOB # 3089015

SOILS REPORT STATEMENT

THE SOILS REPORT DATED FEBRUARY 21, 2007 PREPARED BY BERLOGAR GEOTECHNICAL CONSULTANTS HAS BEEN SPECIFICALLY PREPARED FOR THIS SITE. IN ADDITION, A SUPPLEMENTAL LETTER WAS PREPARED BY BERLOGAR SETEVENS & ASSOCIATES DATED OCTOBER 14, 2021 STATING THAT THE ABOVE CITED REPORT IS STILL VALID. ADDITIONAL SUPPLEMENTAL LETTERS WERE PREPARED BY BERLOGAR STEVENS & ASSOCIATES DATED JANUARY 25, 2022 AND JANUARY 26, 2022 FOR THE SITE AND ARE ON FILE AT THE CITY OF MARINA PUBLIC WORKS DEPARTMENT.

EASEMENTS AND DOCUMENTS OF RECORD

AN EASEMENT FOR GAS PIPELINE AND INCIDENTAL PURPOSES IN THE DOCUMENT RECORDED JUNE 1, 1976 AS REEL 1058, PAGE 16 OF OFFICIAL RECORDS.

AN EASEMENT FOR WATER AND WASTE WATER DISTRIBUTION SYSTEMS AND INCIDENTAL PURPOSES IN THE DOCUMENT RECORDED OCTOBER 26, 2001 AS RECORDER SERIES NO. 2001090792 OF OFFICIAL RECORDS.
IN CONNECTION HEREWITH WE NOTE: "ASSIGNMENT OF EASEMENTS ON FORMER FORT ORD AND ORD MILITARY COMMUNITY, COUNTY OF MONTEREY, AND QUITCLAIM DEED FOR WATER AND WASTEWATER SYSTEMS" RECORDED OCTOBER 26, 2001 IN RECORDER SERIES NO. 2001090793 AND RE-RECORDED NOVEMBER 7, 2001 AS RECORDER SERIES NO. 2001094583, OFFICIAL RECORDS.

THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED COVENANT TO RESTRICTION USE OF PROPERTY ENVIROMENTAL RESTRICTION RECORDED SEPTEMBER 22, 2003 AS RECORDER SERIES NO. 2003115235 OF OFFICIAL RECORDS.

THE TERMS AND PROVISIONS AND RIGHTS AND EASEMENTS AS CONTAINED IN THE DOCUMENT ENTITLED QUIT CLAIM DEED FOR A PORTION OF THE FORMER FORT ORD, MONTEREY COUNTY, CALIFORNIA RECORDED MARCH 15, 2004 AS RECORDER SERIES NO. 2004023330 OF OFFICIAL RECORDS.
DOCUMENT RE-RECORDED JULY 9, 2004 AS RECORDER SERIES NO. 2004072094 OF OFFICIAL RECORDS. AND RECORDED APRIL 23, 2004 AS RECORDER'S SERIES NO. 2004039810 AND ALSO RECORDED SEPTEMBER 1, 2005 AS RECORDER SERIES NO. 2005091639 IN CONNECTION HEREWITH WE NOTE: "FIXTURES EXCHANGE AGREEMENT" EXECUTED BY AND BETWEEN THE UNITED STATES OF AMERICA ACTING BY AND THROUGH THE SECRETARY OF THE ARMY AND MARINA COMMUNITY PARTNERS, LLC AND RECORDED AUGUST 10, 2006 AS RECORDER SERIES NO. 2006070407, OFFICIAL RECORDS.

THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED MEMORANDUM OF DISPOSITION AND DEVELOPMENT AGREEMENT RECORDED AUGUST 5, 2005 AS RECORDER SERIES NO. 2005080653 AND 2005080654 OF OFFICIAL RECORDS.

THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF MARINA AND MARINA COMMUNITY PARTNERS, LLC FOR THE UNIVERSITY VILLAGES PROJECT RECORDED AUGUST 5, 2005 AS RECORDER SERIES NO. 2005080655 AND 2005080656 OF OFFICIAL RECORDS. THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "NOTICE OF EXTENSION OF TERMINATION DATE OF DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF MARINA AND MARINA COMMUNITY PARTNERS, LLC FOR THE UNIVERSITY VILLAGES PROJECT [NOW CALLED THE DUNES ON MONTEREY BAY]" RECORDED APRIL 10, 2020 AS INSTRUMENT NO. 2020017976 OF OFFICIAL RECORDS.THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "PARTIAL ASSIGNMENT AND ASSUMPTION AGREEMENT" RECORDED DECEMBER 10, 2021 AS INSTRUMENT NO. 221082675 OF OFFICIAL RECORDS.

THE TERMS AND PROVISIONS AND RIGHTS AND EASEMENTS AS CONTAINED IN THE DOCUMENT ENTITLED QUIT CLAIM DEED FOR A PORTION OF THE FORMER FORT ORD, MONTEREY COUNTY, CALIFORNIA RECORDED SEPTEMBER 22, 2006 AS RECORDER SERIES NO. 2006083359 OF OFFICIAL RECORDS.

THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "OPERATION AND EASEMENT AGREEMENT" RECORDED FEBRUARY 21, 2007 AS RECORDER SERIES NO. 2007014247 OF OFFICIAL RECORDS.

NOTES

1. ALL DISTANCES SHOWN HEREON ARE EXPRESSED IN FEET AND DECIMALS THEREOF.
2. EASEMENT LINES CREATED BY THE MAP ARE PARALLEL OR PERPENDICULAR TO LOT LINE UNLESS LABELED OTHERWISE.
3. TOTAL AREA FOR THIS "THE DUNES PROMENADE – PHASE 1B" SUBDIVISION IS 19.21± AC. GROSS, CONSISTING OF 18 RESIDENTIAL LOTS, 6 COMMERCIAL LOTS, 6 PRIVATE STREET/DRIVE AISLE LOTS, 1 PRIVATE OPEN SPACE LOT, 1 LOT RESERVED FOR FUTURE DEVELOPMENT, AND 4 PUBLIC STREET LOTS DEDICATED TO THE CITY OF MARINA. THIS IS A TOTAL OF 36 LOTS AND EXISTING 9TH STREET IOD (DOC#2018042488).
4. MONUMENTS MARKED LS 9177 WILL BE SET AT ALL LOT CORNERS. A 1" BRASS DISK WILL BE SET AT A 1.00 FOOT PROJECTION OF PROPERTY LINE ONTO THE SIDEWALK FOR FRONT CORNERS THAT ARE LOCATED AT THE BACK OF SIDEWALK. CORNERS THAT ARE LOCATED IN ASPHALT WILL BE MARKED WITH A MAG NAIL AND WASHER. CORNERS THAT ARE LOCATED IN DIRT/SAND WILL BE MARKED WITH A REBAR AND CAP.

BASIS OF BEARINGS

THE BEARING NORTH 01°40'00" EAST BETWEEN FOUND MONUMENTS LOCATED ON 2ND AVENUE AS SHOWN ON THE PARCEL MAP FILED IN VOLUME 23 OF PARCELS MAPS, AT PAGE 27 WAS USED AS THE BASIS OF BEARINGS FOR THIS MAP.

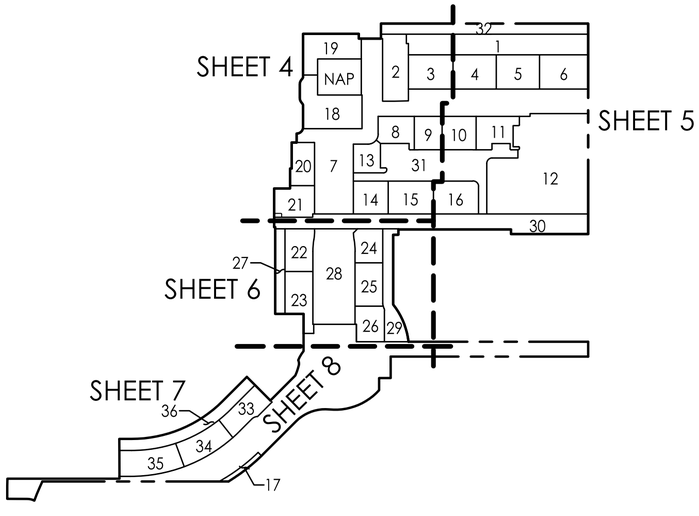
SURVEYOR'S STATEMENT

I, RYAN M. SEXTON, HEREBY STATE THAT THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION, AND IS BASED UPON A FIELD SURVEY MADE DURING THE MONTH OF JANUARY 2022 IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE, AT THE REQUEST OF THE SUBDIVIDER NAMED IN THE OWNER'S STATEMENT ON THIS MAP. I HEREBY STATE THAT THAT ALL MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED, OR WILL BE SET IN THOSE POSITIONS ON OR BEFORE DECEMBER 31, 2024, THAT SAID MONUMENTS WILL BE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED, AND THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED TENTATIVE MAP.

RYAN M. SEXTON
LS 9177

PROFESSIONAL LAND SURVEYOR
RYAN M. SEXTON
No. 9177
STATE OF CALIFORNIA

SHEET INDEX



LEGEND

◉	FOUND 2" DISC IN MONUMENT WELL RCE 29811 UNLESS OTHERWISE NOTED
●	FOUND MONUMENT AS NOTED
◎	SET DISK IN CONCRETE STAMPED L.S. 9177 IN MONUMENT WELL
⌑	SET MONUMENT AS DESCRIBED IN NOTES
— — —	SUBDIVISION BOUNDARY
———	PUBLIC STREET RIGHT OF WAY
———	LOT LINE
——— ———	OLD LOT LINE
——— – ———	CENTERLINE
– – – – – –	EASEMENT LINE CREATED ON THIS MAP
— — — —	EXISTING EASEMENT
//////////	RESTRICTED ACCESS
(M-M)	MONUMENT TO MONUMENT
(OA)	OVERALL DISTANCE
(R)	RADIAL LINE
SF	SQUARE FEET
SFNF	SEARCHED FOR NOT FOUND
(1)	RECORD REFERENCE
(T)	TIE LINE
NAP	NOT A PART OF THIS SUBDIVISION
IEE	PRIVATE INGRESS/EGRESS EASEMENT
PUE	PUBLIC UTILITY EASEMENT
SWE	SIDEWALK EASEMENT
PRUE	PRIVATE UTILITY EASEMENT
EVAE	EMERGENCY VEHICLE ACCESS EASEMENT
AE	ACCESS EASEMENT (SEE OWNER'S STATEMENT)

DEDICATION CERTIFICATE

THE CITY OF MARINA SHALL, AS REQUIRED BY CALIFORNIA GOVERNMENT CODE SECTION 66477.5 IN ITS PRESENT FORM OR AS IT MAY FROM TIME TO TIME BE AMENDED, RECONVEY THOSE PORTIONS OF LAND DESIGNATED HEREON AS "LOT 7, LOT 28, LOT 30, AND LOT 32" WITHIN THE SUBDIVISION IN FEE FOR PUBLIC USE, TO THE SUBDIVIDERS NAMED BELOW, THEIR SUCCESSORS, HEIRS OR ASSIGNEES, IF THE CITY COUNCIL OF THE CITY OF MARINA SHOULD DETERMINE THAT THE SAME PUBLIC PURPOSE FOR WHICH SAID LOTS WERE DEDICATED NO LONGER EXISTS OR THAT SAID LOTS OR ANY PORTION THEREOF IS NOT NEEDED FOR PUBLIC UTILITIES, EXCEPT FOR ALL OR ANY PORTIONS OF THE PROPERTY THAT IS STILL REQUIRED FOR THAT SAME PUBLIC PURPOSE OR FOR PUBLIC UTILITIES.

SUBDIVIDER

MARINA COMMUNITY PARTNERS, LLC, A DELAWARE LIMITED LIABILITY COMPANY
BY: SHEA HOMES LIMIT PARTNERSHIP, A CALIFORNIA LIMITED PARTNERSHIP
IS MANAGING MEMBER
ADDRESS: 2850 SHEA CENTER DRIVE
LIVERMORE, CA 94551

THE DUNES PROMENADE - PHASE 1B FINAL MAP

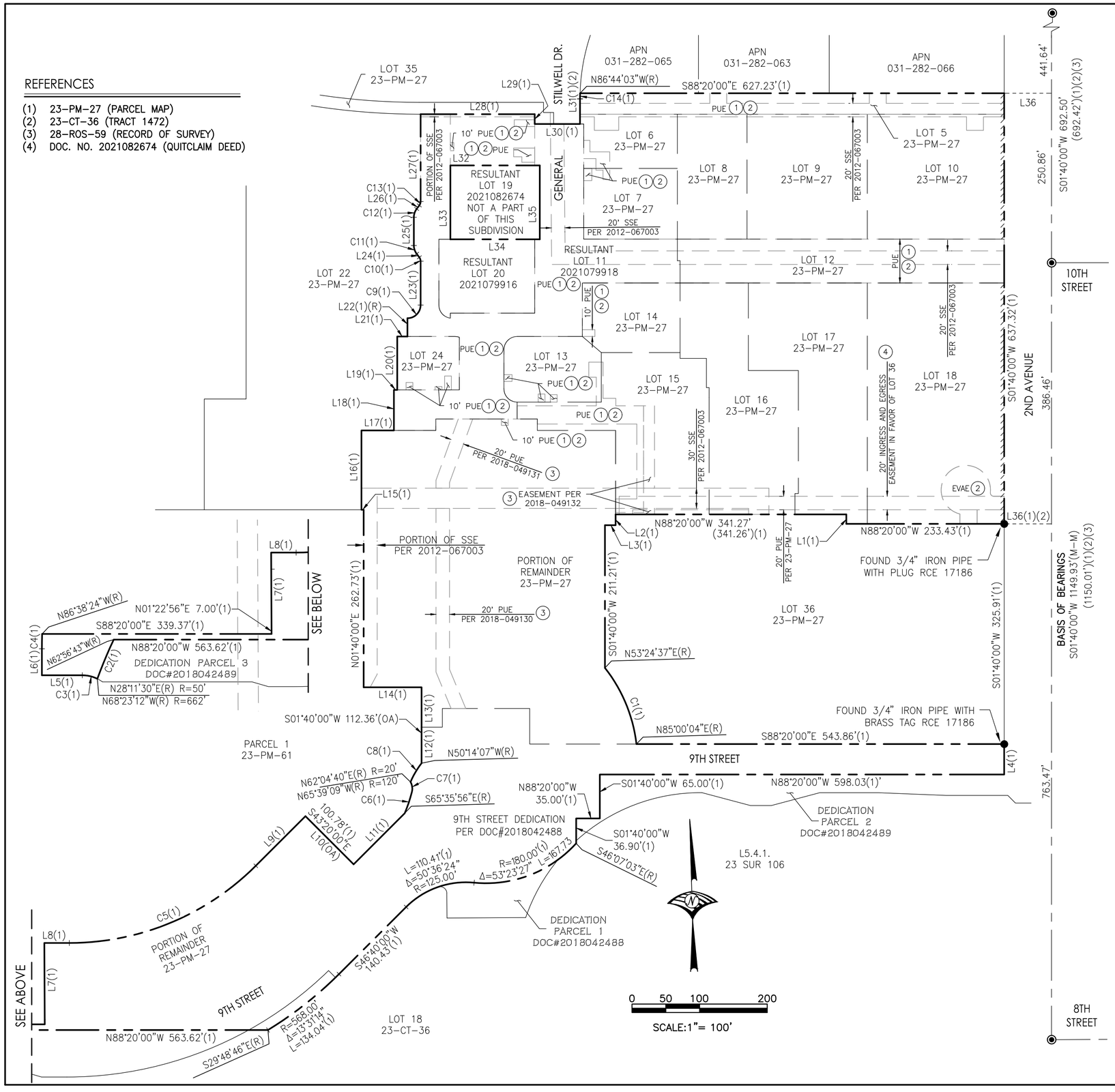
ALL OF LOTS 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, 17, 18, 24 AND A PORTION OF THE REMAINDER PARCEL AS SHOWN ON THE PARCEL MAP FILED IN VOLUME 23 OF PARCEL MAPS AT PAGE 27.
ALSO RESULTANT LOT 11 AND RESULTANT LOT 20 AS DESCRIBED IN CERTIFICATES OF COMPLIANCE RECORDED NOVEMBER 29, 2021 AS INSTRUMENT NOs. 2021079916, 2021079918 OFFICIAL RECORDS OF MONTEREY COUNTY
CITY OF MARINA, COUNTY OF MONTEREY

WOOD RODGERS
BUILDING RELATIONSHIPS ONE PROJECT AT A TIME
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PLEASANTON, CA 94588 FAX 925.847.1557

FEBRUARY 2023
Sheet 2 of 8
JOB # 3089015

REFERENCES

(1) 23-PM-27 (PARCEL MAP)
(2) 23-CT-36 (TRACT 1472)
(3) 28-ROS-59 (RECORD OF SURVEY)
(4) DOC. NO. 2021082674 (QUITCLAIM DEED)



LINE TABLE – THIS SHEET ONLY		
NO.	BEARING	LENGTH
L1	N1°40'00"E	14.00'
L2	N1°40'00"E	16.00'
L3	N88°20'00"W	15.75'
L4	N1°40'00"E	45.05'
L5	N88°18'35"W	59.69'
L6	N1°39'00"E	39.18'
L7	N1°22'56"E	113.42'
L8	N88°20'00"W	36.97'
L9	N46°40'00"E	103.88'
L10	N43°20'00"W	107.78'
L11	N46°39'59"E	106.91'
L12	N1°40'00"E	53.37'
L13	N1°40'00"E	58.99'
L14	N88°20'00"W	85.63'
L15	N88°20'00"W	3.26'
L16	N1°40'00"E	117.46'
L17	N88°20'00"W	48.00'
L18	N1°40'00"E	60.00'
L19	N88°20'00"W	4.96'
L20	N1°40'00"E	79.04'
L21	N88°20'00"W	15.04'
L22	N1°40'00"E	27.00'
L23	N1°40'00"E	64.93'
L24	N35°29'08"W	6.48'
L25	N1°40'00"E	41.79'
L26	N38°49'09"E	6.48'
L27	N1°40'00"E	129.22'
L28	N88°20'00"W	168.76'
L29	N1°40'00"E	14.50'
L30	N88°20'00"W	67.00'
L31	N1°40'00"E	37.18'
L32	N88°20'00"W	132.25'
L33	N1°40'08"E	109.32'
L34	N88°20'00"W	132.26'
L35	N1°40'00"E	109.32'
L36	N88°20'00"W	70.00'

CURVE TABLE – THIS SHEET ONLY			
NO.	RADIUS	DELTA	LENGTH
C1	224.00'	31°35'27"	123.51'
C2	662.00'	5°26'29"	62.87'
C3	50.00'	26°30'06"	23.13'
C4	735.00'	1°42'36"	21.94'
C5	390.00'	45°00'00"	306.31'
C6	228.00'	8°19'59"	33.16'
C7	20.00'	43°59'25"	15.36'
C8	120.00'	15°25'02"	32.29'
C9	19.50'	90°00'00"	30.63'
C10	9.50'	37°09'09"	6.16'
C11	20.50'	37°09'09"	13.29'
C12	20.50'	37°09'09"	13.29'
C13	9.50'	37°09'09"	6.16'
C14	298.00'	1°35'57"	8.32'

NOTES

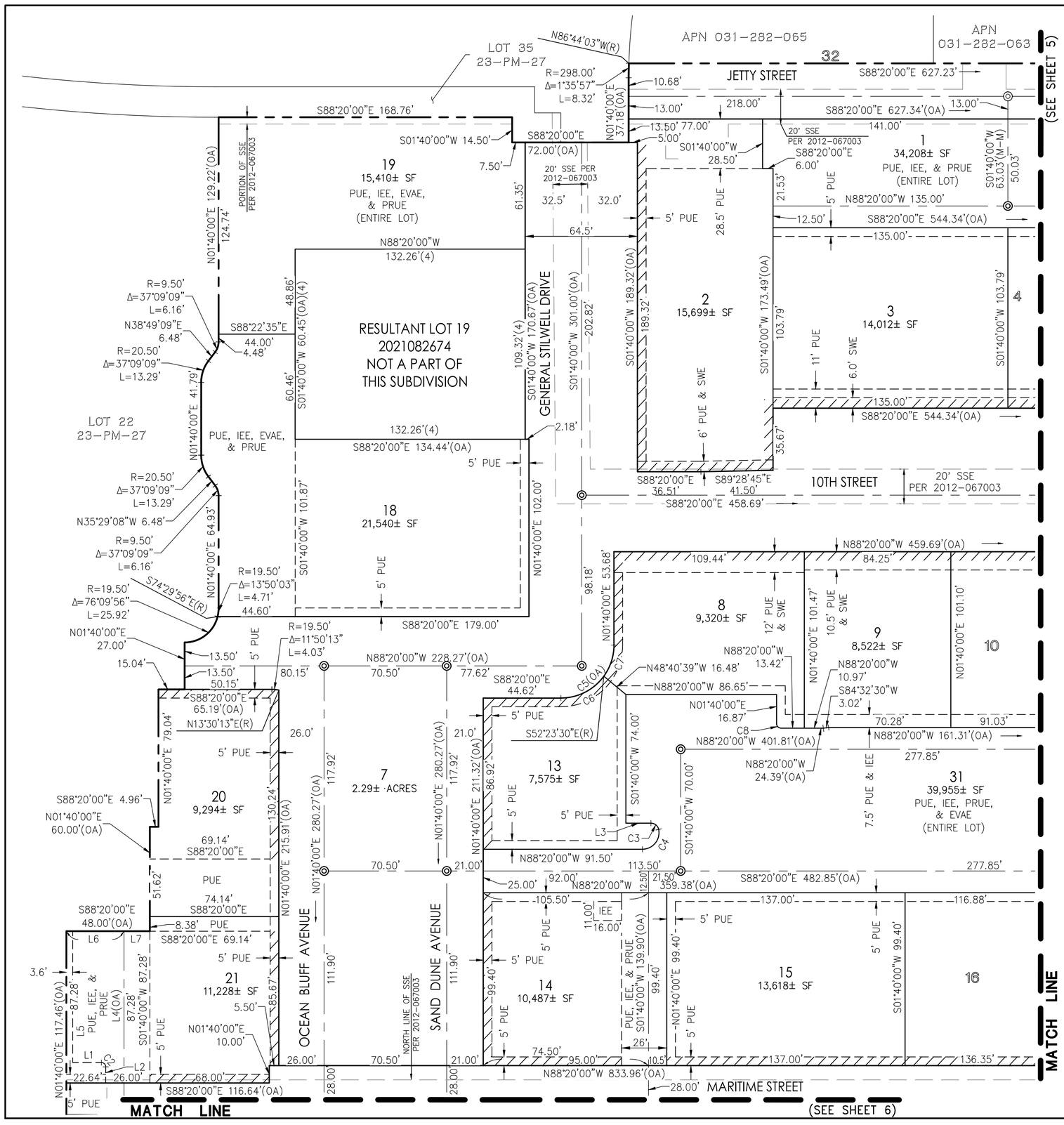
1. EXISTING EASEMENT PER 23-PM-27
2. EXISTING EASEMENT TO BE EXTINGUISHED BY THIS MAP
3. EXISTING EASEMENT TO BE QUITCLAIMED BY SEPARATE INSTRUMENT
4. EXISTING EASEMENT SUPERCEDED BY THIS MAP. PRIVATE ACCESS EASEMENT THAT WILL NOW BE IN A PUBLIC STREET (LOT 30 ON THIS MAP)

THE DUNES PROMENADE - PHASE 1B FINAL MAP

ALL OF LOTS 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, 17, 18, 24 AND A PORTION OF THE REMAINDER PARCEL AS SHOWN ON THE PARCEL MAP FILED IN VOLUME 23 OF PARCEL MAPS AT PAGE 27.
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FEBRUARY 2023
Sheet 3 of 8
JOB # 3089015



NOTE:

SEE SHEET 2 FOR BASIS OF BEARINGS, REFERENCES, NOTES, AND LEGEND

LINE TABLE		
NO.	BEARING	LENGTH
L1	S88°20'00"E	16.50'
L2	S1°40'00"W	17.28'
L3	N88°20'00"W	14.40'
L4	S1°40'00"W	102.28'
L5	S1°40'00"W	55.00'
L6	S88°20'00"E	33.14'
L7	S88°20'00"E	14.86'

CURVE TABLE			
NO.	RADIUS	DELTA	LENGTH
C1	2.50'	90°00'00"	3.93'
C2	2.50'	90°00'00"	3.93'
C3	4.50'	78°27'47"	6.16'
C4	9.50'	101°32'13"	16.84'
C5	30.50'	90°00'00"	47.91'
C6	30.50'	54°03'30"	28.78'
C7	30.50'	35°56'30"	19.13'
C8	2.50'	90°00'00"	3.93'

0 20 40 80

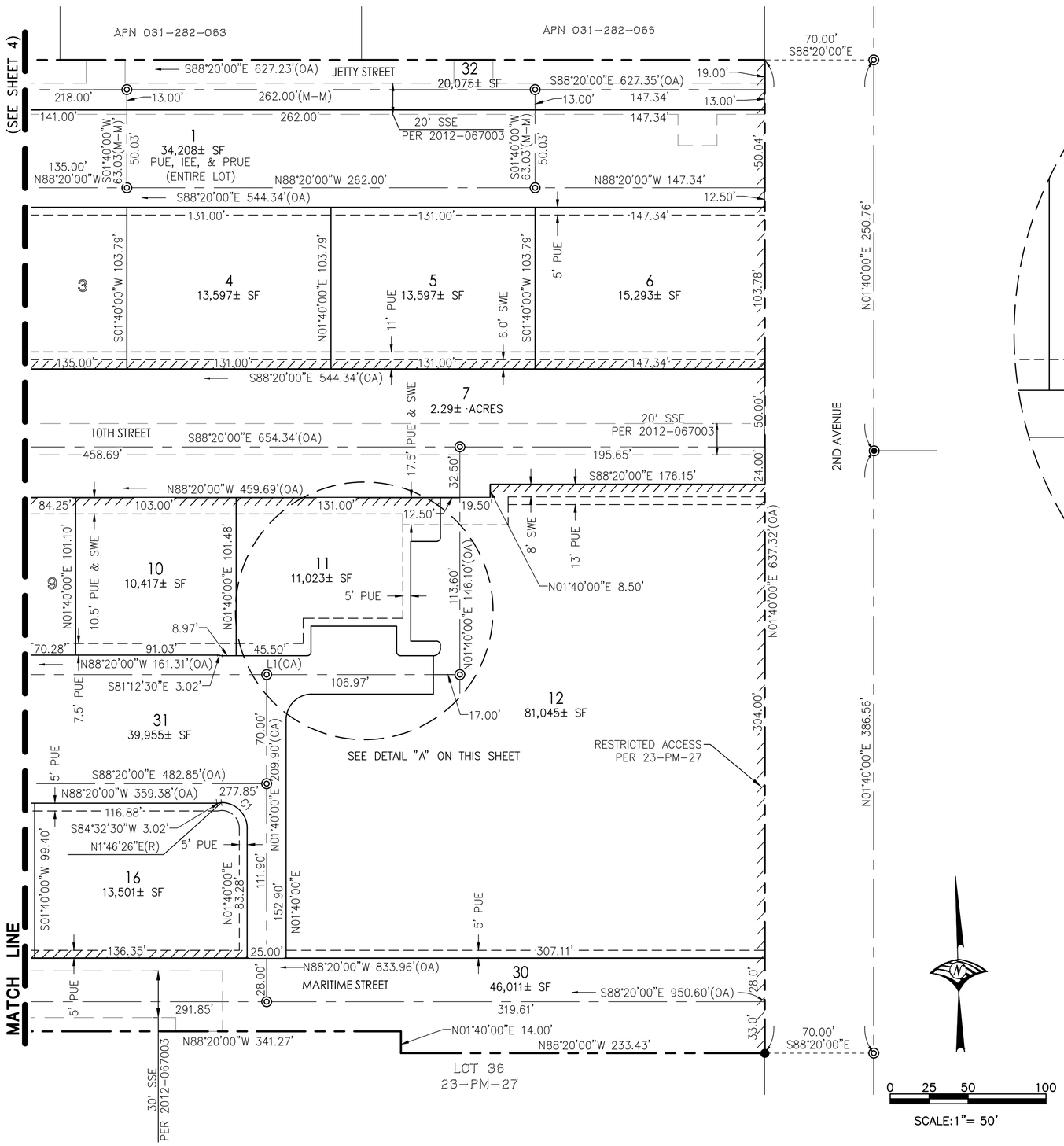
SCALE:1"= 40'

THE DUNES PROMENADE - PHASE 1B FINAL MAP

ALL OF LOTS 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, 17, 18, 24 AND A PORTION OF THE REMAINDER PARCEL AS SHOWN ON THE PARCEL MAP FILED IN VOLUME 23 OF PARCEL MAPS AT PAGE 27.
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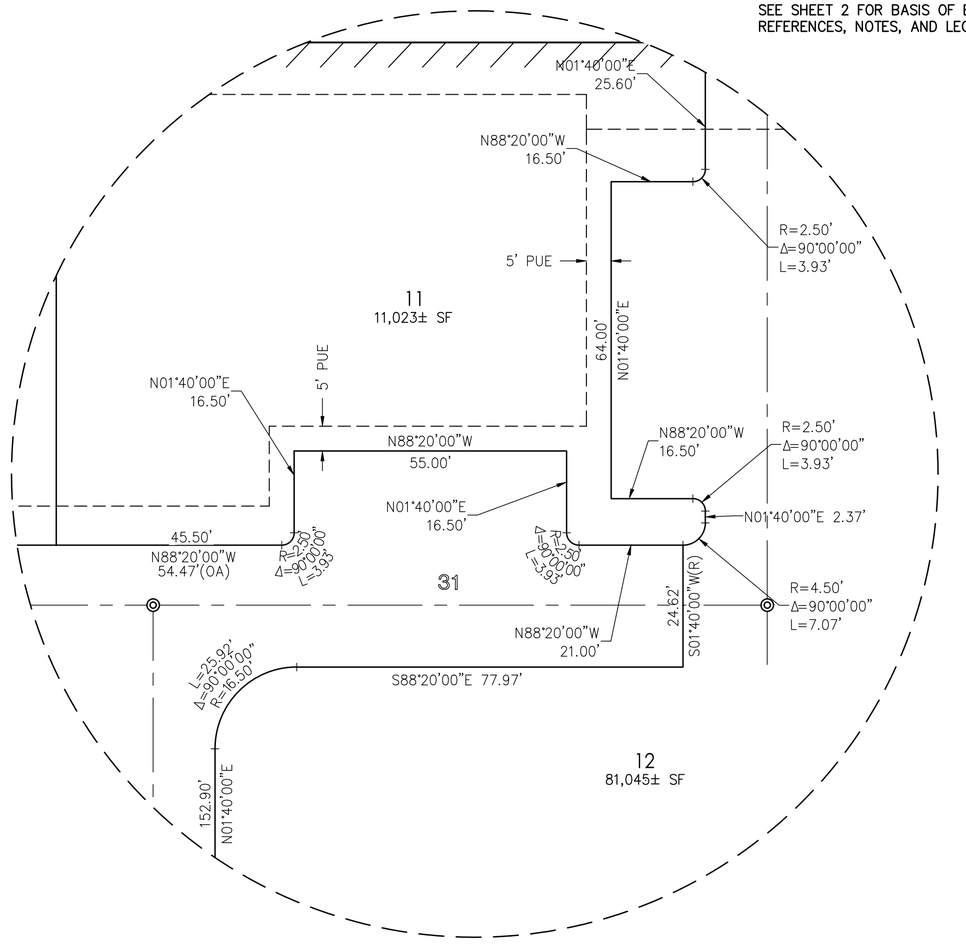
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FEBRUARY 2023
Sheet 4 of 8
JOB # 3089015



NOTE:

SEE SHEET 2 FOR BASIS OF BEARINGS, REFERENCES, NOTES, AND LEGEND



DETAIL A

SCALE: 1"=20'

LINE TABLE		
NO.	BEARING	LENGTH
L1	N88°20'00"W	54.47'

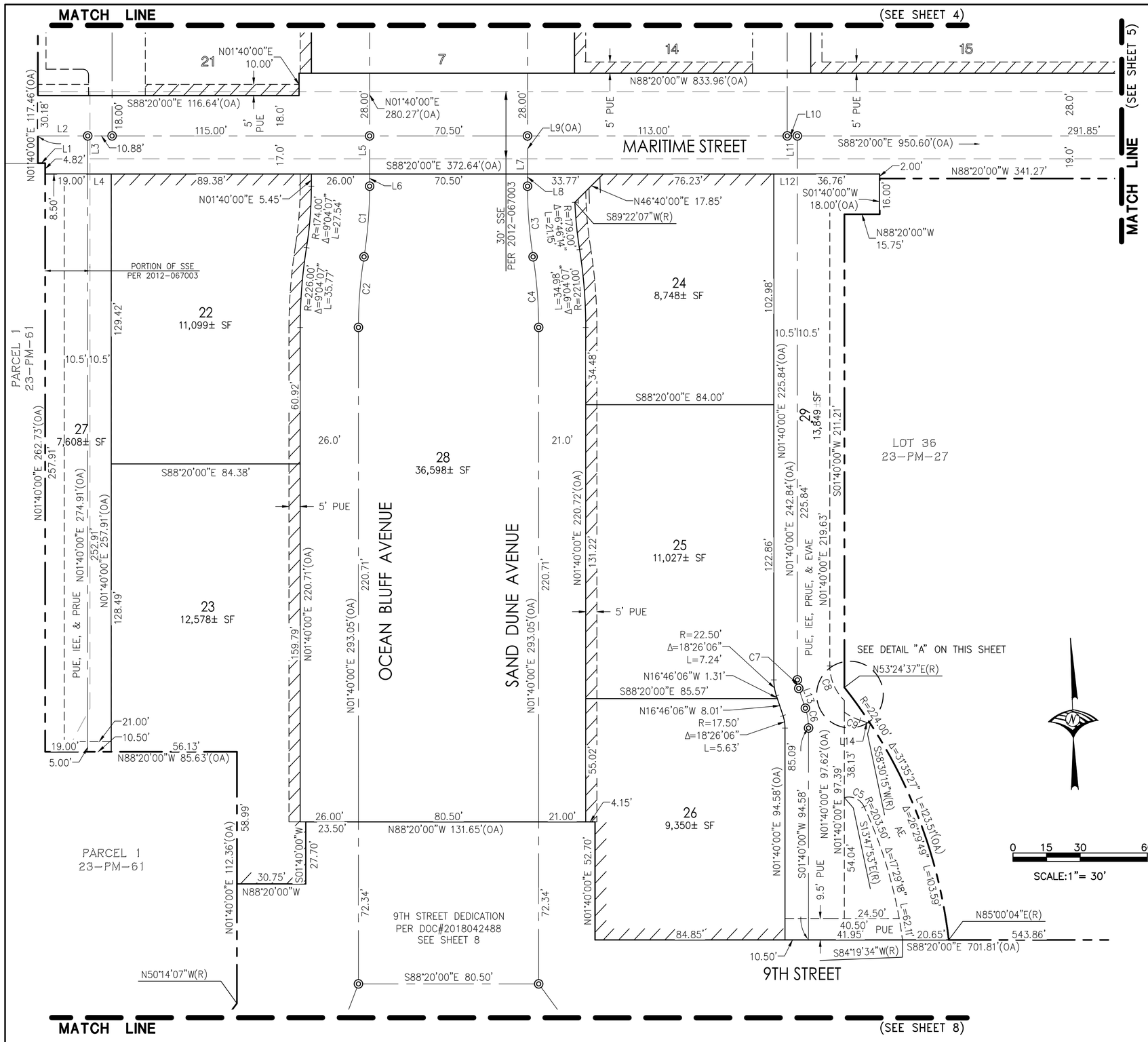
CURVE TABLE			
NO.	RADIUS	DELTA	LENGTH
C1	16.50'	89°53'34"	25.89'

THE DUNES PROMENADE - PHASE 1B FINAL MAP

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FEBRUARY 2023
Sheet 5 of 8
JOB # 3089015

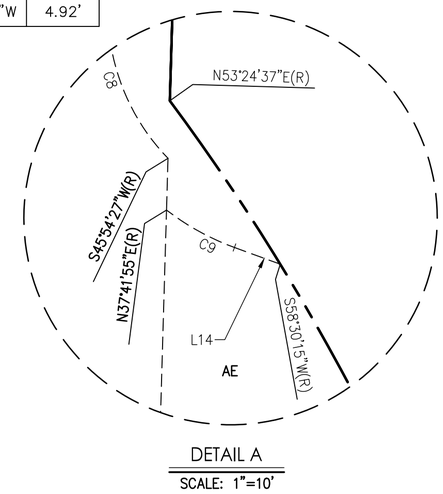


NOTE:

SEE SHEET 2 FOR BASIS OF BEARINGS, REFERENCES, NOTES, AND LEGEND

LINE TABLE		
NO.	BEARING	LENGTH
L1	N88°20'00"W	3.26'
L2	S88°20'00"E	22.26'
L3	N1°40'00"E	17.00'
L4	S88°20'00"E	10.50'
L5	N1°40'00"E	17.00'
L6	N1°40'00"E	5.45'
L7	N1°40'00"E	17.00'
L8	N1°40'00"E	5.45'
L9	N1°40'00"E	280.27'
L10	S88°20'00"E	4.50'
L11	N1°40'00"E	17.00'
L12	S88°20'00"E	10.50'
L13	S16°46'06"E	9.32'
L14	N69°57'51"W	4.92'

CURVE TABLE			
NO.	RADIUS	DELTA	LENGTH
C1	200.00'	9°04'07"	31.66'
C2	200.00'	9°04'07"	31.66'
C3	200.00'	9°04'07"	31.66'
C4	200.00'	9°04'07"	31.66'
C5	7.50'	80°38'10"	10.56'
C6	28.00'	18°26'06"	9.01'
C7	12.00'	18°26'06"	3.86'
C8	21.50'	45°45'33"	17.17'
C9	25.50'	17°39'45"	7.86'



DETAIL A

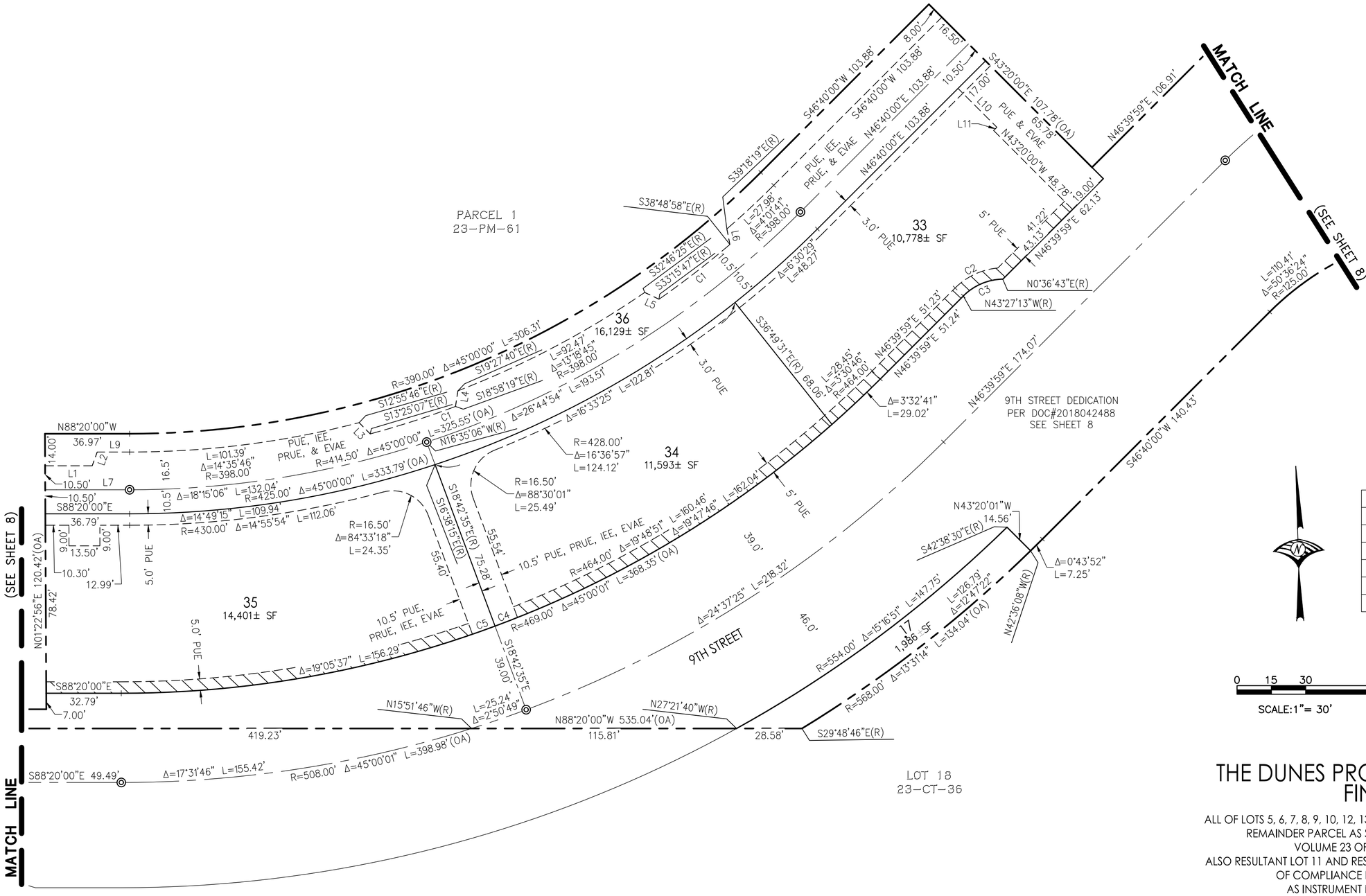
SCALE: 1"=10'

THE DUNES PROMENADE - PHASE 1B FINAL MAP

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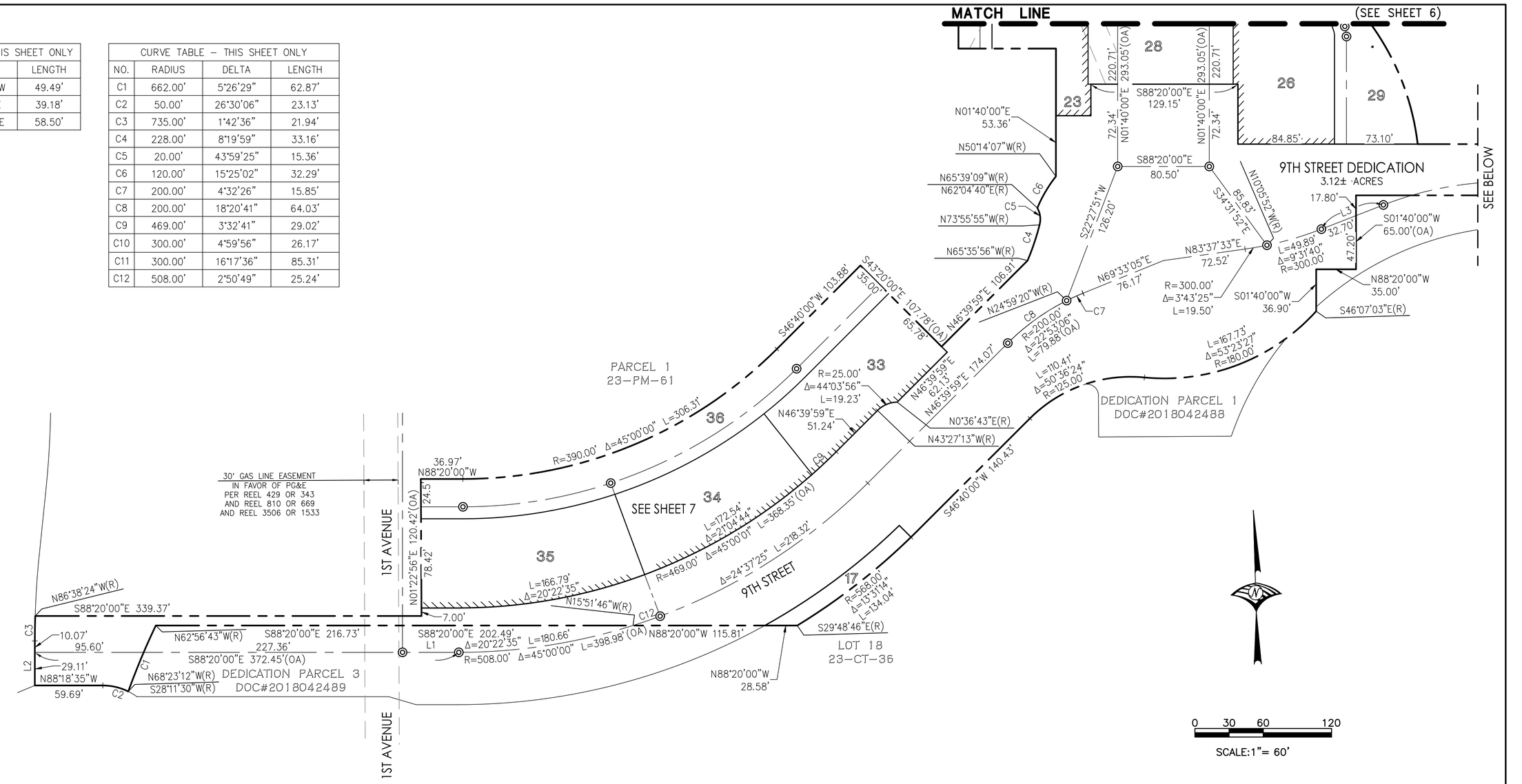
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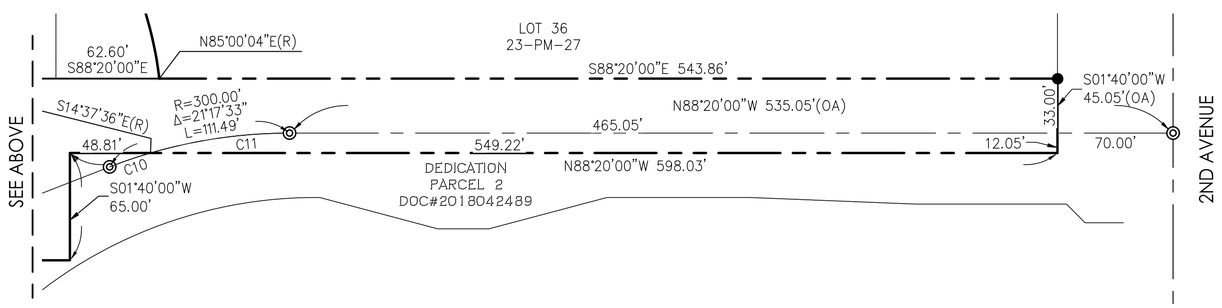
FEBRUARY 2023
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JOB # 3089015


PARCEL 1
23-PM-61
MATCH LINE
(SEE SHEET 8)
MATCH LINE
(SEE SHEET 8)
9TH STREET DEDICATION
PER DOC#2018042488
SEE SHEET 8
9TH STREET
LOT 18
23-CT-36
33
10,778± SF
36
16,129± SF
34
11,593± SF
35
14,401± SF
17
1,986± SF
N88°20'00"W
S88°20'00"E
N46°40'00"E
S46°40'00"W
N43°20'00"W
S43°20'00"E
N46°39'59"E 106.91'
S46°40'00"W 140.43'
N46°39'59"E 174.07'
N01°22'56"E 120.42'(OA)
S88°20'00"E 49.49'
S88°20'00"E 419.23'
N88°20'00"W 535.04'(OA)
115.81'
28.58'
S29°48'46"E(R)
N42°36'08"W(R)
S42°38'30"E(R)
N43°27'13"W(R)
N0°36'43"E(R)
S38°48'58"E(R)
S39°18'19"E(R)
S39°46'25"E(R)
S33°15'47"E(R)
S12°55'46"E(R)
S13°25'07"E(R)
S19°27'40"E(R)
S18°58'19"E(R)
S36°49'31"E(R)
N16°35'06"W(R)
N15°51'46"W(R)
N27°21'40"W(R)
R=390.00' Δ=45°00'00" L=306.31'
R=414.50' Δ=45°00'00" L=333.79'(OA)
R=398.00' Δ=14°35'46" L=101.39'
R=425.00' Δ=45°00'00" L=325.55'(OA)
R=428.00' Δ=16°36'57" L=124.12'
R=16.50' Δ=88°30'01" L=25.49'
R=430.00' Δ=14°55'54" L=112.06'
R=16.50' Δ=84°33'18" L=24.35'
R=464.00' Δ=19°48'51" L=160.46'
R=469.00' Δ=45°00'01" L=368.35'(OA)
R=554.00' Δ=15°16'51" L=147.75'
R=568.00' Δ=13°31'14" L=134.04'(OA)
R=508.00' Δ=45°00'01" L=398.98'(OA)
Δ=18°15'06" L=132.04'
Δ=14°49'15" L=109.94'
Δ=19°05'37" L=156.29'
Δ=24°37'25" L=218.32'
Δ=19°47'46" L=162.04'
Δ=16°33'25" L=122.81'
Δ=26°44'54" L=193.51'
Δ=6°30'29" L=46.27
Δ=3°32'41" L=29.02'
Δ=3°30'46" L=28.45'
Δ=2°50'49" L=25.24'
Δ=0°43'52" L=7.25'
Δ=12°47'22" L=126.79'
Δ=4°01'41" L=27.98'
L=92.47' Δ=13°18'45" R=398.00'
L=110.41' Δ=50°36'24" R=125.00'
3.0' PUE
5' PUE
10.5' PUE, PRUE, IEE, EVAE
PUE, IEE, PRUE, & EVAE
PUE & EVAE
55.40'
55.54'
75.28'
39.0'
46.0'
S18°42'35"E(R)
S16°38'15"E(R)
N43°20'01"W 14.56'
N46°39'59"E 62.13'
N46°39'59"E 51.24'
N46°39'59"E 51.23'
S46°40'00"W 103.88'
N46°40'00"E 103.88'
L=2.00'
L=24.00'
L=20.58'
L=6.39'
L=6.91'
L=36.85'
L=14.13'
L=10.51'
L=48.78'
L=65.78'
L=41.22'
L=43.13'
L=19.00'
L=17.00'
L=16.50'
L=10.50'
L=8.00'
L=5.00'
L=10.50'
L=78.42'
L=32.79'
L=7.00'
L=36.97'
L=10.50'
L=36.79'
L=13.50'
L=10.30'
L=12.99'
L=9.00'
L=5.0' PUE
L=16.5'
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L=10.5' PUE, PRUE, IEE, EVAE
L=10.5' PUE, PRUE, IEE, EVAE
L=10.5'
L=10.5'
L=16.5'
L=14.00'
L=10.5'
L=10.5'
L=10.5

LINE TABLE – THIS SHEET ONLY		
NO.	BEARING	LENGTH
L1	N88°20'00"W	49.49'
L2	N1°39'00"E	39.18'
L3	N70°22'27"E	58.50'

CURVE TABLE – THIS SHEET ONLY			
NO.	RADIUS	DELTA	LENGTH
C1	662.00'	5°26'29"	62.87'
C2	50.00'	26°30'06"	23.13'
C3	735.00'	1°42'36"	21.94'
C4	228.00'	8°19'59"	33.16'
C5	20.00'	43°59'25"	15.36'
C6	120.00'	15°25'02"	32.29'
C7	200.00'	4°32'26"	15.85'
C8	200.00'	18°20'41"	64.03'
C9	469.00'	3°32'41"	29.02'
C10	300.00'	4°59'56"	26.17'
C11	300.00'	16°17'36"	85.31'
C12	508.00'	2°50'49"	25.24'





NOTE:

SEE SHEET 2 FOR BASIS OF BEARINGS, REFERENCES, NOTES, AND LEGEND

THE DUNES PROMENADE - PHASE 1B FINAL MAP

ALL OF LOTS 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, 17, 18, 24 AND A PORTION OF THE REMAINDER PARCEL AS SHOWN ON THE PARCEL MAP FILED IN VOLUME 23 OF PARCEL MAPS AT PAGE 27.
ALSO RESULTANT LOT 11 AND RESULTANT LOT 20 AS DESCRIBED IN CERTIFICATES OF COMPLIANCE RECORDED NOVEMBER 29, 2021 AS INSTRUMENT NOs. 2021079916, 2021079918
OFFICIAL RECORDS OF MONTEREY COUNTY
CITY OF MARINA, COUNTY OF MONTEREY

WOOD RODGERS
BUILDING RELATIONSHIPS ONE PROJECT AT A TIME
4670 WILLOW ROAD, STE 125 TEL 925.847.1556
PLEASANTON, CA 94588 FAX 925.847.1557

FEBRUARY 2023
Sheet 8 of 8
JOB # 3089015

Bowman

December 21, 2022

Doug Yount
Project Director Shea Homes
2630 Shea Center Drive
Livermore, CA 94551

Subject: Water Review – MCP Phase1B Promenade

Dear Mr. Yount:

We have completed a review of the background materials provided for the entire Dunes on Monterey Bay developments and have made projections of water demands throughout. We understand that this review was required as a condition of approval of the tentative map for the proposed Project. This letter provides the results of our review and modeling.

Introduction:

The City of Marina (City), California is currently reviewing conditions for the final map for Phase 1B Promenade of The Dunes on Monterey Bay Project (proposed Project). The proposed Project is a part of the area formerly known as the University Villages Project. The Applicant is Marina Community Partners, and the proposed Project is located in the Dunes Specific Plan Area.

Bowman was contracted by Marina Community Partners to determine the water demand projected for the proposed Project, based on local unit water demand factors, and the adequacy of water supplies allocated to the proposed Project.

Bowman staff prepared this review with assistance from and coordination with Marina Community Partners.

Bowman staff previously prepared water demand estimates for the City that are used in this evaluation. Water demand reviews for Phases 1 and 2 of 1C were completed in February and October 2015 and the review of Phase 3 of 1C was completed in March 2016. Review of Phase 2 East was completed in January of 2021.

Task 1 Water Demand Analysis

A land use spreadsheet was developed to inventory the type and amount of residential and non-residential land uses in each phase of the planned development. The current Department of Real Estate exhibits (DREs) and tentative maps were used for each project phase to estimate the water demands. Once verified, the inventory was imported into the existing water model. The water demand estimate was used to determine the total water demands of the project's residential and nonresidential uses with interior and exterior uses identified separately.

The running tally of water usage both initial and current was updated to facilitate future accounting of water demands and remaining water supplies for future phases of project development.

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The following is an estimate of the overall water demands for the proposed phases of development:

- Total interior potable water demand for residential properties of approximately 137.95 AFY
- Total interior potable water demand for nonresidential properties of approximately 134.00AFY
- Total exterior potable water demand for residential properties of approximately 66.70 AFY
- Total exterior water demand for nonresidential properties of approximately 34.52 AFY

A more detailed presentation of the estimated water demands for the proposed Project is provided below.

Baseline Conditions:

On May 17, 2005, the City approved an allocation of 593 AFY of potable water in Resolution No. 2005-129 Reserving and Allocating Water Sufficient to Serve the Marina Community Partners (MCP) Development.

The University Villages Settlement Agreement (Settlement Agreement) imposes the following requirements for the installation of water conserving facilities in residences throughout the Specific Plan Area with the objective of maximizing water conservation:

- Drought-tolerant plant materials in landscaping
- Satellite controlled Evapotranspiration-based (ET) irrigation control systems
- Tankless hot water heaters
- Dual Flush / Ultra low flow toilets
- Hot water return pumping
- Conversion to the use of recycled water for exterior non-residential demands as available.

Potable water will remain in use for landscape irrigation until recycled water becomes available to the Project.

Several redevelopment projects have occurred throughout the Specific Plan Area from land transfers by MCP to other parties. The following is a list of these projects:

- Community Hospital of the Monterey Peninsula (CHOMP), Marina Campus
- Veterans Administration Monterey Health Care Center
- Springhill Suites (Marriott) Hotel
- Phase 1A (Marina Village Retail Center)
- Planning Area B1 (Cinemark Theater and Fast Casual Dining Project)
- Phase 1C Residential
- University Village Apartments

A detailed breakdown of the water allocation for the Specific Plan Area including built projects and proposed projects is included in Table 1.

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Table 1:Development Projects in MCP Specific Plan Area

	A	B	C	D D=A-(B+C)
Project	**Allocation (AFY)**	**Constructed or Approved Project (AFY)**	**Proposed Project (AFY)**	**Remaining Allocation (AFY)**
Dunes on Monterey Bay Project Total	**593**			**593**
Constructed or Approved Projects				
Dunes Shopping Center (Planning Area 1A)		34.0		
CHOMP		22.3		
QSR (Shops at the Dunes) Planning Area B1		12.9		
Cinemark (allocation included in Retail/Restaurant Planning Area B1)		9.3		
UV Apartments		14.0		
Phase 1C Residential		69.5		
VA Clinic		20.7		
Springhill Suites		30.0		
Phase 2 East Residential		55.3		
Subtotal of Approved Projects		**268**		**325**
Proposed Projects				
Phase 1 Promenade Residential			19.8	
Phase 1 Promenade Non-Residential (Buildings A-G)			20.0	
Subtotal Proposed Projects			**39.8**	**285.2**
Future Projects				
Phase 1B Office Park			12.7	
Phase 2/3 BMR Housing			41.2	
Phase 2 West Residential			18.0	
Phase 2 West Non-Residential			3.4	
Phase 2 North Residential			15.9	
Phase 2 North Non-Residential			66.9	
Phase 3 Residential			66.9	
Phase 3 Non-residential			53.1	
Subtotal of Future Project			**278.1**	**7.1**

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Phase 1B Promenade Water Supply Availability

A water demand estimate was prepared for the proposed Project based on information provided by the project Applicant. Water demands are separately identified for interior potable water use, and exterior uses, to facilitate an accounting of the potential future use of recycled water and potable water conservation resulting therefrom.

The proposed Project's unit and total water demands for residential land uses also references data from similar projects. Provided in Exhibit 1 is the site plan for the Project.

Table 2 presents a list of the residential land uses planned for construction in the proposed Project.

Table 2: Proposed Project Description – Phase 1B- Promenade

Product Type	Numbers of Units	Approximate Lot Area (Square-feet)
Livework	13	1,740
Townhomes	18	1,740
Flats	53	1,740
TOTAL	**84**	

Tables 3a-3d provides a more detailed presentation of the estimated water demands for the proposed Project. It is based on water demands for similar local projects and Best Management Practices (BMP's) for the installation and use of water conservation facilities and practices similar to those required by MCWD and the Settlement Agreement. These assumptions result in a total estimated water demand for the proposed Project of 39.84 AFY that includes residential units, and parks and common areas.

Table 3a Phase 1B Promenade Residential Interior Water Demands

Type of Resident	Number of Units	Occupancy (People/Unit)	Interior Unit Demand (GPC/Day)	Demand (AFC/Y)	Unit Residential Demand (AFY)	Residential Interior Demand (AFY)	Phase 1B Promenade Proposed Project (AFY)
Phase 1B Promenade	84						**14.25**
Livework	13	2.5	55.0	0.06	0.154	2.00	
Townhomes	18	2.8	55.0	0.06	0.173	3.11	
Flats	53	2.8	55.0	0.06	0.173	9.17	

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THE DUNES PROMENADE - OVERALL ILLUSTRATIVE PLAN

MARINA, CALIFORNIA

Exhibit I

06.10.22 L-3

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Table 3b Phase 1B Promenade Residential Exterior Water Demands

Type of Resident	Irrigable Area (Acres)	% Irrigable Area	% Turf Planting	Turf Irrigated Area (Acres)	% Ornamental Plantings	Ornamental Irrigated Area (Acres)	Unit Turf Demand (AFY/Unit)	Unit Ornamental Demand (AFY/Unit)	Unit Exterior Factor (AFY/Unit)	Exterior Demand (AFY/Unit)
Phase 1B Promenade										**5.59**
Livework	0.024	100%	7%	0.002	86%	0.012	0.026	0.020	0.084	1.092
Townhomes	0.016	100%	0%	0	100%	0.012	0.026	0.020	0.057	1.029
Condos	0.024	100%	7%	0.012	41%	0.023	0.048	0.036	0.065	3.471

Table 3c Phase 1B Promenade Non-Residential Interior Water Demands

Land Use	Interior Area (Sq.ft.)	Unit Demand (AFY/unit)	Interior Demands (AFY
Phase 1B Promenade	32,686		**17.49**
Retail Buildings F, G	9,893	0.00005	0.49
Grocery	12,500	0.00033	4.13
5 Restaurants Buildings B, C, D, E	10,293	0.00125	12.87

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Table 3d Phase 1B Promenade Non-Residential Exterior Open Space and Parks Water Demands

Land Use	Irrigable Area (Acres)	% Turf Planting	Turf Irrigated Area (Acres)	% Ornamental Plantings	Ornamental Irrigated Area (Acres)	Unit Turf Demand (AFY/Unit)	Unit Ornamental Demand (AFY/Unit)	Exterior Demand (AFY/Unit)
Phase 1B Promenade	1.53		0.35		1.01	0.840	0.714	**2.50**
Commercial Landscape	0.96	12%	0.113	88%	0.848	0.22	1.49	1.71
Linear Park	0.40	59%	0.236	41%	0.164	0.50	0.29	0.79

Conclusion:

An adequate supply of water appears to be available to the Phase 1B Promenade Project based on the allocation of 593 AFY of Potable Water to the MCP Specific Plan Area per City Resolution No. 2005-129. Table 4 provides a summary of the current water entitlements. Approximately 45% of the Specific Plan water allocation has been constructed or approved. Approximately 54% of the Specific Plan water allocation or 317.9 AFY is available for future or proposed development. There remains approximately 1 % or 7.1 AFY of the total water supply currently not allocated after proposed development. By current estimates, 34.52 AFY of the Specific Plan water allocation will remain with the implementation of recycled water irrigation. Therefore, there is adequate water available for The Dunes Phase 1B Promenade

Table 4 Summary of Water Allocation

Summary Area	AFY
TOTAL SUPPLY (MCP UV Entitlement)	**593.0**
Running Tally of Development Built to Date	268
Phase 1 Projection	52.6
Phase 2 Projection	104.1
Phase 2/3 Affordable Housing	41.2
Phase 3 Projection	120.0
Total Proposed Demand	**317.9**
Water Balance = TOTAL SUPPLY – (Running Tally+Phase 1+2+3)	**7.1**
Less Non-Residential Exterior (Convert to Recycled Water)	34.52
TOTAL AFTER RECYCLED Water CREDIT	**41.62**

James Brezack

James Brezack
Director, Water Resources
Bowman

Christie Robinson

Christie Robinson
Senior Planner
Bowman

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March 16, 2023, Item No. **13d**

Honorable Mayor and Members of the Marina City Council

City Council Meeting of March 21,2023

CITY COUNCIL TO CONSIDER ADOPTING RESOLUTION NO. 2023-, RECEIVING A PRESENTATION AND, PROVIDING INPUT ON THE DUNES CITY PARK PROJECT

REQUEST:

It is requested that the City Council consider approving and adopting Resolution No. 2023-, for the following actions:

1. Receiving a presentation, **EXHIBIT A**, for the four options for the proposed Dunes City Park Project.

2. Providing input on the design for the proposed Dunes City Park Project.

BACKGROUND:

On May 17,2005, the City Council passed Resolution 2005-130 adopting the University Village Specific Plan. Included in the University Village Specific Plan is the park at the Dunes, now known as Dunes City Park.

Several parks have been planned for development within Marina. On June 21, 2005, City Council passed Resolution 2005-159 Adopting a Negative Declaration and Parks and Recreation Facilities Master Plan. The Master Plan served as the basis for the preliminary planning for the city parks.

Community outreach for parks planning was held on November 13, 2018. The design consultant team retained by the City, Verde Design (Verde), prepared parks concept plans for City various parks, including the Dunes City Park, that were presented to a joint Public Works Commission and Recreation and Cultural Services Commission on February 21, 2019.

On April 9, 2019, Resolution 2019-36 the city council received a presentation and provided comments on several city parks including the Dunes City Park, **EXHIBIT B.** Comments for this park included space for the Tatum's Garden/Treehouse, FORTAG Trail, consideration of stabilizing examples of barracks, phasing for barracks removal, phasing for existing trees and other amenities. Concerns were raised about the extent of retaining walls on the site with 40 feet of grade difference and the impact of grading on existing trees.

A structural and cost analysis was completed by WRD for the three barracks considered for stabilization. The report concluded that either rehabilitating or demolishing and rebuilding is feasible, however one of the buildings was recommended for rebuild due to structural difficulty and expense to retrofit. The cost to rehabilitate versus demolish and rebuild is comparable. The Barracks Blight Removal project is on its final phase and estimated to be completed mid-April 2023.

At a regular meeting on May 1, 2019, the City Council approved the FY 2019-20 & 2020-21 Capital Improvement Program (CIP) budget, The Dunes Park Project, QLP 2017, was included and with appropriated budget amount of $500,000. Additional funding of $1,000,000 for FY 2021-2022 was appropriated and $8,400,000 of developer contribution was anticipated for FY 2022-2023. $3.8 million of the $8.4 million has been received by the City with the remaining $4.6 million due upon a future phase of land sale.

As part of the Blight Removal project, Denise Duffy & Associates, Inc was hired to survey and prepare report on the health and impact of the blight removal and soil remediation to existing trees at the Dunes City Park (**EXHIBIT C**). On March 10, 2022, the City Planning Commission held a public hearing and adopted Resolution No. 2022-05b, approving the removal of trees and required replacement of 2:1 ratio. Existing trees shown on Options 1-4 of **EXHIBIT D** are trees that remained after the Blight Removal project.

A topographic survey of the site was completed to assess grading requirements and impacts to trees. Four concept plan options were prepared by Verde with Option 4 incorporating the majority of the comments from the April 9, 2019, City Council Meeting.

On January 26, 2023, an on-site Marina community engagement open house was held and was followed by an in-person public presentation in the City Council Chambers. There were 35 and 42 attendees of the community engagement and public presentation, respectively. Participant preferred option, questions and comments were received at the community engagement as well as through the email address created specifically for this project (**EXHIBIT E**).

ANALYSIS:

Verde prepared four options for the proposed Dunes City Park Project, **EXHIBIT D**. The following are brief narratives on these four options.

OPTION 1: GREAT LAWN, MUSEUM and SPORTS PAVILION

This option does not have sports fields. It includes a generous informal lawn area, an inclusive playground, a 250-person capacity amphitheater, and sports courts. It also includes a sports pavilion and historical military buildings. It retains all the significant existing and legacy trees. This option includes 326 parking spaces and parking demand at maximum use is 273. The current estimate for the development of Option 1 is $27.7 million with $6.5 million being for the barracks buildings and sports pavilion. The sports pavilion, at an estimated cost of $3.5 million is not included in Options 2 thru 4 but is included with the sports and aquatic center planning and design effort.

OPTION 2: LAWN and ONE MULTI SPORTS FIELD

This option has one (1) multi-sports field. It includes an inclusive playground, a 250-person capacity amphitheater, reduced informal lawn areas, and sports court. It retains all the significant existing and legacy trees. This option includes 326 parking spaces and parking demand at maximum use is 419. The current estimate for the development of Option 2 is $23.8 million.

OPTION 3: TWO MULTI SPORTS FIELD WITH AMPHITHEATER

This option has two (2) multi-sports fields. It includes an inclusive playground, an 80-person capacity amphitheater, and sports court. It retains the existing trees along the south side of the park and the legacy trees (8). This option includes 304 parking spaces and parking demand at maximum use is 420. An estimate was not prepared for Option 3 but development of Option 3 is expected to be between the cost of Option 2 ($23.8 million) and Option 4 ($27.7 million).

OPTION 4: TWO MULTI SPORTS FIELD

This option has two (2) multi-sports fields. Only legacy
trees (8) are retained. This option includes 349 parking spaces and parking demand at maximum use is 420. The current estimate for the development of Option 2 is $27.7 million.

The City received 124 comments with preferred options; thirty-five (35) indicated Option 1, twenty (20) for Option 2, fifty-four (54) for Option 3 and seven (7) for Option 4. Comments and option preferences are tabulated and included as **EXHIBIT E**.

In response to questions and comments at the public presentation, staff is working with SSA Landscape Architect for the concept design to optimize ballfield programs and update Preston Park. A preliminary concept drawing is included as **EXHIBIT F**. This preliminary concept for Preston Park will provide the much-needed additional ballfield for the community should Option 1 or 2 be selected for the Dunes City Park. A community engagement and presentation for the Preston Park Upgrade will be scheduled in the future.

on March 16th, 2023, the Public Works Commission received a presentation and provided input on the Dunes Parks options. Input and comments from the meeting will be provided to City Council prior to the March 21st, 2023 meeting.

FISCAL IMPACT:

No fiscal implications at this time.

Partial funding for the Dunes Park Project is included in the Capital Improvement Program budget, QLP 2017.

Preliminary project cost estimates are between $23,764,474 (Option 2) and $27,680,751 (Option 4). Option 1 project cost estimates is $27,661,702. The project cost estimates for the option selected will be updated as the project design progress. The estimated cost of expansion and rehabilitation of Preston Park to include additional play fields is $12,000,000.

The City currently does not have sufficient staffing to maintain additional park space. Based upon maintained acreage, the City currently needs four additional maintenance workers with an annual cost of $440,000. Full development of the Dunes Park would increase that number by one lead worker at an annual cost of $150,000 and one maintenance worker at an annual cost of $110,000. Materials and equipment costs to maintain the Dunes Park are estimated at $100,000 per year above the staffing costs.

CONCLUSION:

This request is submitted for City Council for consideration and input.

Respectfully submitted,

_____

Brian McMinn, P.E., P.L.S.
Public Works Director/City Engineer
City of Marina

REVIEWED/CONCUR:

_____

Layne P. Long
City Manager
City of Marina

RESOLUTION NO. 2023-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA RECEIVING A PRESENTATION AND, PROVIDING INPUT ON THE DUNES CITY PARK PROJECT

WHEREAS, On May 17,2005, the City Council passed Resolution 2005-130 adopting the University Village Specific Plan. Included in the University Village Specific Plan is the park at the Dunes, now known as Dunes City Park; and

WHEREAS, several parks have been planned for development within Marina. On June 21, 2005, City Council passed Resolution 2005-159 Adopting a Negative Declaration and Parks and Recreation Facilities Master Plan. The Master Plan served as the basis for the preliminary planning for the city parks; and

WHEREAS, community outreach for parks planning was held on November 13, 2018. The design consultant team retained by the City, Verde Design (Verde), prepared parks concept plans for City various parks, including the Dunes City Park, that were presented to a joint Public Works Commission and Recreation and Cultural Services Commission on February 21, 2019; and

WHEREAS, on April 9, 2019, Resolution 2019-36 the City Council received presentation and provided comments on several city parks including the Dunes City Park, **EXHIBIT B**; and

WHEREAS, Verde prepared four options for the proposed Dunes City Park Project attached as **EXHIBIT C**; and

WHEREAS, on January 26, 2023, an on-site Marina community engagement open house was held and was followed by an in-person public presentation in the City Council Chambers. There were 35 and 42 attendees of the community engagement and public presentation, respectively. Participant preferred option, questions and comments were received at the community engagement as well as through the email address created specifically for this project (**EXHIBIT E**); and

WHEREAS, the City received 124 comments with preferred options; thirty-five (35) indicated Option 1, twenty (20) for Option 2, fifty-four (54) for Option 3 and seven (7) for Option 4. Comments and option preferences are tabulated and included as **EXHIBIT E**; and

WHEREAS, in response to questions and comments at the public presentation, staff is working with SSA Landscape Architect for the concept design to optimize ballfield programs and update Preston Park. A preliminary concept drawing is included as **EXHIBIT F**. This preliminary concept for Preston Park will provide the much-needed additional ballfield for the community should Option 1 or 2 be selected for the Dunes City Park. A community engagement and presentation for the Preston Park Upgrade will be scheduled in the future park.

WHEREAS, on March 16th, 2023, the Public Works Commission received a presentation and provided input on the Dunes Parks options.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Marina that does hereby:

1. Receive a presentation on the four options for the proposed Dunes City Park Project; and

2. Provide input on the design for the proposed Dunes City Park Project.

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting duly held on the 21st day of March 2023, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

_____
Bruce C. Delgado, Mayor

ATTEST:

_____
Anita Sharp, Deputy City Clerk



EXHIBIT A

VERDE DESIGN

Dunes Park

Public Works Commission

March 16, 2023

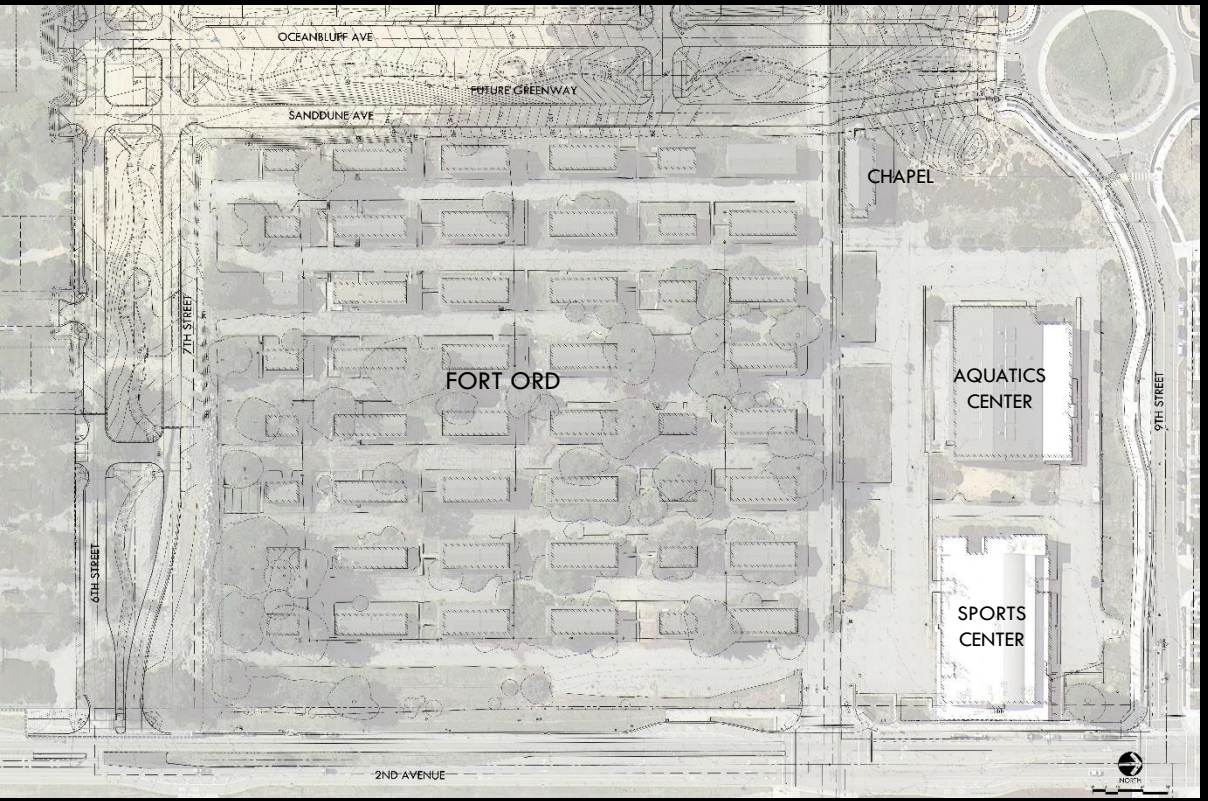
Agenda

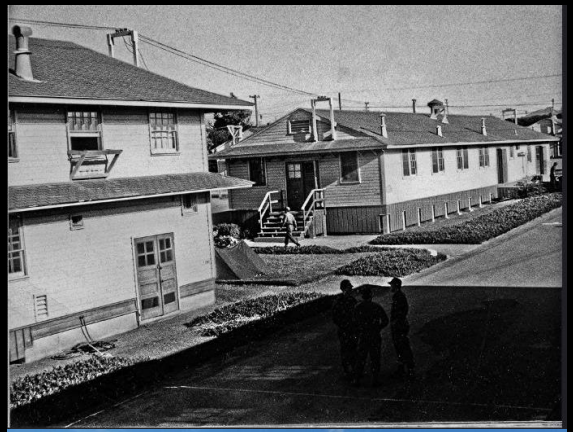
- Introductions
- Existing Conditions
- Preliminary Design Plan
- Park Elements
- Design Options
- Community Input
- Next Steps



Existing Conditions

VERDE DESIGN







Existing Conditions - Topography

VERDE DESIGN

With Blight



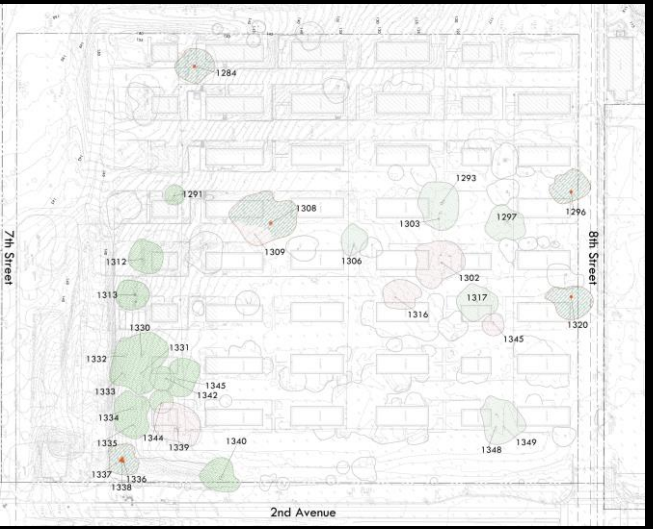




Without Blight



Existing Conditions - Trees







Existing Conditions - Buildings

VERDE DESIGN

Chapel



Aquatics Center



Sports Center



Preliminary Design Plan

VERDE DESIGN

- Tree Protection
- Program elements and topography



Park Elements



Park Elements – Multi-Use Fields

VERDE DESIGN

Multi-Use Field with Soccer, Baseball, and Lacrosse



Park Elements – Multi-Use Fields

VERDE DESIGN

Multi-Use Field with Soccer, Baseball, and Lacrosse



Park Elements – All Inclusive Play

VERDE DESIGN





Park Elements – Performance

VERDE DESIGN

- Amphitheater
- Music
- Seating



Park Elements – Tennis/Pickleball





Park Elements – Basketball/Multi-Use

VERDE DESIGN









Park Elements – Sand Volleyball

VERDE DESIGN



Park Elements – Bocce Court

VERDE DESIGN



Concept Diagrams



VERDE DESIGN

EXHIBIT A



Tree Legend:

EXISTING TREES

EXISTING LEGACY TREES

NEW PARK TREES

Marina - Dunes Park - Option 1
City of Marina
Marina, CA

VERDE DESIGN

LANDSCAPE ARCHITECTURE
CIVIL ENGINEERING
SPORT PLANNING & DESIGN
2455 The Alameda, Ste. 200
Santa Clara, CA 95050
tel: 408.985.7200
fax: 408.985.7260
www.verdedesigninc.com

Option 1

VERDE DESIGN

EXHIBIT A



Tree Legend:

EXISTING TREES

EXISTING LEGACY TREES

NEW PARK TREES

Marina - Dunes Park - Option 2
City of Marina
Marina, CA

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tel: 408.985.7200
fax: 408.985.7260
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Option 2

VERDE DESIGN

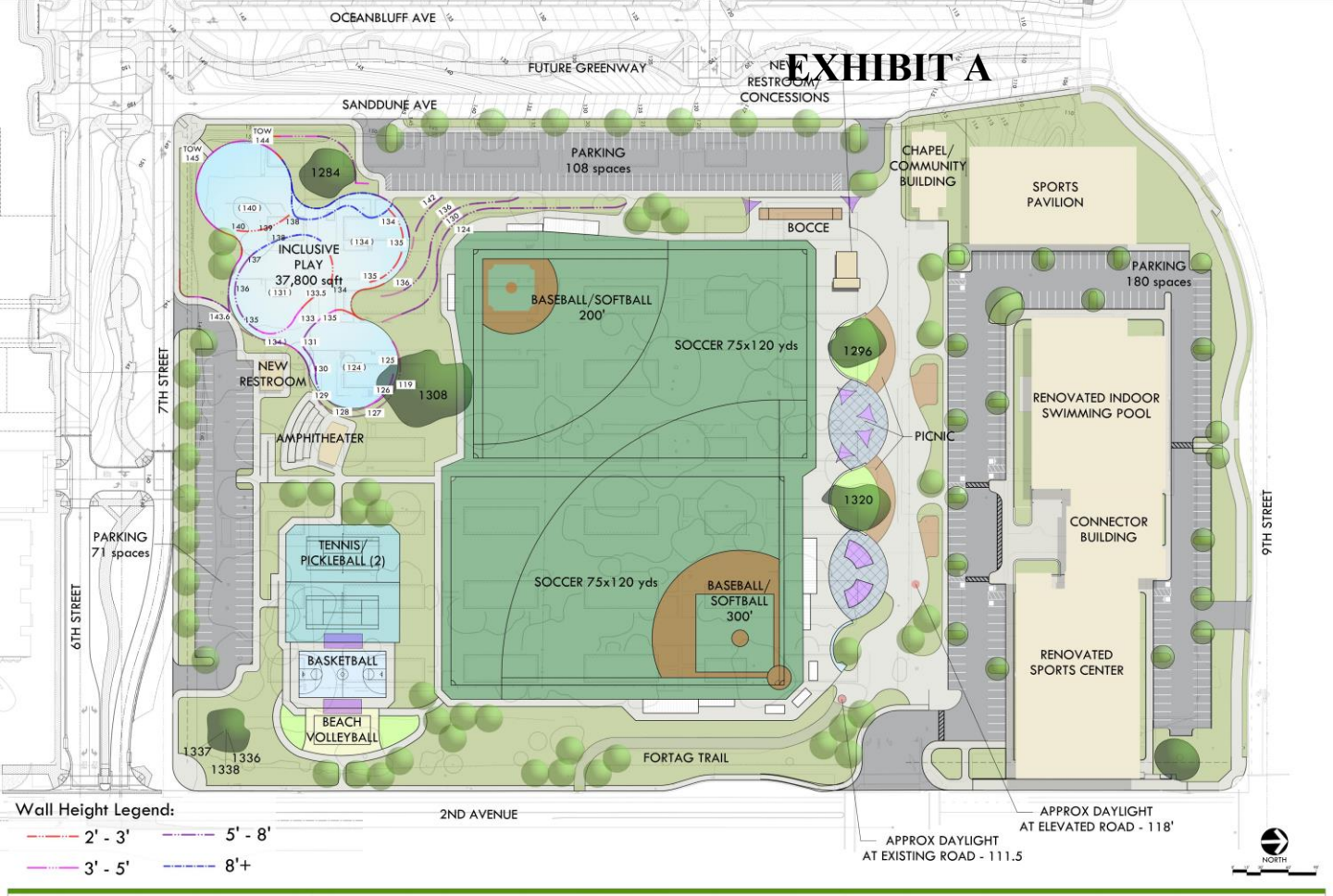
EXHIBIT A



Option 3

VERDE DESIGN

EXHIBIT A



Wall Height Legend:

- 2' - 3'
- 3' - 5'
- 5' - 8'
- 8'+

Tree Legend:

- EXISTING TREES
- NEW PARK TREES
- EXISTING LEGACY TREES

Marina - Dunes Park - Option 4
City of Marina
Marina, CA

VERDE DESIGN

LANDSCAPE ARCHITECTURE
CIVIL ENGINEERING
SPORT PLANNING & DESIGN
2455 The Alameda, Ste. 200
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Option 4

EXHIBIT A

	Tree Preservation Level	Significant Trees to be Removed	2:1 Required Minimum Replacement/New Trees[1]	Sports Fields	Retaining Walls	Amphitheater (Approx. Capacity)	Parking Count (Includes Street Parking)[2]	Parking Demand (75% Max. Use/Max. use)	Other Park Elements
OPTION 1	All significant trees to be retained	5 (Blight)	10/31	None	Least	250	326	205/273	• Sports Pavilion • Historical Bldgs.
OPTION 2	All significant trees to be retained	5 (Blight)	10/26	(1) Full size soccer (1) baseball/softball	Less	250	326	314/419	
OPTION 3	Legacy + all significant trees on south side	12 (Blight + Design)	24/37	(2) Full size soccer (2) baseball/softball	Less	80	304	315/420	
OPTION 4	Legacy trees only	21 (Blight + Design)	42/53	(2) Full size soccer (2) baseball/softball	Most	80	349	315/420	

Option 1



Option 2



Option 3



Option 4



Community Input

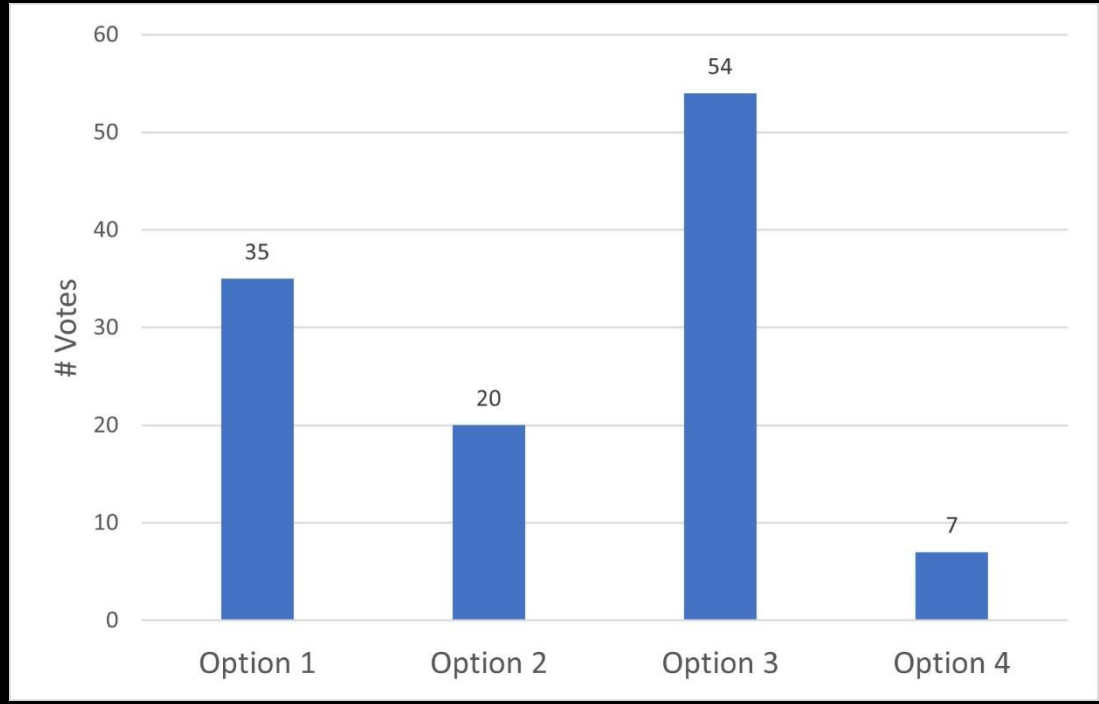
- Held on 1/26/23 with GJT Park
- Boards and Q&A Session, comments cards provided for voting
- Evening presentation



Comment Card Results

VERDE DESIGN

- Most people that voted for Option 4 had Option 3 as their 2nd option
- Most people that voted for Option 1 had Option 2 as their 2nd option



Presentation Comments

- Option 3 is preferred by coaches and parents as it has more existing trees preserved than option 4 while still having all the park elements shown in the other options.
- The less inclined sports people prefer Option 2 as it has (1) multi-sports field while preserving all trees and having more space for other elements such as the amphitheater.
- Comments on Option 1 for versatility of informal lawn area and inclusion of Museum to memorialize Fort Ord. Sports Pavilion is included in this concept and the cost estimate
- Playgrounds in Options 3 and 4 are accessible but may be more expensive due to the topography. One suggestion was to flip the playground for the amphitheater in these options.

Cost Estimates

VERDE DESIGN

- Option 1: $27.7 MM* ($19.3 MM)
- Option 2: $23.8 MM* ($16.6 MM)
- Option 4: $27.7 MM* ($19.3 MM)

* Includes the following:

Staking, Permits, Traffic, SWPPP	2%
Bonding	2%
Mobilization & PM	10%
Design Contingency	10%
Bidding & Inflation Contingency	6%
Construction Contingency	10%
City Construction Management	3.5%

Maintenance Estimate

VERDE DESIGN

• Staffing	$260,000 per year
1 Lead Worker	
1 Maintenance Worker	
• Materials and Equipment	$100,000 per year
• Total Annual Maintenance	$360,000 per year

Next Steps

VERDE DESIGN

- Develop a preferred concept based on feedback received
- City Council presentation – 3/21/23
- Develop a grading plan and cost estimate
- Programming of construction funding



Thank you!

Dunes Park

Public Works Commission



EXHIBIT B



B1 RENOVATED INDOOR SWIMMING POOL
B2 RENOVATED SPORTS CENTER
B3 FUTURE SPORTS CENTER ANNEX
B4 CHAPEL/COMMUNITY BUILDING
B5 RESTROOM/CONCESSIONS BUILDING
B6 ADAPTIVE REUSE OF EXISTING BARRACK BUILDINGS

1 MULTI-USE FIELD WITH MULTI-AGE BASEBALL/SOFTBALL AND (2) 70X 110 YARD SOCCER FIELDS WITH DUGOUTS, SAFETY NETTING, AND SPORTS LIGHTING
2 PLAYGROUND AGES 2-5
3 PLAYGROUND AGES 5-12
4 PICNIC AREA
5 BOCCE COURT AREA
6 CORNHOLE AREA
7 TENNIS/PICKLEBALL/VOLLEYBALL COURT
8 BASKETBALL COURT
9 PASSIVE RECREATION/EXERCISE AREA
10 PEDESTRIAN PLAZA WALKWAY AND FORTAG CONNECTION WITH SPACE FOR FOOD TRUCKS AND VENDOR STALLS
11 EXISTING TREE WITH NEW BENCH
12 FUTURE OVERPASS OR UNDERPASS OVER 2ND STREET FOR UNINTERRUPTED FORTAG TRAIL CONNECTION

NORTH
0 15 30 60 90'

CONCPEPTUAL PLAN - PREFERRED CONCEPT

The Dunes "City Park"
City of Marina
Marina, CA

April 5, 2019

VERDE DESIGN
LANDSCAPE ARCHITECTURE
CIVIL ENGINEERING
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DENISE DUFFY & ASSOCIATES, INC.
PLANNING AND ENVIRONMENTAL CONSULTING

MEMORANDUM

Date: March 7, 2022

To: Brian McMinn, Public Works Director/City Engineer
City of Marina

From: Patric Krabacher, ISA Certified Arborist 11759
Denise Duffy & Associates, Inc.

RE: Arborist Report for the City of Marina Blight Removal Project 2022 – City Park

Denise Duffy & Associates, Inc. (DD&A) is contracted by the City of Marina (City) to provide on-call environmental consulting services for City projects. In support of the Blight Removal Phase of the City Park Project (project or proposed project), located within City limits and within the boundaries of the University Villages Specific Plan (UVSP), DD&A conducted an analysis of trees within the vicinity of 47 buildings which are proposed for demolition. The analysis is based on a tree inventory conducted by DD&A in October 2019 for the Dunes on Monterey Bay Project (Dunes Project) and on a site visit conducted by DD&A in December 2021 to update the results of the tree inventory. This Arborist Report documents the results of the tree analysis, recommends tree removal, or trimming where necessary to facilitate remediation and demolition, and recommends mitigation to avoid, minimize, or mitigate potential adverse impacts of tree removal, or trimming.

METHODS

Limitations

This report only identifies potential project impacts to trees and potential adverse impacts resulting from tree removal; no other protected or sensitive biological resources are addressed. To determine potential project impacts to other sensitive biological resources (i.e., sensitive habitats, special-status plants, and special-status wildlife), additional analysis (e.g., biological resources study, focused botanical surveys, and protocol wildlife surveys) may be required.

It is not the intent of this report to provide a monetary valuation of the trees or provide risk assessment for any tree on this parcel, as any tree can fail at any time. No clinical diagnosis was performed on any pest or pathogen that may or may not be present within the site. In addition to an inspection of the property, DD&A relied on information provided by the City and/or the City's consultants (e.g., survey boundaries, property boundaries, project description) to prepare this report, and must reasonably rely on the accuracy of the information provided. DD&A shall not be responsible for another's means, methods, techniques, schedules, or procedures, or for contractor safety or any other related programs, or for another's failure to complete work in accordance with approved plans and specifications.

Regulatory Setting

City of Marina Municipal Code

Marina Municipal Code (MMC or City Code) Section 17.62.030 requires a tree removal permit to remove, damage, or relocate, or cause to be removed, damaged, or relocated any tree on any property within City limits, unless exempted by MMC Sections 17.62.040 or 17.62.050. MMC Section 17.62.030 also prohibits construction activities within the dripline of any tree, unless these activities are conducted in compliance with tree protection guidelines adopted by resolution of the planning commission.

City Code defines "tree" as any living woody perennial plant having a single stem of six inches or more diameter at breast height (DBH) or a multi-stemmed plant having an aggregate diameter of ten inches or more measured at DBH, and any living woody perennial plant which was planted in accordance with requirements of an approved compensation plan or was planted as part of a landscaping plan approved by the City. MMC defines "dripline" as the greater of the outermost edge of the tree's canopy, or fifteen times DBH measured from the center point of the tree.

UVSP Tree Standards

UVSP Tree Standards call for the preservation of as many healthy Monterey cypress trees and oak trees as practicable. In accordance with the UVSP Tree Standards, Monterey cypress trees and oak trees that are in good or fair condition must be protected during construction and preserved wherever practicable. If relocation is possible, Monterey cypress and oak trees shall be removed by machinery, be immediately replanted at a new site, and be watered and fertilized. Monterey cypress and oak trees in good or fair condition that are removed shall be replaced on-site at a ratio of two replacement trees for every one removed (2:1). UVSP classifies tree health based on the following definitions:

- *Good.* Tree is healthy and vigorous as indicated by color of foliage and density, has no apparent signs of insect, disease, structural defects or mechanical injury. Tree has good form and structure.
- *Fair.* Tree is in average condition and vigor for the area, but may show minor insect, disease, or physiological problems. Trees rated as Fair/Poor may be improved with correctional pruning.
- *Poor.* Tree that is in a general state of decline and may show severe structural or mechanical defects which may lead to failure, may have insect or disease damage, but is not dead.
- *Dead/Snags.* Dead standing trees.

California Fish and Game Code

Section 3503 of the California Fish and Game Code states that it is "unlawful to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto." Section 3503.5 prohibits the killing, possession, or destruction of any birds in the orders Falconiformes or Strigiformes (birds-of-prey). Section 3511 prohibits take or possession of fully protected birds. Section 3513 prohibits the take or possession of any migratory nongame birds designated under the federal Migratory Bird Treaty Act. Section 3800 prohibits take of nongame birds.

Survey Methods

2019 Tree Inventory

In support of the Dunes Project, DD&A biologists (led by ISA Certified Arborist Patric Krabacher) conducted an inventory of trees within the boundaries of the Dunes Project (which encompassed the buildings which are proposed for demolition as part of the City Park Project) on October 4, 9, 10, 11, 14, 16, and 17, 2019. The tree inventory included the mapping and tagging of all trees, as defined by City Code, within the survey area. Trees were inventoried with City requirements and UVSP Tree Standards, as follows:

- All trees 6" diameter at breast height (DBH) or greater were tagged with a global positioning system (GPS) location and a numbered aluminum marker (on the most feasible/visible location possible).
- Diameter was recorded at breast height (4.5 feet above ground) or, for multi-stemmed trees, at the most representable location.
- Multi-stemmed trees were recorded as one tree if the root crown (the point where the trunk meets natural grade) was contiguous. Multi-stemmed tree DBH was calculated by taking the square root of the squared sum of all stems measured ($\sqrt{[}$Stem 1 DHB^2+ Stem 2 DBH^2+ Stem 3 DBH^2...]). This equation returns the diameter at the base of the tree (Chojnacky, 1999).
- Species, size, and health class were recorded for each tree. Tree health was based on the UVSP classification system and was evaluated by visually inspecting each tree from its root crown to its foliar canopy for signs of decay, disease, or insect infestations.

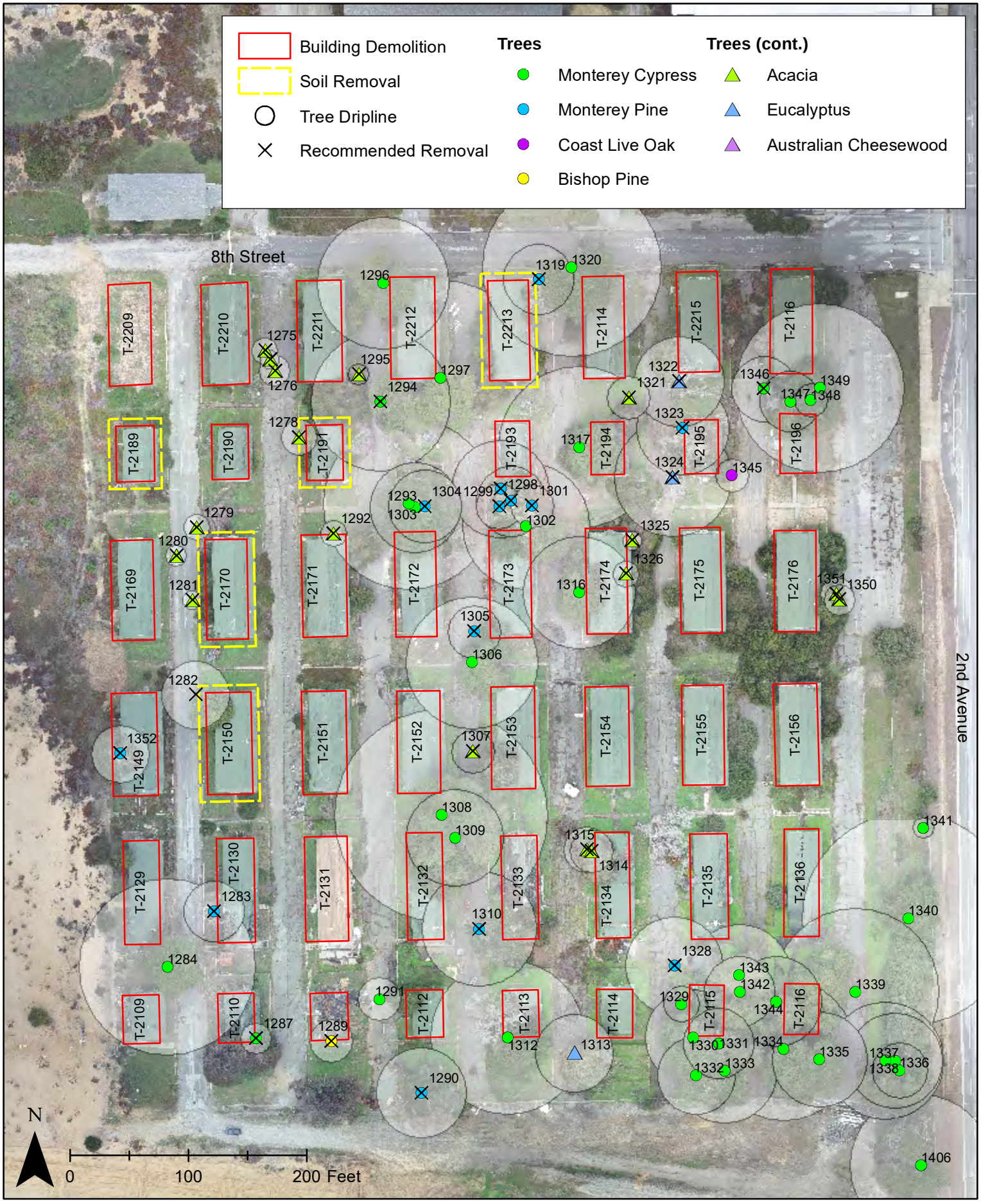
GPS data were collected using a Trimble® TDC600 GPS and were then digitized using Trimble® TerraFlex and ESRI® ArcGIS 10.4. GPS data were collected using geographic coordinate system Universal Transverse Mercator (UTM) Zone 10 North and the World Geodetic System 1984 (WGS84) datum.

2021 Tree Survey

On December 20, 2021, DD&A biologists (led by ISA Certified Arborist Patric Krabacher) conducted a survey of the project site to determine any changed circumstances since the 2019 tree inventory was prepared. The survey included updating the health class of trees and determining which trees may need to be removed to facilitate the remediation and demolition phase of the proposed project.

RESULTS

DD&A inventoried 72 trees in the vicinity of the buildings proposed for demolition, including 36 Monterey cypresses (*Hesperocyparis macrocarpa*), 17 acacias (*Acacia* sp.), 13 Monterey pines (*Pinus radiata*), three (3) Eucalyptus (*Eucalyptus* sp.), one (1) coast live oak (*Quercus agrifolia*), one (1) Bishop pine (*Pinus muricata*), and one (1) Australian cheesewood (*Pittosporum undulatum*) (**Figure 1**, **Appendix A**, and **Appendix B**). Most trees are in average vigor for the area; however, 18 trees are dead or are in poor condition and showing severe signs of decay, disease, and insect infestations, including pitch canker (*Fusarium circinatum*), oak branch canker, foamy bark canker, oak ambrosia beetles, and *Phytophthora* root and crown rot (**Appendix A** and **Appendix B**). No symptoms of sudden oak death were observed.



Tree Survey Results

Date	Figure
2/17/2022	1
Scale: 1 in = 100 ft	

Denise Duffy & Associates, Inc.
Planning and Environmental Consulting

Path: C:\GIS\GIS Projects\2021-72 City of Marina On-Call\Final Products\City Park\Trees.mxd

DISCUSSION

Per conversations with Wallace Group, the City's engineering consultant for the project, excavation due to building demolition in the proposed City Park would be limited to three (3) inches deep within the footprints of all existing 47 buildings (to remove debris) and excavation due to soil remediation would extend to six (6) inches deep and six (6) feet out from five buildings (buildings T-2150, T-2170, T-2189, T-2191, and T-2213).

Due to the shallow depth of excavation required for demolition, demolition is not likely to significantly impact the dripline of any adjacent tree and tree removal would not be required to successful implement this portion of project; however, it is recommended that trees whose canopies overlap or abut buildings are limbed or trimmed prior to demolition. In accordance with the City's Tree Protection Guidelines and with California Fish and Game Code, the following measures are recommended to avoid or minimize impacts potential adverse impacts resulting from tree trimming:

1. Trimming must conform to the guidelines and best management practices established in **Appendix C**, must be performed by a qualified tree removal contractor, and must not remove more than 30 percent of any one tree's canopy. Trees shall be allowed to develop their natural forms and shall not be trimmed as topiaries or other unnatural forms.
2. Work should be timed to avoid the breeding and nesting season for raptors and other protected avian species. If work must occur during the avian breeding and nesting season (approximately February 1 through September 15), surveys for nesting birds shall be conducted no more than 15 days prior to project activities in all areas within 300 feet of the project footprint that may provide suitable nesting habitat. If nesting birds are identified during surveys, an appropriate buffer shall be imposed within which no work or disturbance will take place (generally 300 feet in all directions). A qualified biologist shall be on-site during work re-initiation in the vicinity of the nest offset to ensure that the buffer is adequate and that the nest is not stressed and/or abandoned. No work shall proceed in the vicinity of an active nest until such time as all young are fledged, or until after September 16, when young are assumed fledged.

Due to the level of excavation required for soil remediation, tree removal would be required around buildings T-2150, T-2170, T-2189, T-2191, and T-2213 and would include the following trees:

- Tree 1278 (acacia in fair condition),
- Tree 1279 (acacia in fair condition),
- Tree 1281 (acacia in fair condition),
- Tree 1282 (Australian cheesewood in fair condition), and
- Tree 1319 (Monterey pine in poor condition).

Per UVSP Tree Standards, mitigation (i.e., replacement) would not be required for removal of these trees, which are non-native species or native trees in poor condition. However, in accordance with City Code, a tree removal permit from the City would be required to remove all living trees, including trees in poor condition. Therefore, a completed tree removal permit application for Trees 1278, 1279, 1281, 1282, and 1319 is included in this report as **Appendix D**. Tree removal must conform to any requirements established

by the City in the approved tree removal permit. In addition, it is recommended that Mitigation Measure 2, above, and the following mitigation be implemented as part of tree removal:

3. Pursuant to Section 17.62.030 of City Code, the project must comply with the City's Tree Protection Guidelines. To reduce impacts to trees not scheduled for removal, the tree removal contractor shall implement the best managements practices for working near trees established in **Appendix C**. Trees which will be retained on site shall be allowed to develop their natural forms and shall not be trimmed as topiaries or other unnatural forms.

Although not required to implement the project, it is also recommended that the remaining 14 acacia trees be removed due to this non-native species being a locally problematic plant which spreads quickly and is known to outcompete native species[1]. It is further recommended that the remaining 13 trees in poor condition (nine [9] Monterey pines, one [1] Monterey cypress, one [1] Bishop pine, and one [1] eucalyptus) and the remaining six (6) trees which are dead (three [3] Monterey pines, two [2] Monterey cypresses, and one [1] eucalyptus) be removed to maintain the health of the urban forest within City Park and to reduce tree-related hazards to persons or structures. See **Appendix A** for the complete list of trees which are recommended for removal.

Per UVSP Tree Standards, mitigation (i.e., replacement) would not be required for removal of these non-native or unhealthy trees. In addition, a tree removal permit would not be required to remove the seven (7) dead trees. However, in accordance with City Code, a tree removal permit from the City would be required to remove the 31 living trees. A completed tree removal permit application for these trees is included in this report as **Appendix D**. Tree removal must conform to any requirements established by the City in the tree removal permit. In addition, it is recommended that Mitigation Measures 2 and 3, above be implemented to avoid or minimize potential project impacts resulting from tree removal.

CONCLUSION

To facilitate demolition of 47 buildings and soil remediation around five [5] of these buildings within the proposed City Park, it is recommended that trees directly adjacent to these buildings or trees withing the boundaries of soil remediation be limbed, trimmed, or removed prior to demolition. In addition, it is recommended that all non-native trees and/or trees in poor or dead be removed to prevent spread of non-native invasive species, maintain the health of the urban forest within City Park, and reduce tree-related hazards to persons or structures. A tree removal permit from the City is required to remove all living trees. A completed tree removal permit application for trees which are recommended for removal is included in this report as **Appendix D**. Implementation of the measures identified above and any additional measures established by the City in the tree removal permit would avoid or minimize potential impacts resulting from tree trimming, and removal.

If you have any comments or questions about this report, please contact Patric Krabacher at pkrabacher@ddaplanning.com or (831) 373-4341 ext. 29.

[1] Additional acacia and Australian cheesewood individuals occur within the project site; however, they are smaller than six (6) inches DBH and, as such, are not considered "trees" and were not inventoried as part of this report. It is recommended that all these plants be removed from the proposed City Park to reduce the spread of non-native species. A tree removal permit is not required for plants smaller than six (6) inches DBH.

REFERENCES

David C. Chojnacky. 1999. Converting Tree Diameter Measured at Root Collar to Diameter at Beast Height.

APPENDIX A

Tree Table

Tree ID	Scientific Name	Common Name	Individual Stem DBH (in)				Total DBH (in)	Dripline (ft)	Health	Recommendation
1275	*Acacia sp.*	Acacia	9				9	11	Fair	Remove
1276	*Acacia sp.*	Acacia	8	6			10	13	Fair	Remove
1277	*Acacia sp.*	Acacia	6				6	8	Fair	Remove
1278	*Acacia sp.*	Acacia	6	6	6	6	12	15	Fair	Remove
1279	*Acacia sp.*	Acacia	9				9	11	Fair	Remove
1280	*Acacia sp.*	Acacia	7				7	9	Fair	Remove
1281	*Acacia sp.*	Acacia	6				6	8	Fair	Remove
1282	*Pittosporum undulatum*	Australian Cheesewood	11	9	12	14	23	29	Fair	Remove
1283	*Pinus radiata*	Monterey Pine	21				21	26	Dead	Remove
1284	*Hesperocyparis macrocarpa*	Monterey Cypress	60				60	75	Fair	Retain
1287	*Hesperocyparis macrocarpa*	Monterey Cypress	6	6	6		10	13	Dead	Remove
1289	*Pinus muricata*	Bishop Pine	15				15	19	Poor	Remove
1290	*Pinus radiata*	Monterey Pine	30				30	38	Poor	Remove
1291	*Hesperocyparis macrocarpa*	Monterey Cypress	10	8	6		14	18	Fair	Retain
1292	*Acacia sp.*	Acacia	6	6			8	11	Fair	Remove
1293	*Hesperocyparis macrocarpa*	Monterey Cypress	58				58	73	Fair	Retain
1294	*Hesperocyparis macrocarpa*	Monterey Cypress	47				47	59	Poor	Remove
1295	*Acacia sp.*	Acacia	7				7	9	Fair	Remove
1296	*Hesperocyparis macrocarpa*	Monterey Cypress	45				45	56	Fair	Retain
1297	*Hesperocyparis macrocarpa*	Monterey Cypress	66				66	83	Fair	Retain
1298	*Pinus radiata*	Monterey Pine	33				33	41	Poor	Remove
1299	*Pinus radiata*	Monterey Pine	16				16	20	Poor	Remove
1300	*Pinus radiata*	Monterey Pine	24				24	30	Poor	Remove
1301	*Pinus radiata*	Monterey Pine	14				14	18	Dead	Remove
1302	*Hesperocyparis macrocarpa*	Monterey Cypress	43				43	54	Fair	Retain
1303	*Hesperocyparis macrocarpa*	Monterey Cypress	30				30	38	Fair	Retain
1304	*Pinus radiata*	Monterey Pine	25				25	31	Poor	Remove
1305	*Pinus radiata*	Monterey Pine	18				18	23	Poor	Remove
1306	*Hesperocyparis macrocarpa*	Monterey Cypress	45				45	56	Fair	Retain
1307	*Acacia sp.*	Acacia	15				15	19	Fair	Remove
1308	*Hesperocyparis macrocarpa*	Monterey Cypress	72				72	90	Fair	Retain
1309	*Hesperocyparis macrocarpa*	Monterey Cypress	33				33	41	Fair	Retain
1310	*Pinus radiata*	Monterey Pine	39				39	49	Poor	Remove
1312	*Hesperocyparis macrocarpa*	Monterey Cypress	52				52	65	Fair	Retain

Tree ID	Scientific Name	Common Name	Individual Stem DBH (in)				Total DBH (in)	Dripline (ft)	Health	Recommendation
1313	*Eucalyptus sp.*	Eucalyptus	17	20			26	33	Fair	Retain
1314	*Acacia sp.*	Acacia	15				15	19	Fair	Remove
1315	*Acacia sp.*	Acacia	16				16	20	Fair	Remove
1316	*Hesperocyparis macrocarpa*	Monterey Cypress	24	30			38	48	Fair	Retain
1317	*Hesperocyparis macrocarpa*	Monterey Cypress	54				54	68	Fair	Retain
1319	*Pinus radiata*	Monterey Pine	24				24	30	Poor	Remove
1320	*Hesperocyparis macrocarpa*	Monterey Cypress	61				61	76	Fair	Retain
1321	*Acacia sp.*	Acacia	6	11	9		15	19	Fair	Remove
1322	*Eucalyptus sp.*	Eucalyptus	30				30	38	Dead	Remove
1323	*Pinus radiata*	Monterey Pine	31				31	39	Poor	Remove
1324	*Eucalyptus sp.*	Eucalyptus	40				40	50	Poor	Remove
1325	*Acacia sp.*	Acacia	6				6	8	Fair	Remove
1326	*Acacia sp.*	Acacia	6	6			8	11	Fair	Remove
1328	*Pinus radiata*	Monterey Pine	33				33	41	Dead	Remove
1329	*Hesperocyparis macrocarpa*	Monterey Cypress	12				12	15	Fair	Retain
1330	*Hesperocyparis macrocarpa*	Monterey Cypress	32				32	40	Fair	Retain
1331	*Hesperocyparis macrocarpa*	Monterey Cypress	24				24	30	Fair	Retain
1332	*Hesperocyparis macrocarpa*	Monterey Cypress	26				26	33	Fair	Retain
1333	*Hesperocyparis macrocarpa*	Monterey Cypress	36				36	45	Fair	Retain
1334	*Hesperocyparis macrocarpa*	Monterey Cypress	48				48	60	Fair	Retain
1335	*Hesperocyparis macrocarpa*	Monterey Cypress	32				32	40	Fair	Retain
1336	*Hesperocyparis macrocarpa*	Monterey Cypress	19				19	24	Fair	Retain
1337	*Hesperocyparis macrocarpa*	Monterey Cypress	30	18	13	15	40	50	Fair	Retain
1338	*Hesperocyparis macrocarpa*	Monterey Cypress	32				32	40	Fair	Retain
1339	*Hesperocyparis macrocarpa*	Monterey Cypress	32	40	25		57	71	Fair	Retain
1340	*Hesperocyparis macrocarpa*	Monterey Cypress	72				72	90	Fair	Retain
1341	*Hesperocyparis macrocarpa*	Monterey Cypress	7				7	9	Good	Retain
1342	*Hesperocyparis macrocarpa*	Monterey Cypress	24				24	30	Fair	Retain
1343	*Hesperocyparis macrocarpa*	Monterey Cypress	35				35	44	Fair	Retain
1344	*Hesperocyparis macrocarpa*	Monterey Cypress	30				30	38	Fair	Retain
1345	*Quercus agrifolia*	Coast Live Oak	8	8			11	14	Fair	Retain
1346	*Hesperocyparis macrocarpa*	Monterey Cypress	22				22	28	Dead	Remove
1347	*Hesperocyparis macrocarpa*	Monterey Cypress	10	18			21	26	Fair	Retain
1348	*Hesperocyparis macrocarpa*	Monterey Cypress	11				11	14	Fair	Retain

Tree ID	*Scientific Name*	*Common Name*	*Individual Stem DBH (in)*				*Total DBH (in)*	*Dripline (ft)*	*Health*	*Recommendation*
1349	*Hesperocyparis macrocarpa*	Monterey Cypress	34	36	28	10	58	72	Fair	Retain
1350	*Acacia sp.*	Acacia	8	6			10	13	Fair	Remove
1351	*Acacia sp.*	Acacia	8	8			11	14	Fair	Remove
1352	*Pinus radiata*	Monterey Pine	20				20	25	Poor	Remove

APPENDIX B

Photo Log



Photo 1. Tree 1290



Photo 2. Tree 1300



Photo 3. Tree 1292



Photo 4. Tree 1294



Photo 5. Tree 1295



Photo 6. Tree 1299



Photo 7. Tree 1289



Photo 8. Tree 1304



Photo 9. Tree 1305



Photo 10. Tree 1307



Photo 11. Tree 1310



Photo 12. Tree 1314



Photo 13. Tree 1315



Photo 14. Tree 1282



Photo 15. Tree 1319



Photo 16. Tree 1321



Photo 17. Tree 1352



Photo 18. Tree 1323



Photo 19. Tree 1324



Photo 20. Tree 1325



Photo 21. Tree 1326

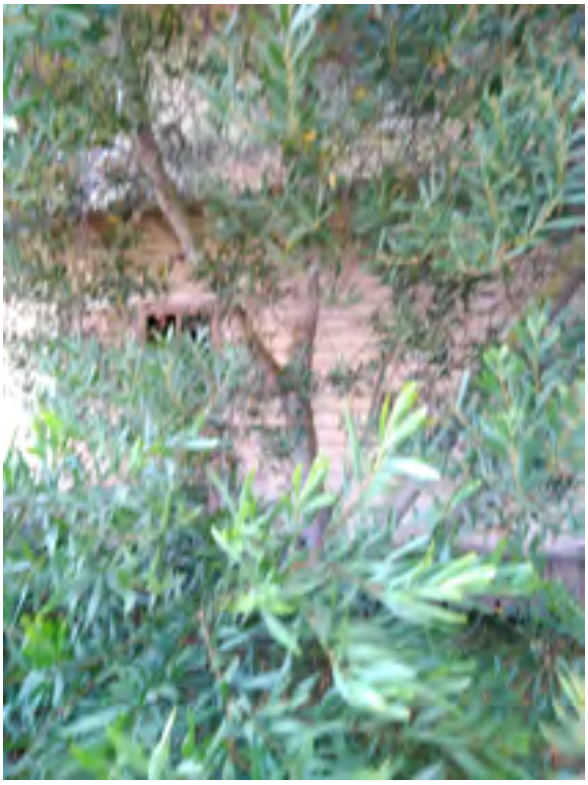


Photo 22. Tree 1350



Photo 23. Tree 1351



Photo 24. Tree 1278



Photo 25. Tree 1275



Photo 26. Tree 1276



Photo 27. Tree 1277



Photo 28. Tree 1281



Photo 29. Tree 1279



Photo 30. Tree 1280



Photo 31. Tree 1298

APPENDIX C

Best Management Practices

BEST MANAGEMENT PRACTICES WHEN WORKING NEAR TREES

Best Management Practices

The following BMPs are recommended to reduce impacts to trees:

- Do not deposit any fill around trees, which may compact soils and alter water and air relationships. Avoid depositing fill, parking equipment, or staging construction materials near existing trees. Covering and compacting soil around trees can alter water and air relationships with the roots. Fill placed within the critical rootzone or dripline may encourage the development of oak rot fungus (*Armillaria mellea*). As necessary, trees may be protected by boards, fencing or other materials to delineate protection zones.
- Pruning shall be conducted to avoid unnecessary injuries to the tree. General principals of pruning include placing cuts immediately beyond the branch collar, making clean cuts by scoring the underside of the branch first, and for live oak, avoiding the period from February through May.
- Native live oaks are not adapted to summer watering and may develop crown or root rot as a result. Do not regularly irrigate within the critical rootzone or dripline of oaks. Native, locally adapted, drought resistant species are the most compatible with this goal.
- Root cutting should occur outside of the springtime. Ideal time for root pruning will take place late June and July. Pruning of the live crown should not occur February through May.
- Oak material greater than 3 inches in diameter remaining on site more than one month that is not cut and split into firewood should be covered with thick clear plastic that is dug in securely around the pile. This will discourage infestation and dispersion of bark beetles.
- A mulch layer up to approximately 4 inches deep may be applied to the ground under selected oaks following construction. Only 1 to 2 inches of mulch should be applied within 1 to 2 feet of the trunk, and under no circumstances should any soil or mulch be placed against the root crown (base) of trees. The best source of mulch would be from chipped material generated on site.

Tree Protection Standards:

- All trees scheduled for preservation which may be at risk of injury or harm during the removal of trees approved for removal or during grading, trenching or other activities associated with the development or use of a property shall be temporarily fenced during such tree during such activities. Fencing shall be installed prior to the beginning of tree removals, grading or building. Fencing shall be installed at the edge of the root zone unless alternate location is determined essential to the construction of the project as approved. The root zone is determined to be the area located within a distance of 15 times the trunk diameter in all directions. Fencing shall consist of chain link or plastic link fence, rigidly supported and maintained during all construction at a minimum height of 4' 0" above grade. Removal of fencing shall only be at the direction of the City planning department. All trees to be fenced shall be clearly marked to notify all personnel and city inspectors that the subject tree(s) are to be fenced at all times during construction.
- Fenced areas shall not be used for material stockpile, storage or vehicle parking. Dumping of materials, chemicals or garbage shall be prohibited within the fenced area. Fenced areas shall be maintained in a natural condition and not compacted. Fenced areas shall be maintained at natural or existing grade.

- Utility and drain lines shall be located outside the root zone of all preserved trees unless essential to develop property as approved. Where alternative routes are not available, any digging or trenching necessary for utility conduit, pipe, wire and drain lines shall not cut any major root. Major roots are those with a diameter of 2 inches or more. Utility lines shall not be within 3 feet of the trunk of any tree.

- All approved construction within the root zone shall observe the following construction practices:
    1. Hand trenching at point or line of grade cuts closest to the trunk to expose major roots 2" or more in diameter.
    2. In cases where rock or unusually dense soil prevents hand trenching, mechanical trenching may be permitted provided that work inside the dripline is closely supervised to prevent tearing or other damage to major roots.
    3. Exposed major roots shall be cut with a saw to form a smooth surface and avoid tearing or jagged edges.
    4. Absorbent tarp or heavy cloth fabric shall be placed over grade cuts where roots are exposed and secured with stakes and 2" to 4" of compost or wood chips spread over the tarp to prevent moisture loss. Care shall be taken that moisture levels beneath tarped areas remain comparable to surrounding areas until backfilling occurs. Some watering of these areas may be necessary to maintain moisture levels, and such measures shall remain in effect through all phases of construction, including all delays and other periods of inactivity.

Tree Pruning

Pruning is to be minimal but performed only when necessary in accordance to American National Safety Institute ANSI A300 Pruning Standards. Pruning may include the larger canopied trees that have deadwood or are exhibiting some minor structural defect or minor disease that must be compensated. Should the health and vigor of any tree decline it will be treated as appropriately recommended by a certified arborist or qualified forester.

The following are offered as guidelines when pruning;

- In general trees will be assessed then pruned first for safety, next for health, and finally for aesthetics. No more than 25% of the tree overall crown will be pruned in one season.
- Type of pruning is determined by the size of branches to be removed. General guidelines for branch removal are:

    1. Fine Detail pruning-limbs under 2-inch diameter are removed
    2. Medium Detail Pruning–Limbs between 2- and 4-inch diameter
    3. Structural Enhancement–limbs greater than 4-inch diameter.
    4. Broken and cracked limbs-removed will be removed in high traffic areas of concern.

Crown thinning is the cleaning out of or removal of dead diseased, weakly attached, or low vigor branches from a tree crown and consist of the following steps:

- All trees will be pre-assessed on how the tree will be pruned from the top down.

- Tree trimmers will favor branches with strong, U-shaped angles of attachment and where possible remove branches with weak, V-shaped angles of attachment and/or included bark.
- Lateral branches will be evenly spaced on the main stem of young trees and areas of fine pruning.
- Branches that rub or cross another branch will be removed where possible.
- Lateral branches will be no more than one-half to three-quarters of the diameter of the stem to discourage the development of co-dominant stems where feasible.
- In most cases trimmers will not remove more than one-quarter of the living crown of a tree at one time. If it is necessary to remove more, it will be done over successive years.

Crown-raising removes the lower branches of a tree to provide clearance for buildings, vehicles, pedestrians and vistas and performed as follows:

- Live branches on at least two-thirds of a tree's total height will be maintained wherever possible. The removal of too many lower branches will hinder the development of a strong stem.
- All basal sprouts and vigorous epicormic sprouts will be removed where feasible.

Crown reduction is used to reduce the height and/or spread of trees and is used for maintaining the structural integrity and natural form of a tree and conducted as follows:

- Crown reduction pruning is used only when absolutely necessary. Pruning cuts will be at a lateral branch that is at least one-third the diameter of the stem to be removed wherever possible.
- When it is necessary to remove more than half of the foliage from a branch it may be necessary remove the entire branch.

Crown restoration is used to improve the structure and appearance of trees that have been topped or severely pruned using heading cuts. One of three sprouts on main branch stubs should be selected to reform a natural appearing crown. Selected vigorous sprouts may need to be thinned to ensure adequate attachment for the size of the sprout. Restoration may require several years of pruning.

APPENDIX D

Tree Removal Application

City of Marina

City of Marina
Community Development Department
Mailing: 211 HILLCREST AVENUE
Office: 209 CYPRESS AVENUE
MARINA, CA 93933
831.884.1220; FAX 831.384.0425
www.cityofmarina.org

PLANNING APPLICATION

Project Address/Location: Remediation/Demo at City Park **APN:** _____

Applicant(s):

Name: City of Marina

Mailing Address: _____

Phone: _____ Email: _____

Property Owner:

Name: SAME AS ABOVE

Mailing Address: _____

Phone: _____ Email: _____

Project Description: What do you want to do?

Remove 37 trees to facilitate the project and maintain health and safety of the urban forest in City Park.

Property Owner Authorization:
By signing this application I certify that I have reviewed this completed application and the attached material and consent to its filing. I agree to allow the Community Development Department to duplicate and distribute plans to interested persons as it determines is necessary for the processing of the application.

Signed Date

Applicant/Representative Certification:
I understand the City might not approve what I am applying for or might set conditions of approval. I agree to allow the Community Development Department to duplicate and distribute plans to interested persons as it determines is necessary for processing of the application.

Signed Date

Permission to Access Property
This section is to be completed by the **property owner** and/or occupant who controls access to the property. To adequately evaluate many project proposals Community Development Department Staff, Commissioners and City Council Members will have to gain access to the exterior of the real property in order to adequately review and report on the proposed project. Your signature below certifies that you agree to give the City permission to access the project site from 8 a.m. to 5 p.m., Monday through Friday, as part of the normal review of this planning application.

Signed Date

Indemnification Agreement:
The Owner/Applicant shall defend, indemnify and hold harmless the City or its agents or officers and employees from any claim, action or proceeding against the City or its agents, officers or employees, to attack, set aside, void, or annul, in whole or in part, the City's approval of this project. In the event that the City fails to promptly notify the Owner / Applicant of any such claim, action or proceeding, or that the City fails to cooperate fully in the defense of said claim, this condition shall thereafter be of no further force or effect.

Signed Date

FOR OFFICE USE ONLY:
Date Application Submitted: _____ Fee Collected: $_____
Date Application Complete: _____ Receipt Number: _____
File Number(s): _____
Planner Initials: _____ Associated Permits: _____

MEMORANDUM

Date: May 13, 2022

To: Brian McMinn, Public Works Director/City Engineer
City of Marina

From: Patric Krabacher, ISA Certified Arborist 11759
Denise Duffy & Associates, Inc.

RE: Supplemental Arborist Report for the City of Marina Blight Removal Project 2022 – City Park

Denise Duffy & Associates, Inc. (DD&A) is contracted by the City of Marina (City) to provide on-call environmental consulting services for City projects. Due to changes in the soil remediation plan for the Blight Removal Phase of the City Park Project (project or proposed project), located within City limits and within the boundaries of the University Villages Specific Plan (UVSP). DD&A conducted an analysis of trees within the vicinity of 47 buildings which are proposed for demolition and an added a five (5) foot buffer surrounding driplines of all buildings with a removal of soil to a depth of nine (9) inches (**Attachment A**). The analysis is based on a tree inventory conducted by DD&A in October 2019 for the Dunes on Monterey Bay Project (Dunes Project) and follow-up site visits conducted by DD&A in December 2021 and again in March 2022 to update the results of the tree inventory. This Arborist Report was written as a supplemental report to the initial Arborist Report prepared for the project, dated March 7, 2022 (DD&A, 2022), and documents the changes to the project and soil remediation and how those changes impact the results of the tree analysis. This report also provides recommendations for tree removal, potential tree removals, or trimming where necessary to facilitate updated soil remediation and demolition, and recommends mitigation to avoid, minimize, or mitigate potential adverse impacts of tree removal, or trimming.

METHODS

Limitations

This report only identifies potential project impacts to trees and potential adverse impacts resulting from tree removal; no other protected or sensitive biological resources are addressed. To determine potential project impacts to other sensitive biological resources (i.e., sensitive habitats, special-status plants, and special-status wildlife), additional analysis (e.g., biological resources study, focused botanical surveys, and protocol wildlife surveys) may be required.

It is not the intent of this report to provide a monetary valuation of the trees or provide risk assessment for any tree on this parcel, as any tree can fail at any time. No clinical diagnosis was performed on any pest or pathogen that may or may not be present within the site. In addition to an inspection of the property, DD&A relied on information provided by the City and/or the City's consultants (e.g., survey boundaries, property boundaries, project description) to prepare this report, and must reasonably rely on the accuracy of the information provided. DD&A shall not be responsible for another's means, methods, techniques, schedules, or procedures, or for contractor safety or any other related programs, or for another's failure to complete work in accordance with approved plans and specifications.

Regulatory Setting

City of Marina Municipal Code

Marina Municipal Code (MMC or City Code) Section 17.62.030 requires a tree removal permit to remove, damage, or relocate, or cause to be removed, damaged, or relocated any tree on any property within City limits, unless exempted by MMC Sections 17.62.040 or 17.62.050. MMC Section 17.62.030 also prohibits construction activities within the dripline of any tree, unless these activities are conducted in compliance with tree protection guidelines adopted by resolution of the planning commission.

City Code defines "tree" as any living woody perennial plant having a single stem of six (6) inches or more diameter at breast height (DBH) or a multi-stemmed plant having an aggregate diameter of ten inches or more measured at DBH, and any living woody perennial plant which was planted in accordance with requirements of an approved compensation plan or was planted as part of a landscaping plan approved by the City. MMC defines "dripline" as the greater of the outermost edge of the tree's canopy, or fifteen times DBH measured from the center point of the tree.

UVSP Tree Standards

UVSP Tree Standards call for the preservation of as many healthy Monterey cypress trees and oak trees as practicable. In accordance with the UVSP Tree Standards, Monterey cypress trees and oak trees that are in good or fair condition must be protected during construction and preserved wherever practicable. If relocation is possible, Monterey cypress and oak trees shall be removed by machinery, be immediately replanted at a new site, and be watered and fertilized. Monterey cypress and oak trees in good or fair condition that are removed shall be replaced on-site at a ratio of two replacement trees for every one removed (2:1). UVSP classifies tree health based on the following definitions:

- *Good.* Tree is healthy and vigorous as indicated by color of foliage and density, has no apparent signs of insect, disease, structural defects or mechanical injury. Tree has good form and structure.
- *Fair.* Tree is in average condition and vigor for the area, but may show minor insect, disease, or physiological problems. Trees rated as Fair/Poor may be improved with correctional pruning.
- *Poor.* Tree that is in a general state of decline and may show severe structural or mechanical defects which may lead to failure, may have insect or disease damage, but is not dead.
- *Dead/Snags.* Dead standing trees.

California Fish and Game Code

Section 3503 of the California Fish and Game Code states that it is "unlawful to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto." Section 3503.5 prohibits the killing, possession, or destruction of any birds in the orders Falconiformes or Strigiformes (birds-of-prey). Section 3511 prohibits take or possession of fully protected birds. Section 3513 prohibits the take or possession of any migratory nongame birds designated under the federal Migratory Bird Treaty Act. Section 3800 prohibits take of nongame birds.

Survey Methods

On March 9, 2022, DD&A biologists (led by ISA Certified Arborist Patric Krabacher) conducted a survey of the project site to determine any additional trees that may be damaged or should be proposed for removal due to the change in soil remediation and demolition plans from the initial report (DD&A, 2022). The survey included updating GPS locations of trees (see **Figure 1**) and revisiting all trees directly adjacent to existing buildings and determining which trees may need to be removed or damaged to facilitate the remediation and demolition phase of the proposed project. The tree inventory included the remapping of some trees, as defined by City Code, within the survey area. Trees were inventoried in accordance with City requirements and UVSP Tree Standards, as follows:

- All trees 6" diameter at breast height (DBH) or greater were tagged with a GPSlocation and a numbered aluminum marker (on the most feasible/visible location possible).
- Diameter was recorded at breast height (4.5 feet above ground) or, for multi-stemmed trees, at the most representable location.
- Multi-stemmed trees were recorded as one tree if the root crown (the point where the trunk meets natural grade) was contiguous. Multi-stemmed tree DBH was calculated by taking the square root of the squared sum of all stems measured ($\sqrt{[}$Stem 1 DHB^2+ Stem 2 DBH^2+ Stem 3 DBH^2...]). This equation returns the diameter at the base of the tree (Chojnacky, 1999).
- Species, size, and health class were recorded for each tree. Tree health was based on the UVSP classification system and was evaluated by visually inspecting each tree from its root crown to its foliar canopy for signs of decay, disease, or insect infestations.

GPS data were collected using a Trimble® TDC600 GPS and were then digitized using Trimble® TerraFlex and ESRI® ArcGIS 10.4. GPS data were collected using geographic coordinate system Universal Transverse Mercator (UTM) Zone 10 North and the World Geodetic System 1984 (WGS84) datum.

RESULTS

In addition to the removals identified in the initial report (DD&A, 2022), DD&A recommends that trees 1302 (Monterey cypress [*Hesperocyparis macrocarpa*]), 1309 (Monterey cypress), and 1345 (coast live oak [*Quercus agrifolia*]) be removed because greater than 40% of their critical root zone (CRZ) or dripline (defined by MMC) would be damaged as a result of soil remediation and demolition (**Figure 1**, **Attachment A**, **Attachment B**, and **Attachment C**). Per MMC Section 17.62.030, removal of these trees would require a tree removal permit from the City. DD&A also recommends that a tree removal permit be acquired for trees 1316 (Monterey cypress) and 1339 (Monterey cypress) (**Figure 1**, **Attachment A**, **Attachment B**, and **Attachment C**). These trees are within the boundaries of soil remediation and demolition; however, due to their size or proximity to project activities, there is a potential that they can be preserved. It is recommended that the City minimize impacts to these two trees to the greatest extent feasible.



Supplemental Tree Survey Results

Date	Scale	Figure
5/13/2022	1:1,250	1

Denise Duffy & Associates, Inc.
Planning and Environmental Consulting

Path: C:\GIS\GIS Projects\2021-72 City of Marina On-Call\Final Products\City Park\2021-72 City of Marina On-Call 2021\2021-72 City of Marina On-Call 2021.aprx

DISCUSSION

Per conversations with Wallace Group, the City's engineering consultant for the project, excavation due to building demolition in the proposed City Park will be increased from three (3) inches deep to nine (9) inches deep within the footprints of all existing 47 buildings (to remove debris) and five (5) feet surrounding the driplines of all 47 buildings, not just the previously indicated buildings T-2150, T-2170, T-2189, T-2191, and T-2213.

In accordance with the City's Tree Protection Guidelines and with California Fish and Game Code, the following measures are recommended to avoid or minimize impacts potential adverse impacts resulting from tree trimming:

1. Trimming must conform to the guidelines and best management practices established in **Attachment D**, must be performed by a qualified tree removal contractor, and must not remove more than 30 percent of any one tree's canopy. Trees shall be allowed to develop their natural forms and shall not be trimmed as topiaries or other unnatural forms.
2. Work should be timed to avoid the breeding and nesting season for raptors and other protected avian species. If work must occur during the avian breeding and nesting season (approximately February 1 through September 15), surveys for nesting birds shall be conducted no more than 15 days prior to project activities in all areas within 300 feet of the project footprint that may provide suitable nesting habitat. If nesting birds are identified during surveys, an appropriate buffer shall be imposed within which no work or disturbance will take place (generally 300 feet in all directions). A qualified biologist shall be on-site during work re-initiation in the vicinity of the nest offset to ensure that the buffer is adequate and that the nest is not stressed and/or abandoned. No work shall proceed in the vicinity of an active nest until such time as all young are fledged, or until after September 16, when young are assumed fledged.

Due to the level of excavation required for soil remediation, tree removal permits would be required around all 47 buildings and would include the following trees (in addition to the trees identified in the initial report [DD&A, 2022]):

- Tree 1302 (Monterey cypress in fair condition),
- Tree 1309 (Monterey cypress in fair condition),
- Tree 1316 (Monterey cypress in fair condition),
- Tree 1339 (Monterey cypress in fair condition), and
- Tree 1345 (Coast live oak in fair condition).

In accordance with City Code, a tree removal permit from the City would be required to remove or damage all living trees. Therefore, a completed tree removal permit application for Trees 1302, 1309, 1316, 1339, and 1345 is included in this report as **Attachment E**. Tree removal must conform to any requirements established by the City in the approved tree removal permit. In addition, it is recommended that Mitigation Measure 2, above, and the following mitigation be implemented as part of tree removal:

3. Pursuant to Section 17.62.030 of City Code, the project must comply with the City's Tree Protection Guidelines. To reduce impacts to trees not scheduled for removal, the tree removal contractor shall implement the best managements practices for working near trees established in **Attachment D**. Trees which will be retained on site shall be allowed to develop their natural forms and shall not be trimmed as topiaries or other unnatural forms.

CONCLUSION

To facilitate project changes to soil remediation and demolition of 47 buildings within the proposed City Park, it is recommended that trees directly adjacent to these buildings or trees withing the boundaries of soil remediation be limbed, trimmed, or removed prior to demolition. In addition, it is recommended that impacts to trees 1316 and 1339 be minimized to the greatest extent feasible. A tree removal permit from the City is required to remove all living trees. A completed tree removal permit application for trees which are recommended for removal is included in this report as **Attachment E**. Implementation of the measures identified above and any additional measures established by the City in the tree removal permit would avoid or minimize potential impacts resulting from tree trimming, and removal.

If you have any comments or questions about this report, please contact Patric Krabacher at pkrabacher@ddaplanning.com or (831) 373-4341 ext. 29.

REFERENCES

David C. Chojnacky. 1999. Converting Tree Diameter Measured at Root Collar to Diameter at Beast Height.

Denise Duffy and Associates, Inc. (DD&A). 2022. Arborist Report for the City of Marina Blight Removal Project 2022 – City Park.

ATTACHEMENTS

Attachment A. Project Plans
Attachment B. Tree Table
Attachment C. Photo Log
Attachment D. Best Management Practices
Attachment E. Tree Removal Permit Application

ATTACHMENT A

Project Plans

TABLE 1 - CITY PARK (PROJECT SITE 1)

TEMP ADDRESS	PREV USE	BLDG TYPE	APPROX AREA (SF)	NOTES	PRELIM SOIL SAMPLE	
					SAMPLE No.	LEAD CONT (mg/kg)
T-2109	HQ	B1-SINGLE STORY	992	ABATE AND REMOVE BUILDING	S.2109	226
T-2111	HQ	B1-SINGLE STORY		BURNED, ABATE AND REMOVED DEBRIS	S.2111	75.1
T-2112	HQ	B1-SINGLE STORY	992	ABATE AND REMOVE BUILDING	S.2112	228
T-2113	HQ	B1-SINGLE STORY	992	ABATE AND REMOVE BUILDING	S.2113	113
T-2114	HQ	B1-SINGLE STORY	992	ABATE AND REMOVE BUILDING	S.2114	229
T-2115	HQ	B1-SINGLE STORY	992	ABATE AND REMOVE BUILDING	S.2115	93.6
T-2116	HQ	B1-SINGLE STORY	992	ABATE AND REMOVE BUILDING	S.2116	123
T-2110	HQ	B1-SINGLE STORY	1000	ABATE AND REMOVE BUILDING, INCLUDING SHED	S.2110	226
T-2189	ARM STORAGE	B1-SINGLE STORY	1144	ABATE AND REMOVE BUILDING	S.2189	601
T-2190	HQ	B1-SINGLE STORY	1144	ABATE AND REMOVE BUILDING	S.2190	73.8
T-2191	ARMS STORAGE	B1-SINGLE STORY	1144	ABATE AND REMOVE BUILDING	S.2191	601
T-2192	ARMS STORAGE	B1-SINGLE STORY		DEMOLISHED, REMOVE AND DISPOSE OF TEMPORARY STRUCTURES AND SITE DEBRIS	S.2192	
T-2193	ARMS STORAGE	B1-SINGLE STORY	1144	ABATE AND REMOVE BUILDING	S.2192	52
T-2194	ARMS STORAGE	B1-SINGLE STORY	1144	ABATE AND REMOVE BUILDING	S.2193	373
T-2195	HQ	B1-SINGLE STORY	1144	ABATE AND REMOVE BUILDING	S.2195	34.7
T-2196	HQ	B1-SINGLE STORY	1144	ABATE AND REMOVE BUILDING	S.2196	281
T-2129	DAY ROOM	B2-SINGLE STORY	2206	ABATE AND REMOVE BUILDING	S.2129	135
T-2130	DINING	B2-SINGLE STORY	2206	ABATE AND REMOVE BUILDING	S.2130	105
T-2131	DINING	B2-SINGLE STORY	2206	ABATE AND REMOVE BUILDING	S.2131	143
T-2132	DINING	B2-SINGLE STORY	2206	ABATE AND REMOVE BUILDING	S.2132	44.2
T-2133	DINING	B2-SINGLE STORY	2206	ABATE AND REMOVE BUILDING	S.2133	161
T-2134	DINING	B2-SINGLE STORY	2206	ABATE AND REMOVE BUILDING	S.2134	79.2
T-2135	DINING	B2-SINGLE STORY	2206	ABATE AND REMOVE BUILDING	S.2135	169
T-2136	DINING	B2-SINGLE STORY	2206	ABATE AND REMOVE BUILDING	S.2136	96
T-2149	BARRACKS	B3-TWO STORY	4720	ABATE AND REMOVE BUILDING	S.2149	106
T-2150	BARRACKS	B3-TWO STORY	4720	ABATE AND REMOVE BUILDING	S.2150	719
T-2151	BARRACKS	B3-TWO STORY	4720	ABATE AND REMOVE BUILDING	S.2151	156
T-2152	BARRACKS	B3-TWO STORY	4720	ABATE AND REMOVE BUILDING	S.2152	208
T-2153	BARRACKS	B3-TWO STORY	4720	ABATE AND REMOVE BUILDING	S.2153	102
T-2154	BARRACKS	B3-TWO STORY	4720	ABATE AND REMOVE BUILDING	S.2154	177
T-2155	OPERATIONS	B3-TWO STORY	4720	ABATE AND REMOVE BUILDING	S.2155	206
T-2156	BARRACKS	B3-TWO STORY	4720	ABATE AND REMOVE BUILDING	S.2156	199
T-2169	BARRACKS	B3-TWO STORY	4720	ABATE AND REMOVE BUILDING	S.2169	89.2
T-2170	BARRACKS	B3-TWO STORY	4720	ABATE AND REMOVE BUILDING	S.2170	1430
T-2171	BARACKS	B3-TWO STORY	4720	ABATE AND REMOVE BUILDING	S.2171	134
T-2172	BARRACKS	B3-TWO STORY	4720	ABATE AND REMOVE BUILDING	S.2172	86.4
T-2173	BARRACKS	B3-TWO STORY	4720	ABATE AND REMOVE BUILDING	S.2173	366
T-2174	BARRACKS	B3-TWO STORY	4720	ABATE AND REMOVE BUILDING	S.2174	67.1
T-2175	OPERATIONS	B3-TWO STORY	4720	ABATE AND REMOVE BUILDING	S.2175	82.1
T-2176	BARRACKS	B3-TWO STORY	4720	ABATE AND REMOVE BUILDING	S.2176	108
T-2209	BARRACKS	B3-TWO STORY		BURNED, NO WORK REQUIRED		
T-2210	BARRACKS	B3-TWO STORY	4720	ABATE AND REMOVE BUILDING	S.2210	122
T-2211	BARRACKS	B3-TWO STORY	4720	ABATE AND REMOVE BUILDING	S.2211	165
T-2212	BARRACKS	B3-TWO STORY	4720	ABATE AND REMOVE BUILDING	S.2212	195
T-2213	BARRACKS	B3-TWO STORY	4720	ABATE AND REMOVE BUILDING	S.2213	520
T-2214	BARRACKS	B3-TWO STORY	4720	ABATE AND REMOVE BUILDING	S.2214	168
T-2215	BARRACKS	B3-TWO STORY	4720	ABATE AND REMOVE BUILDING	S.2215	154
T-2216	HQ	B3-TWO STORY	4720	ABATE AND REMOVE BUILDING	S.2216	149



CITY PARK PLAN
NTS

NOTES:

1. CONTRACTOR SHALL BE RESPONSIBLE FOR FIELD VERIFYING BUILDING DIMENSIONS.
2. INSTALL TEMPORARY SECURITY CHAINLINK FENCE AROUND THE PERIMETER OF THE JOBSITE. CONTRACTOR MAY UTILIZE EXISTING CHAINLINK FENCE. EXISTING FENCE THAT IS USED SHALL BE PROTECTED DURING EXECUTION OF WORK AND SHALL BE RESTORED TO EQUAL OR BETTER CONDITION.
3. CONTRACTOR SHALL INSTALL ALL NECESSARY BMPS SHOWN ON THE SWPPP. SEE WPC SHEETS.
4. TREES TO BE REMOVED OR TRIMMED, SEE SHEET TR-1.
5. ALL BUILDINGS SHALL BE ABATED AS DESCRIBED IN TABLE 1 AND PER SPECIFICATIONS. ABATED BUILDINGS AND OTHER SITE DEBRIS SHALL BE REMOVED AND PROPERLY DISPOSED.
6. BURNT CAR TO BE REMOVED AND DISPOSED PROPERLY.
7. ALL DRUMS TO BE DISPOSED AS HAZADOUS MATERIAL. CONTRACTOR HAS OPTIONS TO TEST CONTENTS AND DISPOSE ACCORDIANGLY.
8. EXISTING ROADWAYS, CURB AND CUTTER ON THE JOBSITE SHALL BE REMOVED AND DISPOSED/RECYCLED (ADDITIVE ALTERNATIVE BID).
9. ALL WALKWAYS, STAIRS AND RETAINING WALLS ON THE JOBSITE SHALL BE REMOVED AND DISPOSED/RECYLCED (ADDITIVE ALTERNATIVE BID).
10. SOIL REMEDIATION SHOWN IS BASED ON PRELIMINARY SAMPLE RESULTS. ADDITIONAL TESTING SHALL BE PERFORMED BY THIRD PARTY CONSULTANT HIRED BY THE CITY.

LEGEND:

9" SOIL REMEDIATION, SEE SHEET DM-3

REVISED DM-1 PER ADDENDUM No. 5

REVISIONS					
NO.	BY	DATE	DESCRIPTION	APPROVED BY	DATE
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CITY OF MARINA
DEPARTMENT OF PUBLIC WORKS
211 Hillcrest Avenue
Marina, CA 93933

SCALE: HORIZ
VERT
ORIGINAL SCALE IN INCHES FOR REDUCED PLANS
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WATER RESOURCES
612 CLARION COURT
SAN LUIS OBISPO, CA 93401
T 805 544-4011 F 805 544-4294
www.wallacegroup.us

PROJECT ENGINEER
May 5, 2022
PLANS APPROVAL DATE

REGISTERED PROFESSIONAL ENGINEER
Elvira Nogora Morla-Camacho
No. 60577
CIVIL
STATE OF CALIFORNIA

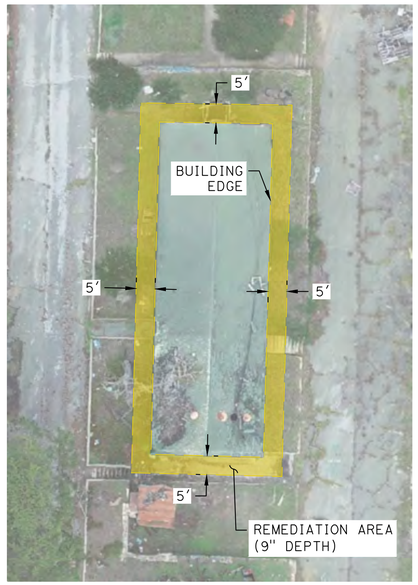
CITY PARK BARRACKS AND CYPRESS KNOLLS BUILDINGS BLIGHT REMOVAL 2022 PROJECT

DEMOLITION PLAN

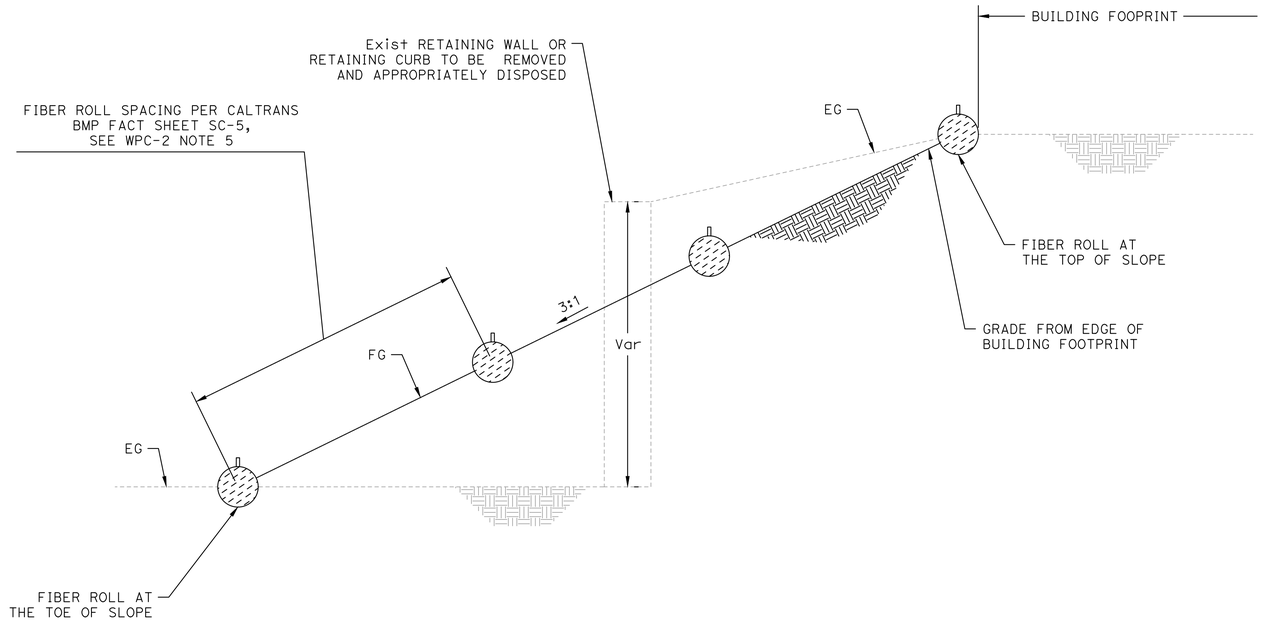
DM-1

DESIGNED BY	DRAWN BY	CHECKED BY	JOB NUMBER	SHEET	OF
EMC	ZVC	EMC	1585-0001	3	14

FILE NAME: 1585-0001-00 DM-1.DWG
5/5/2022 3:18 PM
ZACH CAPANG



SOIL REMEDIATION LAYOUT (Typ)
1"-20'



ROUGH GRADING DETAIL AT RETAINING WALL OR CURB
(ADDITIVE ALTERNATIVE BID)
NTS

REVISED DM-3 PER ADDENDUM No. 5

REVISIONS					
NO.	BY	DATE	DESCRIPTION	APPROVED BY	DATE
1		5/05/22			

CITY OF MARINA
DEPARTMENT OF PUBLIC WORKS
211 Hillcrest Avenue
Marina, CA 93933

SCALE: HORIZ
VERT
ORIGINAL SCALE IN INCHES FOR REDUCED PLANS
0 1 2

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CIVIL AND TRANSPORTATION ENGINEERING
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612 CLARION COURT
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PROJECT ENGINEER
May 5, 2022
PLANS APPROVAL DATE

REGISTERED PROFESSIONAL ENGINEER
Elvira Nogora Maria-Camacho
No. 60577
CIVIL
STATE OF CALIFORNIA

CITY PARK BARRACKS AND CYPRESS KNOLLS BUILDINGS BLIGHT REMOVAL 2022 PROJECT

DEMOLITION PLAN

DM-3

DESIGNED BY	DRAWN BY	CHECKED BY	JOB NUMBER	SHEET	OF
EMC	ZVC	EMC	1585-0001	5	14

FILE NAME: 1585-0001-00 DM-2.DWG
5/5/2022 3:28 PM ZACH CAIPANG

ATTACHMENT B

Tree Table

Tree ID	Scientific Name	Common Name	Individual Stem DBH (in)	Total DBH (in)	Dripline (ft)	Health	Recommendation	Comments
1284	*Hesperocyparis macrocarpa*	Monterey Cypress	60	60	75	Fair	Retain	
1291	*Hesperocyparis macrocarpa*	Monterey Cypress	10 8 6	14	18	Fair	Retain	
1293	*Hesperocyparis macrocarpa*	Monterey Cypress	58	58	73	Fair	Retain	
1296	*Hesperocyparis macrocarpa*	Monterey Cypress	45	45	56	Fair	Retain	
1297	*Hesperocyparis macrocarpa*	Monterey Cypress	66	66	83	Fair	Retain	
1298	*Pinus radiata*	Monterey Pine	33	33	41	Fair	Retain	
1302	*Hesperocyparis macrocarpa*	Monterey Cypress	43	43	54	Fair	Remove	Tree directly adjacent to building. Greater than 40% of CRZ proposed for removal
1303	*Hesperocyparis macrocarpa*	Monterey Cypress	30	30	38	Fair	Retain	
1306	*Hesperocyparis macrocarpa*	Monterey Cypress	45	45	56	Fair	Retain	
1308	*Hesperocyparis macrocarpa*	Monterey Cypress	72	72	90	Fair	Retain	
1309	*Hesperocyparis macrocarpa*	Monterey Cypress	33	33	41	Fair	Remove	Tree top damage. Greater than 40% of CRZ proposed for removal
1312	*Hesperocyparis macrocarpa*	Monterey Cypress	52	52	65	Fair	Retain	
1313	*Eucalyptus sp.*	Eucalyptus	17 20	26	33	Fair	Retain	
1316	*Hesperocyparis macrocarpa*	Monterey Cypress	24 30	38	48	Fair	Potential Removal	Tree requires significant trimming. Work proposed within 40% of CRZ
1317	*Hesperocyparis macrocarpa*	Monterey Cypress	54	54	68	Fair	Retain	
1320	*Hesperocyparis macrocarpa*	Monterey Cypress	61	61	76	Fair	Retain	
1329	*Hesperocyparis macrocarpa*	Monterey Cypress	12	12	15	Fair	Retain	
1330	*Hesperocyparis macrocarpa*	Monterey Cypress	32	32	40	Fair	Retain	
1331	*Hesperocyparis macrocarpa*	Monterey Cypress	24	24	30	Fair	Retain	
1332	*Hesperocyparis macrocarpa*	Monterey Cypress	26	26	33	Fair	Retain	
1333	*Hesperocyparis macrocarpa*	Monterey Cypress	36	36	45	Fair	Retain	
1334	*Hesperocyparis macrocarpa*	Monterey Cypress	48	48	60	Fair	Retain	
1335	*Hesperocyparis macrocarpa*	Monterey Cypress	32	32	40	Fair	Retain	
1336	*Hesperocyparis macrocarpa*	Monterey Cypress	19	19	24	Fair	Retain	
1337	*Hesperocyparis macrocarpa*	Monterey Cypress	30 18 13 15	40	50	Fair	Retain	
1338	*Hesperocyparis macrocarpa*	Monterey Cypress	32	32	40	Fair	Retain	
1339	*Hesperocyparis macrocarpa*	Monterey Cypress	32 40 25	57	71	Fair	Potential Removal	Tree requires significant trimming. Work proposed within 40% of CRZ
1340	*Hesperocyparis macrocarpa*	Monterey Cypress	72	72	90	Fair	Retain	
1341	*Hesperocyparis macrocarpa*	Monterey Cypress	7	7	9	Good	Retain	
1342	*Hesperocyparis macrocarpa*	Monterey Cypress	24	24	30	Fair	Retain	
1343	*Hesperocyparis macrocarpa*	Monterey Cypress	35	35	44	Fair	Retain	
1344	*Hesperocyparis macrocarpa*	Monterey Cypress	30	30	38	Fair	Retain	
1345	*Quercus agrifolia*	Coast Live Oak	8 8	11	14	Fair	Remove	Tree directly adjacent to building. Greater than 40% of CRZ proposed for removal
1347	*Hesperocyparis macrocarpa*	Monterey Cypress	10 18	21	26	Fair	Retain	
1348	*Hesperocyparis macrocarpa*	Monterey Cypress	11	11	14	Fair	Retain	
1349	*Hesperocyparis macrocarpa*	Monterey Cypress	34 36 28 10	58	72	Fair	Retain	
1352	*Pinus radiata*	Monterey Pine	20	20	25	Fair	Retain	
1392	*Hesperocyparis macrocarpa*	Monterey Cypress	7	7	9	Fair	Retain	
1394	*Hesperocyparis macrocarpa*	Monterey Cypress	66	66	83	Fair	Retain	
1395	*Hesperocyparis macrocarpa*	Monterey Cypress	72	72	90	Fair	Retain	

Tree ID	Scientific Name	Common Name	Individual Stem DBH (in)	Total DBH (in)	Dripline (ft)	Health	Recommendation	Comments
1396	*Hesperocyparis macrocarpa*	Monterey Cypress	64	64	80	Fair	Retain	
1397	*Hesperocyparis macrocarpa*	Monterey Cypress	64 25	69	86	Fair	Retain	
1398	*Hesperocyparis macrocarpa*	Monterey Cypress	66	66	83	Fair	Retain	
1399	*Hesperocyparis macrocarpa*	Monterey Cypress	16 16	23	28	Fair	Retain	
1400	*Hesperocyparis macrocarpa*	Monterey Cypress	31 30	43	54	Fair	Retain	
1401	*Hesperocyparis macrocarpa*	Monterey Cypress	12 12 11 11 13 15 16	34	43	Fair	Retain	
1403	*Hesperocyparis macrocarpa*	Monterey Cypress	8	8	10	Fair	Retain	
1404	*Eucalyptus sp.*	Eucalyptus	19	19	24	Fair	Retain	
1405	*Eucalyptus sp.*	Eucalyptus	35 8 9	37	46	Fair	Retain	
1406	*Hesperocyparis macrocarpa*	Monterey Cypress	20 9 9 10 6 10 11 18 32	48	60	Fair	Retain	
1409	*Hesperocyparis macrocarpa*	Monterey Cypress	6	6	8	Good	Retain	
1410	*Hesperocyparis macrocarpa*	Monterey Cypress	9	9	11	Good	Retain	
1411	*Hesperocyparis macrocarpa*	Monterey Cypress	6 6	8	11	Good	Retain	
1412	*Hesperocyparis macrocarpa*	Monterey Cypress	8 6 6	12	15	Good	Retain	
1413	*Hesperocyparis macrocarpa*	Monterey Cypress	12	12	15	Good	Retain	
1414	*Hesperocyparis macrocarpa*	Monterey Cypress	9	9	11	Good	Retain	

ATTACHMENT C

Photo Log

Proposed Removals



Photo 1. Tree 1302



Photo 2. Tree 1309



Photo 3. Tree 1345

Potential Removals



Photo 5. Tree 1316



Photo 6. Tree 1339

ATTACHMENT D

Best Management Practices

BEST MANAGEMENT PRACTICES WHEN WORKING NEAR TREES

Best Management Practices

The following BMPs are recommended to reduce impacts to trees:

- Do not deposit any fill around trees, which may compact soils and alter water and air relationships. Avoid depositing fill, parking equipment, or staging construction materials near existing trees. Covering and compacting soil around trees can alter water and air relationships with the roots. Fill placed within the critical rootzone or dripline may encourage the development of oak rot fungus (*Armillaria mellea*). As necessary, trees may be protected by boards, fencing or other materials to delineate protection zones.
- Pruning shall be conducted to avoid unnecessary injuries to the tree. General principals of pruning include placing cuts immediately beyond the branch collar, making clean cuts by scoring the underside of the branch first, and for live oak, avoiding the period from February through May.
- Native live oaks are not adapted to summer watering and may develop crown or root rot as a result. Do not regularly irrigate within the critical rootzone or dripline of oaks. Native, locally adapted, drought resistant species are the most compatible with this goal.
- Root cutting should occur outside of the springtime. Ideal time for root pruning will take place late June and July. Pruning of the live crown should not occur February through May.
- Oak material greater than 3 inches in diameter remaining on site more than one month that is not cut and split into firewood should be covered with thick clear plastic that is dug in securely around the pile. This will discourage infestation and dispersion of bark beetles.
- A mulch layer up to approximately 4 inches deep may be applied to the ground under selected oaks following construction. Only 1 to 2 inches of mulch should be applied within 1 to 2 feet of the trunk, and under no circumstances should any soil or mulch be placed against the root crown (base) of trees. The best source of mulch would be from chipped material generated on site.

Tree Protection Standards:

- All trees scheduled for preservation which may be at risk of injury or harm during the removal of trees approved for removal or during grading, trenching or other activities associated with the development or use of a property shall be temporarily fenced during such tree during such activities. Fencing shall be installed prior to the beginning of tree removals, grading or building. Fencing shall be installed at the edge of the root zone unless alternate location is determined essential to the construction of the project as approved. The root zone is determined to be the area located within a distance of 15 times the trunk diameter in all directions. Fencing shall consist of chain link or plastic link fence, rigidly supported and maintained during all construction at a minimum height of 4' 0" above grade. Removal of fencing shall only be at the direction of the City planning department. All trees to be fenced shall be clearly marked to notify all personnel and city inspectors that the subject tree(s) are to be fenced at all times during construction.
- Fenced areas shall not be used for material stockpile, storage or vehicle parking. Dumping of materials, chemicals or garbage shall be prohibited within the fenced area. Fenced areas shall be maintained in a natural condition and not compacted. Fenced areas shall be maintained at natural or existing grade.

- Utility and drain lines shall be located outside the root zone of all preserved trees unless essential to develop property as approved. Where alternative routes are not available, any digging or trenching necessary for utility conduit, pipe, wire and drain lines shall not cut any major root. Major roots are those with a diameter of 2 inches or more. Utility lines shall not be within 3 feet of the trunk of any tree.

- All approved construction within the root zone shall observe the following construction practices:
    1. Hand trenching at point or line of grade cuts closest to the trunk to expose major roots 2" or more in diameter.
    2. In cases where rock or unusually dense soil prevents hand trenching, mechanical trenching may be permitted provided that work inside the dripline is closely supervised to prevent tearing or other damage to major roots.
    3. Exposed major roots shall be cut with a saw to form a smooth surface and avoid tearing or jagged edges.
    4. Absorbent tarp or heavy cloth fabric shall be placed over grade cuts where roots are exposed and secured with stakes and 2" to 4" of compost or wood chips spread over the tarp to prevent moisture loss. Care shall be taken that moisture levels beneath tarped areas remain comparable to surrounding areas until backfilling occurs. Some watering of these areas may be necessary to maintain moisture levels, and such measures shall remain in effect through all phases of construction, including all delays and other periods of inactivity.

Tree Pruning

Pruning is to be minimal but performed only when necessary in accordance to American National Safety Institute ANSI A300 Pruning Standards. Pruning may include the larger canopied trees that have deadwood or are exhibiting some minor structural defect or minor disease that must be compensated. Should the health and vigor of any tree decline it will be treated as appropriately recommended by a certified arborist or qualified forester.

The following are offered as guidelines when pruning;

- In general trees will be assessed then pruned first for safety, next for health, and finally for aesthetics. No more than 25% of the tree overall crown will be pruned in one season.
- Type of pruning is determined by the size of branches to be removed. General guidelines for branch removal are:

    1. Fine Detail pruning-limbs under 2-inch diameter are removed
    2. Medium Detail Pruning–Limbs between 2- and 4-inch diameter
    3. Structural Enhancement–limbs greater than 4-inch diameter.
    4. Broken and cracked limbs-removed will be removed in high traffic areas of concern.

Crown thinning is the cleaning out of or removal of dead diseased, weakly attached, or low vigor branches from a tree crown and consist of the following steps:

- All trees will be pre-assessed on how the tree will be pruned from the top down.

- Tree trimmers will favor branches with strong, U-shaped angles of attachment and where possible remove branches with weak, V-shaped angles of attachment and/or included bark.
- Lateral branches will be evenly spaced on the main stem of young trees and areas of fine pruning.
- Branches that rub or cross another branch will be removed where possible.
- Lateral branches will be no more than one-half to three-quarters of the diameter of the stem to discourage the development of co-dominant stems where feasible.
- In most cases trimmers will not remove more than one-quarter of the living crown of a tree at one time. If it is necessary to remove more, it will be done over successive years.

Crown-raising removes the lower branches of a tree to provide clearance for buildings, vehicles, pedestrians and vistas and performed as follows:

- Live branches on at least two-thirds of a tree's total height will be maintained wherever possible. The removal of too many lower branches will hinder the development of a strong stem.
- All basal sprouts and vigorous epicormic sprouts will be removed where feasible.

Crown reduction is used to reduce the height and/or spread of trees and is used for maintaining the structural integrity and natural form of a tree and conducted as follows:

- Crown reduction pruning is used only when absolutely necessary. Pruning cuts will be at a lateral branch that is at least one-third the diameter of the stem to be removed wherever possible.
- When it is necessary to remove more than half of the foliage from a branch it may be necessary remove the entire branch.

Crown restoration is used to improve the structure and appearance of trees that have been topped or severely pruned using heading cuts. One of three sprouts on main branch stubs should be selected to reform a natural appearing crown. Selected vigorous sprouts may need to be thinned to ensure adequate attachment for the size of the sprout. Restoration may require several years of pruning.

ATTACHMENT E

Tree Removal Permit Application

City of Marina

City of Marina
Community Development Department
Mailing: 211 HILLCREST AVENUE
Office: 209 CYPRESS AVENUE
MARINA, CA 93933
831.884.1220; FAX 831.384.0425
www.cityofmarina.org

PLANNING APPLICATION

Project Address/Location: Remediation/Demo at City Park **APN:** _____

Applicant(s):

Name: City of Marina

Mailing Address: _____

Phone: _____ Email: _____

Property Owner:

Name: SAME AS ABOVE

Mailing Address: _____

Phone: _____ Email: _____

Project Description: What do you want to do?

Removal permit request for 5 trees to facilitate the project and maintain health and safety of the urban forest in City Park.

Property Owner Authorization:
By signing this application I certify that I have reviewed this completed application and the attached material and consent to its filing. I agree to allow the Community Development Department to duplicate and distribute plans to interested persons as it determines is necessary for the processing of the application.

Signed Date

Applicant/Representative Certification:
I understand the City might not approve what I am applying for or might set conditions of approval. I agree to allow the Community Development Department to duplicate and distribute plans to interested persons as it determines is necessary for processing of the application.

Signed Date

Permission to Access Property
This section is to be completed by the **property owner** and/or occupant who controls access to the property. To adequately evaluate many project proposals Community Development Department Staff, Commissioners and City Council Members will have to gain access to the exterior of the real property in order to adequately review and report on the proposed project. Your signature below certifies that you agree to give the City permission to access the project site from 8 a.m. to 5 p.m., Monday through Friday, as part of the normal review of this planning application.

Signed Date

Indemnification Agreement:
The Owner/Applicant shall defend, indemnify and hold harmless the City or its agents or officers and employees from any claim, action or proceeding against the City or its agents, officers or employees, to attack, set aside, void, or annul, in whole or in part, the City's approval of this project. In the event that the City fails to promptly notify the Owner / Applicant of any such claim, action or proceeding, or that the City fails to cooperate fully in the defense of said claim, this condition shall thereafter be of no further force or effect.

Signed Date

FOR OFFICE USE ONLY:
Date Application Submitted: _____ Fee Collected: $_____
Date Application Complete: _____ Receipt Number: _____
File Number(s): _____
Planner Initials: _____ Associated Permits: _____

VICINITY MAP - CITY OF MARINA

Possible Ballfield locations

EXHIBIT D

Marina Station
Potential Sports Fields

Glorya Jean
Tate Park

Locke-Paddon
Park

Vince Di
Maggio Park

Windy Hill
Park

Los Arboles
Sports Complex

Preston
Park

Sea Haven
Park

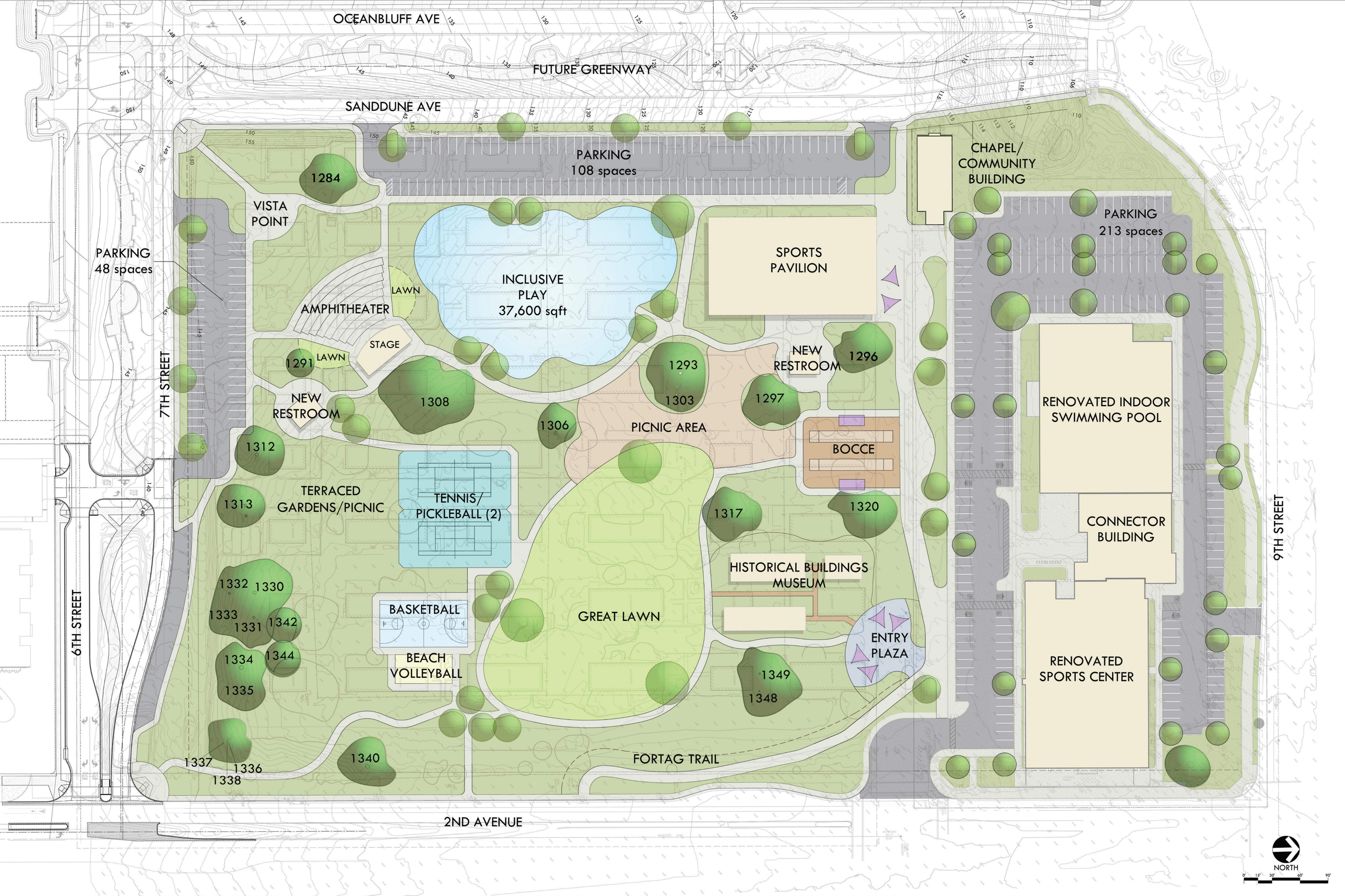
Dunes Park

Hilltop Park

Planned park

Existing park with ballfields

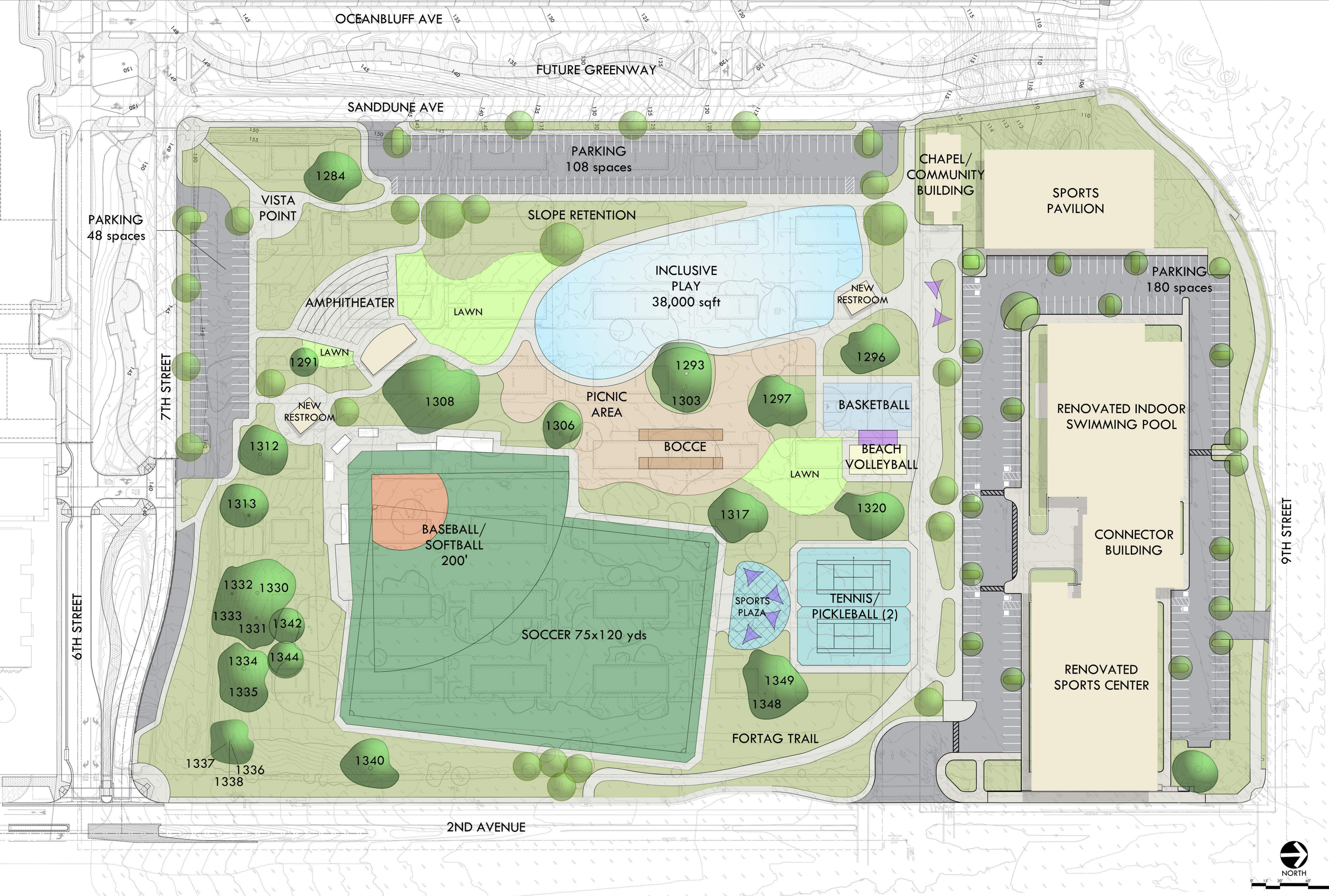
Existing park, no ballfields



Marina - Dunes Park - Option 1
City of Marina
Marina, CA

VERDE DESIGN
LANDSCAPE ARCHITECTURE
CIVIL ENGINEERING
SPORT PLANNING & DESIGN
2455 The Alameda, Ste. 200
Santa Clara, CA 95050
tel: 408.985.7200
fax: 408.985.7260
www.verdedesigninc.com

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Marina - Dunes Park - Option 2
City of Marina
Marina, CA

VERDE DESIGN
LANDSCAPE ARCHITECTURE
CIVIL ENGINEERING
SPORT PLANNING & DESIGN
2455 The Alameda, Ste. 200
Santa Clara, CA 95050
tel: 408.985.7200
fax: 408.985.7260
www.verdedesigninc.com

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OCEANBLUFF AVE

FUTURE GREENWAY

SANDDUNE AVE

NEW RESTROOM/ CONCESSIONS

PARKING 108 spaces

CHAPEL/ COMMUNITY BUILDING

SPORTS PAVILION

PARKING 180 spaces

PARKING 26 spaces

INCLUSIVE PLAY 36,700 sqft

BOCCE

BASEBALL/SOFTBALL 200'

SOCCER 75x120 yds

1284

1291

1296

1308

1312

1313

1320

NEW RESTROOM

PICNIC

7TH STREET

TENNIS/ PICKLEBALL (2)

RENOVATED INDOOR SWIMMING POOL

CONNECTOR BUILDING

9TH STREET

6TH STREET

1332 1330 1333 1331 1342

BASKETBALL

1334 1344 1335

BEACH VOLLEYBALL

LAWN

SOCCER 75x120 yds

BASEBALL/ SOFTBALL 300'

RENOVATED SPORTS CENTER

AMPHITHEATER

1337 1336 1338

1340

FORTAG TRAIL

2ND AVENUE

NORTH

0' 15' 30' 60' 90'

Wall Height Legend:

- 2' - 3'
- 3' - 5'
- 5' - 8'
- 8'+

Marina - Dunes Park - Option 3

City of Marina

Marina, CA

VERDE DESIGN

LANDSCAPE ARCHITECTURE
CIVIL ENGINEERING
SPORT PLANNING & DESIGN
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Santa Clara, CA 95050
tel: 408.985.7200
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www.verdedesigninc.com

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OCEANBLUFF AVE

FUTURE GREENWAY

SANDDUNE AVE

NEW RESTROOM/ CONCESSIONS

PARKING 108 spaces

CHAPEL/ COMMUNITY BUILDING

SPORTS PAVILION

BOCCE

PARKING 180 spaces

RENOVATED INDOOR SWIMMING POOL

CONNECTOR BUILDING

RENOVATED SPORTS CENTER

9TH STREET

7TH STREET

6TH STREET

INCLUSIVE PLAY 37,800 sqft

TOW 144

TOW 145

1284

1296

1320

1308

1337

1336

1338

NEW RESTROOM

AMPHITHEATER

BASEBALL/SOFTBALL 200'

SOCCER 75x120 yds

SOCCER 75x120 yds

BASEBALL/ SOFTBALL 300'

PICNIC

TENNIS/ PICKLEBALL (2)

BASKETBALL

BEACH VOLLEYBALL

PARKING 71 spaces

FORTAG TRAIL

2ND AVENUE

APPROX DAYLIGHT AT ELEVATED ROAD - 118'

APPROX DAYLIGHT AT EXISTING ROAD - 111.5

NORTH

0' 15' 30' 60' 90'

Wall Height Legend:

- 2' - 3'
- 3' - 5'
- 5' - 8'
- 8'+

Marina - Dunes Park - Option 4

City of Marina

Marina, CA

VERDE DESIGN

LANDSCAPE ARCHITECTURE
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2455 The Alameda, Ste. 200
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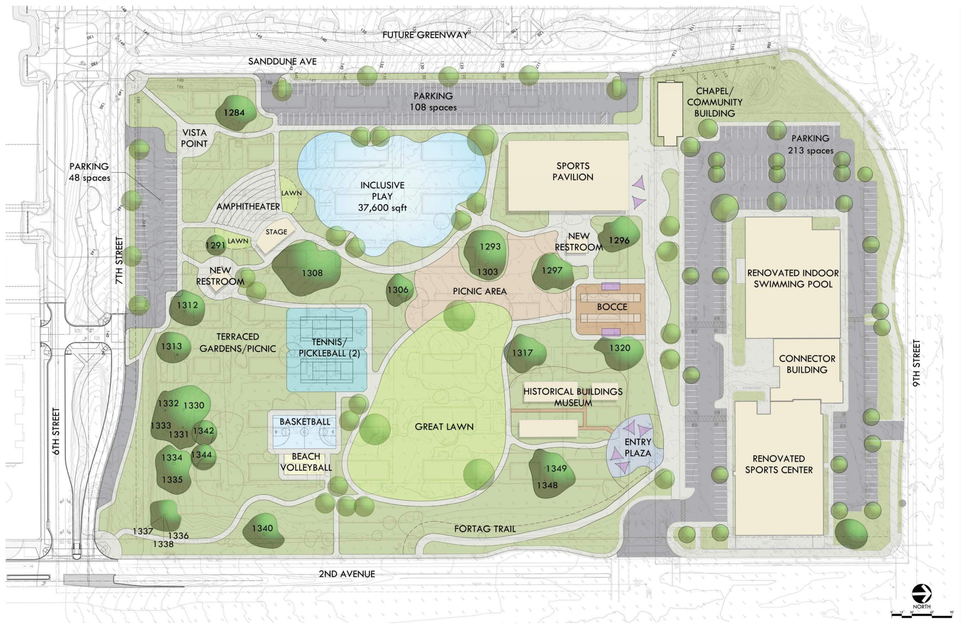
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	Tree Preservation Level	Significant Trees to be Removed	2:1 Required Minimum Replacement/New Trees[1]	Sports Fields	Retaining Walls	Amphitheater (Approx. Capacity)	Parking Count (Includes Street Parking)[2]	Parking Demand (75% Max. Use/Max. use)	Other Park Elements
OPTION 1	All significant trees to be retained	5 (Blight)	10/31	None	Least	250	326	205/273	• Sports Pavilion • Historical Bldgs.
OPTION 2	All significant trees to be retained	5 (Blight)	10/26	(1) Full size soccer (1) baseball/softball	Less	250	326	314/419	
OPTION 3	Legacy + all significant trees on south side	12 (Blight + Design)	24/37	(2) Full size soccer (2) baseball/softball	Less	80	304	315/420	
OPTION 4	Legacy trees only	21 (Blight + Design)	42/53	(2) Full size soccer (2) baseball/softball	Most	80	349	315/420	

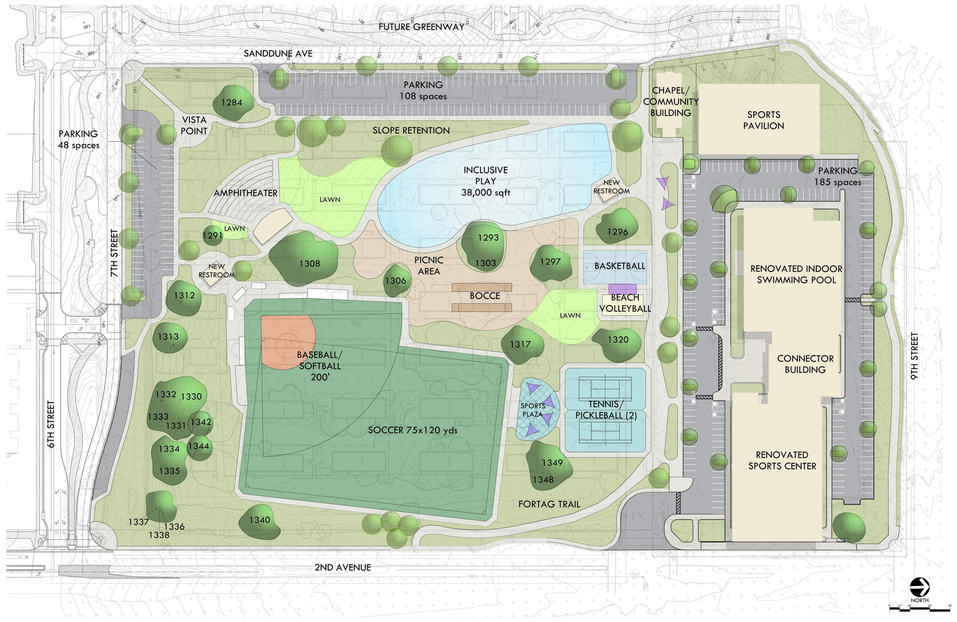
[1] Does not include the new 19 trees on the buildings (COAR) parking lot

[2] Does not include the parking count in the buildings parking lot

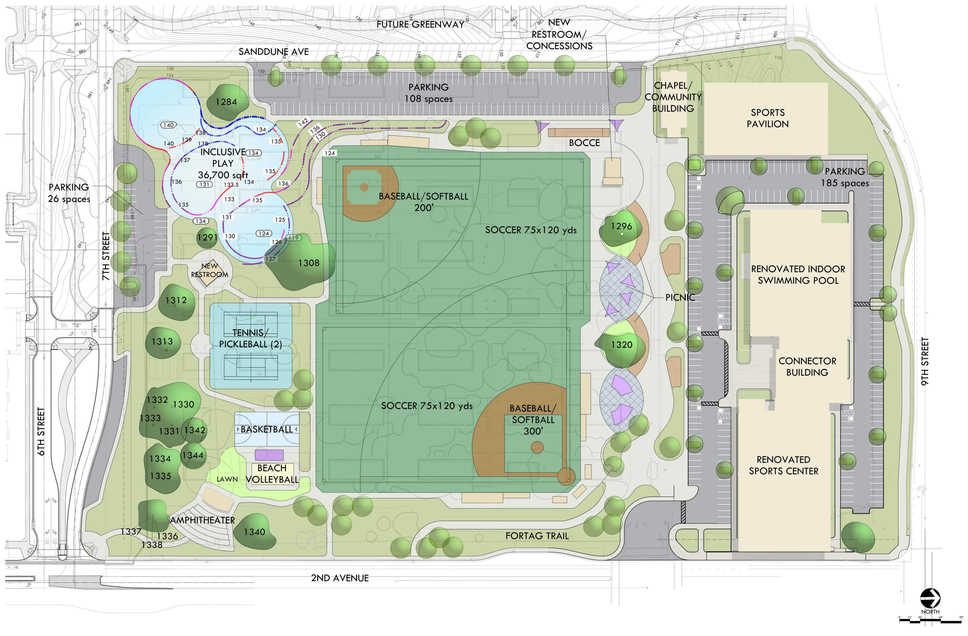
OPTION 1



OPTION 2



OPTION 3



OPTION 4

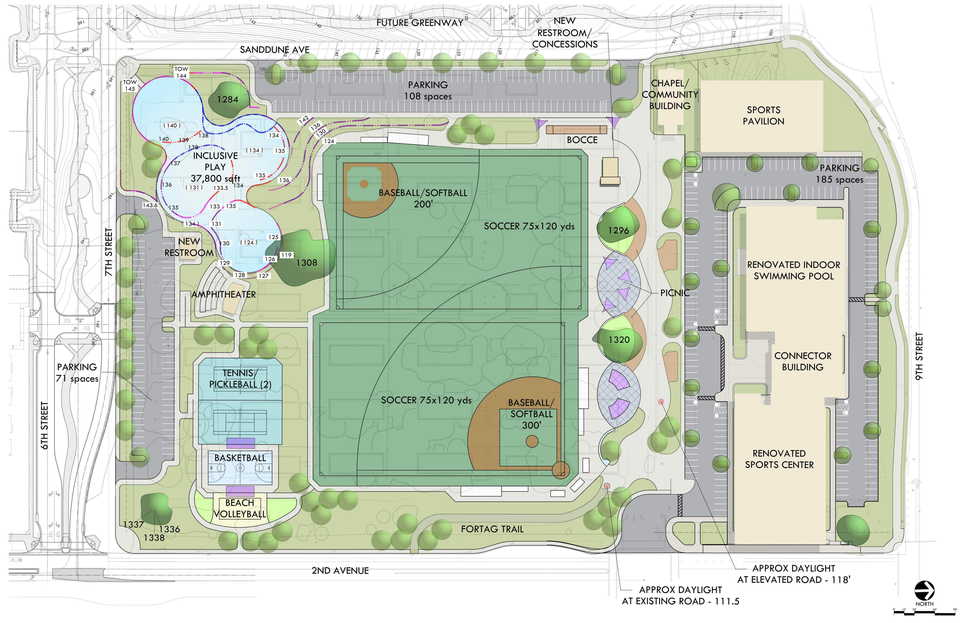


EXHIBIT E

VERDE DESIGN
2455 The Alameda,
Santa Clara, CA 95050
408.985.7200p | 408.985.7260f
www.verdedesigninc.com

MEETING REPORT

DATE:	February 6, 2023	MEETING DATE:	January 26, 2023
FACILITATOR:	Derek McKee	MEETING TYPE:	Community Engagement
RECORDER:	Daniel Collazos/Michaelle Mowery	MEETING TIME:	6:30 to 8:00 PM
PROJECT NAME:	Dunes Park Grading	VERDE DESIGN, INC. PROJECT NUMBER:	2121700

MEETING LOCATION:

ATTENDEES:

Brian McMinn, City of Marina	Derek McKee, Verde Design, Inc.
Layne Long, City of Marina	Daniel Collazos, Verde Design, Inc.
Michaelle Mowery, City of Marina	Marina residents
Elvie Camacho, Wallace Group	
Rick Riedl, Wallace Group	

COPY TO: File

FILE NAME & PATH: Y:\Projects-SC\2021\2121700 - marina-dunes park grading\Meeting Items\Community Meeting - 1-26-23\Report

MEETING REPORT REVIEW / COMMENTS: *This report, if not corrected within seven (7) days after receipt by any party in attendance, shall be acknowledged as an accurate report of the events that took place at this meeting.*

MEETING CONTEXT: Community Engagement – Dunes Park Options

MEETING PURPOSE: Determining the preferred option(s) for Marina Dunes Park.

INTENDED RESULTS:
1. Review and tally Community input.
2. Develop one design concept based on Community and City input.

ITEM	DISCUSSION AND ACTION
Introduction and Questions from the Community	Brian and Layne introduced the project which primed several questions from the Community, mostly around funding and priorities for the City's parks: 1. Preston Park overlaps? *Separate soccer fields. After these two parks the City will expand Preston Park.* 2. Who makes the final decision on the Dunes Park design? *City Council votes and makes final decision.* 3. Already finalized, on-going maintenance included in price? *2-year budget, additional stuffing needed for maintenance and upkeep, hope to approve new budget for more allowance.* 4. What are the funds for Dunes? *$8.5MM for Dunes but not everything is included, fields cost money, the park will work as a community park.* 5. Is there money for Preston Park? *Preston Park set aside $1MM, impact fee money that can be allocated towards Preston Park.* 6. Preston Park already hard to park, how are we going to add fields and no additional parking? *Planning will incorporate parking with fields.* 7. Liability for kids with injuries and unsafe upkeep of the fields at Preston Park? *$1MM has been set aside for Preston Park, but this issue has not been addressed yet. Money by state law has been added for upkeep, but is it not being used yet.* 8. Which parks are getting upgrades? *$1.5MM for GJT/pump track, $0.5MM for Windy Hill Park, and $1MM for Preston Park.* 9. How long will be needed to wait for more sports fields? We should start with Preston Park now with the funds the City has; or why not spend the money for Dunes Park instead of Preston Park? *Submit those comments and go to City Council.*

PROJECT NAME:	LUHSD Baseball Improvements	MEETING REPORT FOR:	60% Submittal Review Meeting
VERDE DESIGN, INC.		MEETING DATE:	02/17/2022
PROJECT NO.:	2111100		
MEETING LOCATION:	Web Progress Meeting	REPORT DATE:	02/24/2022

Synthetic vs Natural Turf

1. Elements can be added to the natural grass to improve water holding.
2. Sand based fields can be a financial burden.
3. Unsure on what type of turf to be used at Preston Park.
4. For the synthetic turf fields, we would use organic infills like cork which absorb water and smell better than plastic infills.

Sports Fields User Groups - Issues & Needs

1. Baseball has 200+ kids, soccer has 500+ kids but have bad fields, injuries, have to use school fields for availability and school sports take precedence, so sometimes out there practicing at 8:00 AM.
2. Marina Youth Sports have been promised fields and have yet to get them. They would like fields now for the kids who are in sports now.
3. Marina High to refurbish their fields.
4. Are we working with schools? Yes, working with Marina High and will be going out to a cooperative to work together/
5. 700 kids in the community that need new fields now. They are forced to close sign ups because there aren't enough practice fields.
6. President of Marina Youth Soccer states that he has 455 kids that need to be all in the same place and time and Preston Park doesn't incorporate them all.
7. Need a girls softball area and field for them to practice and pay. 85-90% of these kids and parents are Marina residents, but don't have an area other than schools and at schools they will need to share.

Fields Maintenance

1. Lack of maintenance overall at City's parks.
2. Residents work at King School and they do the maintenance and are able to use the ballfield because they contribute to the field.
3. Residents have to keep up the fields themselves, because it does not get done since little City help, but they can't maintain all.

Light Pollution

1. MIRA (Monterey Institute for Research in Astronomy) would like to eliminate some light fixtures as it intrudes on their telescope viewing. CEQA will evaluate lighting during the environmental review process.

Dunes Park Elements

1. Questions on whether the amphitheater will be more effective in the SW steeper corner than a playground. The slope can also be used favorably in the playground design, although it could cost more money – engineering, grading, and drainage would need to be considered.
2. Sports pavilion to have plastic flooring, roller skating, roller hockey, and be open walled.
3. No dog park; will have one at GJT Park and Hilltop Park. No synthetic grass for a dog park as maintenance is very messy; needs real grass or bark.
4. Trees/shade – minimal shade in Marina, a few trees around the picnic areas.
5. Bocce ball courts – there is a nearby park that have courts but not very popular.
6. Tennis/pickleball courts – have at least one tennis court.
7. Other parks furnishings? *The park will incorporate benches, trash cans, bike racks, and EV charging stations per Green Building code.*
8. BBQ/picnic areas? *Yes, and possibly shade structures. Will also have group picnic areas and GJT will also have BBQs but they tend to gathering spots for the homeless.*
9. Walking trails? *Yes, the FORTAG trail goes through the park and walking paths throughout.*

Parking

1. Park underground? *OK in more urban areas, plus too costly.*
2. CSUMB parking lot is working with a master developer so not for public use at this time.

PROJECT NAME:	LUHSD Baseball Improvements	MEETING REPORT FOR:	60% Submittal Review Meeting
VERDE DESIGN, INC.		MEETING DATE:	02/17/2022
PROJECT NO.:	2111100		
MEETING LOCATION:	Web Progress Meeting	REPORT DATE:	02/24/2022

Design Options Comments

1. Option 4 has less trees and less parking but might be best for community.
2. Option 3 is preferred by the sports people (coaches, parents) as it has more existing trees preserved than option 4 while still having all the park elements shown in the other options.
3. The less sports people prefer Option 2 as it has sports fields (half of Options 3 and 4) while preserving all trees and having more space for other elements such as the amphitheater.
4. Access to playground in Options 3 and 4? Playgrounds are accessible but may be more expensive due to the topography. One suggestion was to flip the playground for the amphitheater in these options.

END OF MEETING REPORT

DUNE CITY PARK RANKING/COMMENTS SUMMARY					
Comment No.	Option 1	Option 2	Option 3	Option 4	Comments
1			1		Need of ballfield for growing youth population
2			1		Please count this as a vote for option 3, the only viable multipurpose use of the area being developed for the City of Marina's Dunes City Park Development
3					Our daughter plays softball in Marina and we are a family that enjoys recreation. We feel that ensuring parks and fields are supported is important. As Marina grows, it's vital that parks and recreations fields grow as well and that includes keeping up with regular maintenance. It will not only allow for continued support of existing sports and related non profits but entice new family who are looking for a place to live and raise their families. Please support fields and parks in Marina as you consider Marina's growth.
4		1			Option 3/4 have too many sports fields and the hilly play area can be done well but accessible grade changes take up space, and traversing elevation changes while following a child can be exhausting. SEE email for additional comments and proposed sketch
5					Proper Light sheilding and avoid intrusive flood lights. SEE additional Comments
6	1				See the Dunes Park as natural as possible, however Option 2 is next choice.
7					Comments on Skating not Dunes.
8	1				Dog Park area?
9	1				Comments in support of Option 1. SEE Comments
10		1			Use inclusive play area in 3 to be used in 2. Keep all the existing trees
11			1		Ampitheater on the west side
12			1		Opt. 3 seems to be best placed to address the influx of younger families coming to town.
13	1				Top Optiosn 1 and 2. Locate Sports fields at more remote areas. Save more trees and limit amount of parking
14			1		
15		1			
16					GJT Comments
17	1				Likes Great Lawn, and Historical Bldg/Museum as triute to the Legacy of Fort Ord.
18	1				Historical Bldg.
19		1			Good balance , Opt 3 is second
20	1				love the great lawn and historical bldg, next choice is opt 2
21	1				Incorporate tribute to Ft Ords History
22	1				Preserve as many trees, more pickle balls - SEE comments
23	1				preserve more trees and historical center
24			1		
25		1			ballfields max. saved trees
26	1				keep most trees and space feels most versatile
27	1				w/ the historic museum. Retails all significant trees
28	1				Historical Building Museum, sentimental place and important part of history
29		1			or 3 . SEE COMMENTS ON THE INCLUSIVE PLAY SPACE
30					Demand for additional dedicated pickerball at the Dunes City park. SEE Comments
31				1	Second selection 3, he wants more ballfield and parking

DUNE CITY PARK RANKING/COMMENTS SUMMARY					
Comment No.	Option 1	Option 2	Option 3	Option 4	Comments
32	1				Good green space in our city for unstructured recreation,•Historical center that honors the service of hundreds of thousands of military personnel, families, and government civilians that served our nation at Fort Ord. Save trees
33	1				
34	1				Option 1 with a single ballfield. SEE ADDITIONAL Comments
35			1		Opt 4 for ballfield
36			1		Opt 4 for ballfield
37			1		
38			1		or 4 but pref 3
39			1		
40				1	or 3
41			1		4
42			1		
43			1		or 4
44					Did not indicate what option but advocating for playing fields
45			1		or 4 like Cutino Park in Seaside
46			1		or 4
47			1		or 4
48			1		or 4
49	1				great lawn for versatility
50	1				or option 2
51			1		or 4
52		1			or 1 good balance for active and non active type recreation
53			1		or 4 and better pickle ball and tennis
54			1		or 4
55				1	
56			1		
57			1		or 4
58			1		or 4
59	1				or 2. Option 1makes it useable to everyone
60		1			
61			1		or 4
62	1				Data showing the need of ballfield and data for water usage for maintenance
63		1			
64			1		or 4
65					or 1. Save trees and Options 2 or 1 serves wider group
66		1		1	or 3 See comment
67			1		or 4
68			1		
69	1				
70	1				
71			1		or 4
72			1		or 4
73			1		or 4
74		1			
75			1		
76			1		
77			1		
78			1		or 4
79		1			or 1
80			1		
81			1		or 4

DUNE CITY PARK RANKING/COMMENTS SUMMARY					
Comment No.	Option 1	Option 2	Option 3	Option 4	Comments
82			1		or 4
83			1		
84			1		or 4
85			1		or 4
86				1	
87		1			
88	1				or 2
89	1				See Comments
90			1		
91				1	
92			1		or 4
93			1		or 4
94			1		or 4
95			1		or 4
96			1		or 4
97		1			
98	1				
99			1		
100					No selection but request for arts and name it Terry Siegrist Performing Arts Center. See comments
101			1		or 4
102			1		
103				1	
104	1				playing fields at Preston Park
105	1				Option 1 provides some great new features for Marina: an amphitheater, a museum (finally!), and space to enjoy the outdoors in a variety of activities. SEE COMMENTS
106	1				followed by 2
107			1		followed by 2
108	1				I really like the idea of the great lawn and preserving some of the historical buildings.
109	1				
110	1				Bundle playground at Preston Park
111		1			
112		1			
113	1				. Love all the variety, including an amphitheater. The green area will be great for frisbee, baseball catch, football toss. Things for both kids and adults. Don't like having 2 big fields taking up most of space.
114		1			
115		1			
116		1			
117			1		SEE Commets
118	1				or 2 ,add tennis court and bocce ball
119			1		or 4
120	1				SEE Comments
121					or 2 , Centralize ballfield like Heather Farms Park. SEE Comments . Vote is included on earlier email
122			1		SEE COMMENTS on Input on design
123		1			next is 1,4 and 3
124	1				
TOTAL	**35**	**20**	**54**	**7**	

Comment No. 1

Sent: Thursday, January 26, 2023 9:58 PM
To: ourparksdunes@cityofmarina.org
Subject: Option 3

** WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. **

Please consider Option 3 as the only logical plan for the youth of Marina. As a grandparent as well as parent of former soccer/softball players we need a field to play both sports that is not currently provided. There aren't any other fields in the city for our growing youth population and option 3 would minimize the yearly costs of maintenance.

Sent from my iPhone

Comment No. 2

Sent: Thursday, January 26, 2023 9:02 PM
To: ourparksdunes@cityofmarina.org
Subject: Needed space for youth sports

** WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. **

Please count this as a vote for option 3, the only viable multipurpose use of the area being developed for the City of Marina's Dunes City Park Development.

Sent from my iPhone

From:
Sent:
To:
Subject:

Thursday, January 26, 2023 9:58 PM
ourparksdunes@cityofmarina.org
Option 3

** WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. **

Please consider Option 3 as the only logical plan for the youth of Marina. As a grandparent as well as parent of former soccer/softball players we need a field to play both sports that is not currently provided. There aren't any other fields in the city for our growing youth population and option 3 would minimize the yearly costs of maintenance.

Sent from my iPhone

Comment No. 3

Sent: Thursday, January 26, 2023 8:38 PM
To: ourparksgjt@cityofmarina.org
Subject: Support for better recreation fields and parks in Marina

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good evening,

I am writing to share my family's support for better recreation fields and parks in Marina.

Our daughter plays softball in Marina and we are a family that enjoys recreation. We feel that ensuring parks and fields are supported is important. As Marina grows, it's vital that parks and recreations fields grow as well and that includes keeping up with regular maintenance. It will not only allow for continued support of existing sports and related non profits but entice new family who are looking for a place to live and raise their families.

Please support fields and parks in Marina as you consider Marina's growth.

Comment No. 4

Sent: Thursday, January 26, 2023 4:13 PM
To: ourparksdunes@cityofmarina.org
Subject: Dunes City Park Development

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi City of Marina,

My comments on the Dunes City Park are:

My favorite plan is Option 2 with the one soccer/baseball field, the restroom near the play area, and the play area being away from the southwest high corner. I suggest looking into a walking path and benches in the southeast corner with the existing trees.

Option 3/4 have too many sports fields and the hilly play area can be done well but accessible grade changes take up space, and traversing elevation changes while following a child can be exhausting.

Option 1 puts the sports pavilion in the park to get extra parking spaces which I don't value since I live down the street. I don't know how important the extra parking would be to other users especially if there aren't as many simultaneous sports games. I don't expect the historical area to be as valuable as the alternatives. The restrooms are not next to the play area.

For all the options I think there is too much Bocce. We have 2 Bocce courts at one of the parks at the dunes already and they are not popular. I would also appreciate efforts in the play area design that maintaining line of sight be a design consideration. As a parent I don't like that the artificial hill at one of the dunes parks blocks line of sight and that there are roads nearby. In the context of these parks the issue would be children running into the parking areas. I understand the reasoning and appreciate making the play area accessible, however I do know many parents that live at the dunes that want a traditional park setup with swings, ladders, and slides.

I was told by multiple people I could find the drawings online but haven't found them. If a URL could be sent to me that would be appreciated. I did take pictures which allowed me to talk about the concepts with my wife.

VERDE DESIGN

Comment No. 5

DUNES CITY PARK DEVELOPMENT

SELECTION/COMMENTS:

We have two main aims/potential concerns

- Proper light shielding to reduce light pollution
- Avoid intrusive flood lighting on the western horizon of our Marina observatory - which is important for planetary observations.

* This impacts public viewings at this - our community observatory and specific high profile research programs that need this site.

SUBMIT COMMENTS AT THE MEETING OR EMAIL TO Ourparksdunes@cityofmarina.org

Attached some misc documents relating to previous MIRA submissions on lighting. We have decades of experience working with architects and councils. We can help!

VERDE DESIGN

Comment No. 6

DUNES CITY PARK DEVELOPMENT

SELECTION/ COMMENTS:

~~I want to~~ I would like to see the Dunes City Park as natural as possible. There are beautiful trees currently. So I would prefer Option 1. However, if more soccer/baseball fields then Option 3 would be my next choice.

If you would like more information you can go to the projects folder on the website www.cityofmarina.org

Or email ourparksdunes@cityofmarina.org

VERDE DESIGN

Comment No. 7

DUNES CITY PARK DEVELOPMENT

SELECTION/COMMENTS:

Thank you for providing opportunity for input.
Glad to hear that skating area(s) are still part of the design. Skating is great for families. A flat surface for skating (indoors or outdoors) helps with learners & beginners.

SUBMIT COMMENTS AT THE MEETING OR EMAIL TO Ourparksdunes@cityofmarina.org

VERDE DESIGN

Comment No. 8

DUNES CITY PARK DEVELOPMENT

SELECTION/COMMENTS:

Option 1 is great. Is there a dog park area being considered?
followed by opt 3, 2, then 1.

SUBMIT COMMENTS AT THE MEETING OR EMAIL TO Ourparksdunes@cityofmarina.org

VERDE DESIGN

Comment No. 9

DUNES CITY PARK DEVELOPMENT

SELECTION/ COMMENTS:

I prefer option #1 because it provides a more holistic intergenerational park experience.

I especially like the outdoor ampitheatre as Marina has very few performing arts or speaker spaces. A large group picnic area is also important as many cultures like to gather outdoors w/ family & friends. I also think pickleball is important as it is an outdoor recreational activity especially beneficial to older adults.

If you would like more information you can go to the projects folder on the website www.cityofmarina.org

Or email ourparksdunes@cityofmarina.org

VERDE DESIGN

Comment No. 10

DUNES CITY PARK DEVELOPMENT

SELECTION/COMMENTS:

Given the Demographics 2 Playing fields seems redundant - & loses too many trees
Opt 2 is best for the most uses & keeps most of the existing trees
I like where Pickle Ball Court is incorporated
the amphitheater & lawn - seems unnecessary, would love to see the inclusive play area from option 3 used in opt 2 instead of amphitheater & lawn.
work with the slope - keep upper contour instead of grading the whole site

Please keep all the existing trees! They have history

If you would like more information you can go to the projects folder on the website www.cityofmarina.org

Or email ourparksdunes@cityofmarina.org

VERDE DESIGN

Comment No. 11

DUNES CITY PARK DEVELOPMENT

SELECTION/ COMMENTS:

#3 amphi on West side

#4

If you would like more information you can go to the projects folder on the website www.cityofmarina.org

Or email ourparksdunes@cityofmarina.org

VERDE DESIGN

Comment No. 12

DUNES CITY PARK DEVELOPMENT

SELECTION/ COMMENTS:

With the number of new houses coming to town, I suspect that the need for athletic fields will grow. OPTION 3 seems to be best placed to address the influx of younger families that will be coming to town -

If you would like more information you can go to the projects folder on the website www.cityofmarina.org

Or email ourparksdunes@cityofmarina.org

VERDE DESIGN

Comment No. 13

DUNES CITY PARK DEVELOPMENT

SELECTION/COMMENTS:

TOP OPTIONS FOR ME ARE #1 & #2

LOCATE SPORTS FIELDS AT MODE. REMOTE AREAS.

SAVE MORE TREES AND LIMIT AMOUNT OF PARKING

If you would like more information you can go to the projects folder on the website www.cityofmarina.org

Or email ourparksdunes@cityofmarina.org

VERDE DESIGN

Comment No. 14

DUNES CITY PARK DEVELOPMENT

SELECTION/COMMENTS:

Field #3

If you would like more information you can go to the projects folder on the website www.cityofmarina.org

Or email ourparksdunes@cityofmarina.org

VERDE DESIGN

Comment No. 15

DUNES CITY PARK DEVELOPMENT

SELECTION/COMMENTS:

Option 2

SUBMIT COMMENTS AT THE MEETING OR EMAIL TO Ourparksdunes@cityofmarina.org

VERDE DESIGN

Comment No. 16

DUNES CITY PARK DEVELOPMENT

SELECTION/COMMENTS:

for Gloria Jean - have space for beginning cyclist - Kids learning how to ride - toddlers & young kids need enough room to practice safely

SUBMIT COMMENTS AT THE MEETING OR EMAIL TO Ourparksdunes@cityofmarina.org

VERDE DESIGN

Comment No. 17

DUNES CITY PARK DEVELOPMENT

SELECTION/COMMENTS:

I PREFER OPTION 1. THE "GREAT LAWN" OPEN SPACE PROVIDES KIDS THE ABILITY TO PLAY SOFTBALL/BASEBALL AND SOCCER. AND I LIKE THE HISTORICAL BUILDINGS/MUSEUM AS A TRIBUTE TO THE LEGACY OF FORT ORD.

If you would like more information you can go to the projects folder on the website www.cityofmarina.org

Or email ourparksdunes@cityofmarina.org

VERDE DESIGN

Comment No. 18

DUNES CITY PARK DEVELOPMENT

SELECTION/ COMMENTS:

OPTION #1

Historical Bldg - ★

SUBMIT COMMENTS AT THE MEETING OR EMAIL TO Ourparksdunes@cityofmarina.org

VERDE DESIGN

Comment No. 19

DUNES CITY PARK DEVELOPMENT

SELECTION/ COMMENTS:

I like option 2 as I feel it is a good balance between play/ball areas + open space.
My second option would be option 3.

SUBMIT COMMENTS AT THE MEETING OR EMAIL TO Ourparksdunes@cityofmarina.org

VERDE DESIGN

Comment No. 20

DUNES CITY PARK DEVELOPMENT

SELECTION/ COMMENTS: * 1st choice - Love option #1 - Love the Great Lawn and Historical Buildings/ Museum

2nd choice - option 2

* Love more trees - don't use up large area w/ synthetic field

SUBMIT COMMENTS AT THE MEETING OR EMAIL TO Ourparksdunes@cityofmarina.org

VERDE DESIGN

Comment No. 21

DUNES CITY PARK DEVELOPMENT

SELECTION/ COMMENTS:

Option 1 plan incorporates a tribute to Ft Ord's History with the museum/buildings. Love this!

Also, love the large lawn and sports pavilion incorporated into the park.

My choice would be option 1!

SUBMIT COMMENTS AT THE MEETING OR EMAIL TO Ourparksdunes@cityofmarina.org

The popularity of pickleball requires 4 courts in any location
Carmel – 4 , PG – 4 – Chamisal – 8 and fully used, Meadowbrook – 4
Seaside – 4 , Monterey – 2 and people always waiting

VERDE DESIGN

Comment No. 22

DUNES CITY PARK DEVELOPMENT

SELECTION/ COMMENTS:

Preserve as many trees !!! Ball fields can go to Preston or Los Arboles, Spend money to improve these 2 locations Love the amphitheatre in location 1 & 2. option 1 is the only plan incorporating any acknowledgement of military Fort and history these buildings could be linked to the connector building

option 1 or option 2

↓ like historical building

↓ Like location of pickleball / basketball

If you would like more information you can go to the projects folder on the website www.cityofmarina.org →

Or email ourparksdunes@cityofmarina.org

Business → city projects

VERDE DESIGN

Comment No. 22 Cont.

DUNES CITY PARK DEVELOPMENT

SELECTION/ COMMENTS:

Need more permanent pickleball courts NOT dual striping

4 minimum courts in any location

If you would like more information you can go to the projects folder on the website www.cityofmarina.org →

Business → cityprojects

Or email ourparksdunes@cityofmarina.org

- chapel as meeting pt
  sports pavilion
  Amphitheatre upper corner
  & Basketball Court

Comment No. 22 Cont.

VERDE DESIGN

Comment No. 23

DUNES CITY PARK DEVELOPMENT

SELECTION/COMMENTS:

OPTION #1 PREFERENCE
+ MORE TREES
+ HISTORICAL CENTER
- DON'T SEE A NEED FOR MORE SPORT FIELDS
QUESTION: WE NEED MORE WATER POLO MATCH QUALITY POOLS IN THIS PART OF THE PENINSULA - CAN THE POOL HOST/BE AT COAST POLO MATCH DEPTH+ REGULATIONS

If you would like more information you can go to the projects folder on the website www.cityofmarina.org

Or email ourparksdunes@cityofmarina.org

Comment No. 24

DUNES CITY PARK DEVELOPMENT

COMMENTS: OPTION #3

VERDE DESIGN

Comment No. 25

DUNES CITY PARK DEVELOPMENT

SELECTION/COMMENTS:

I like option 2 best: ball fields, maximum saved trees, 2 restrooms.

Historical Bldg is a low priority for me.

If you would like more information you can go to the projects folder on the website www.cityofmarina.org

Or email ourparksdunes@cityofmarina.org

VERDE DESIGN

Comment No. 26

DUNES CITY PARK DEVELOPMENT

SELECTION/COMMENTS:

Option 1 seems the best home. It keeps the most trees and the space feels the most versatile.

Thank you!

If you would like more information you can go to the projects folder on the website www.cityofmarina.org

Or email ourparksdunes@cityofmarina.org



VERDE DESIGN

Comment No. 27

DUNES CITY PARK DEVELOPMENT

SELECTION/COMMENTS:

I like Option #1 w/ the historic museum that are not in the other Options. I feel that this option retains all significant trees.

If you would like more information you can go to the projects folder on the website www.cityofmarina.org

Or email ourparksdunes@cityofmarina.org

VERDE DESIGN

Comment No. 28

DUNES CITY PARK DEVELOPMENT

SELECTION/COMMENTS:

Thank you so much for including a Historical Bldg Museum in Option 1. It's such a sentimental place and an important part of history for many of us who served while Fort Ord was active. It's almost a must! Thank you.

While I love baseball... it's not played by many and public ball fields tend to decay into dirty, dead grass. No Baseball please; Baseball field = wasted space for most.

The sports pavilion is brilliant. Very excited about this development! Only Option 1 makes great sense :)

If you would like more information you can go to the projects folder on the website www.cityofmarina.org

Or email ourparksdunes@cityofmarina.org

VERDE DESIGN

Comment No. 29

DUNES CITY PARK DEVELOPMENT

SELECTION/COMMENTS:

* As a baseball/softball parent and coach, I experience firsthand the lack of fields for our teams to practice & play on. I love options 2+3 the most!

* I also encourage as much grading as possible for the inclusive play space. Terracing and retaining walls take up so much of the usable space!

If you would like more information you can go to the projects folder on the website www.cityofmarina.org

Or email ourparksdunes@cityofmarina.org

Comment No. 31

Sent: Thursday, February 2, 2023 3:12 PM
To: ourparksdunes@cityofmarina.org
Subject: Marina Dunes Park comments

Follow Up Flag: Follow up
Flag Status: Flagged

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,
I'm submitting my comments on the proposed Dunes Park options.
I would prefer Option 4 (then Option 3 as my second choice). We need to move forward with a park plan that includes ball fields. Options 1 and 2 should not even be considered due to their lack of ball fields.
I prefer Option 4 over 3 because it has more parking on the south side—which will also be used by CSUMB students and discgolfers because they removed the free parking along 2nd Ave last year (presumably by request of MBFC so people will have to pay to park when attending games; or possibly due to residential construction in that area).

Comment No. 32

Sent:	Wednesday, February 1, 2023 4:11 PM
To:	ourparksdunes@cityofmarina.org
Cc:	
Subject:	Community Input on Dunes Phase II Park
Follow Up Flag:	Follow up
Flag Status:	Flagged

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I wanted to submit input and recommended option for the Dunes Phase II park for me (), my wife (), son , and disabled adult son ().

We prefer Option #1 for the following reasons:

- Good green space in our city for unstructured recreation
- Good plan and space for accessible playground areas
- Historical center that honors the service of hundreds of thousands of military personnel, families, and government civilians that served our nation at Fort Ord
- Meaningful space for the amphitheater – a reduced footprint will likely result in minimal use
- Given the number of trees in the area that needed to be removed, Option #1 saves the most healthy trees
- Lowest light pollution impact on MIRA
- Lowest noise pollution for the surrounding community

The sport fields issues at Preston Park need to be addressed but not (1) at the expense of Dunes Park, and (2) from the resources collected from The Dunes. There is adequate space at Preston Park for multiple sport fields and it is definitely more convenient for players, families, and officials if all of the sport fields are in one area to reduce transit between sport fields.

Comment No. 33

Sent: Monday, February 6, 2023 1:29 PM
To: ourparksdunes@cityofmarina.org
Subject: Dunes City Park

Follow Up Flag: Follow up
Flag Status: Flagged

** WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. **

I vote for plan #1.

Sent from my iPad

Comment No. 34

February 5, 2023

Having attended both the onsite Q & A meeting/Tour at the future Dunes City Park site and the Architect's Presentation at the Marina City Council Chambers on January 26th 2023, and earlier onsite visits to discuss preservation of Legacy trees on the park site, and having listened to the questions and comments by participants of each, I am prepared to present my opinion/choices for the Dunes City Park development.

Having been told that "there is room for manipulation" in each option, I am advocating for **the Option 1 design with modifications to incorporate the single field design and possible placement of the Sports Pavilion similar to those in the Option 2 design**.

Focus for this decision-making process:

- Optimize use of current topography to minimize need for retaining walls by placing amphitheater in southwest corner of the site.
- Optimizing the space for the amphitheater allowing higher attendance for community events, including the possibility for summer plays or other performing arts events/fundraisers (MPC's Performing Arts program already has a presence on their Marina campus).
- Placement of All Inclusive Playground to allow easier access for physically challenged youth and their guardians/assistants in moving between vehicles and playground.
- Optimize Legacy and Significant Tree preservation.
- Appropriate field usage for neighborhood youth and room for community events.
- Appropriate nod to site legacy/history.

Background/Qualifications

My Husband and I each moved to California from the Midwest after graduating from Big Ten schools. We married in 1997 and lived in our San Jose home for 23 years before moving to

Marina in May of 2020. We were licensed as Foster-Adoptive parents in 2000 and adopted our two daughters in 2003. Our younger daughter experienced learning and physical differences from an early age. We have strong connections in the Foster-Adoptive and Special Ed communities in Santa Clara County, having volunteered, raised and advocated for children in those sectors. Among my experiences were having input into school programs and playground designs that directly impacted the success of my own child and some of her peers.

Considerations/Further Questions

- Consideration: I heard loud and clear the anger, frustration and concern of coaches and parents attending the Architect's Presentation over the poor maintenance of existing fields and the need for more fields available to their soccer/baseball teams.

- Consideration: I also heard from another source that the parents in Preston Park aren't interested in driving their children to multiple sites around the city for practices and competitions. The convenience of practices and games closer to home and/or school allows for more family, meal and rest time for the youth of these participating neighborhoods.

- Question: Is there a better long-term solution to meeting the needs of these teams for better maintenance of the existing Preston Park fields and for convenient placement of additional fields either next to the existing fields or closer to the schools the players attend?

- Question: Could the maintenance solution attached to the upkeep of the Dunes City Park be shared with the existing fields in Preston Park and or new fields built for organized sports?

- Consideration: With the University Village apartment complex near the north end of the proposed Dunes Park and another under market high density housing complex being built at the south end, and with the existing The Dunes on Monterey Bay community to the east of 2nd avenue and the planned continuation of Phase II to the west of the park, there may be an opportunity here to provide drop-in play for those youth not participating in organized sports.

- Consideration: Marina is located in a region suffering from recurring drought seasons interspersed with extreme wet seasons. Insertion of a large area of natural grass could provide many logistical obstacles including the expense and time table of installing the

necessary infrastructure for watering, upkeep and repair of the sodded area, additional maintenance and upkeep during drought/flood seasons and pest/vermin abatement.

- Consideration: The impact of increasing development surrounding the park and the plans for the park development on local traffic and the subsequent impact on local residents (including children living close to the park).

- Consideration: Many artificial turf products contain toxic ingredients or by-products (off-gassing).

- Question: Assuming a better location for the organized sports fields, is it necessary for a single field designed for drop-in use by neighborhood students to be regulation size (ie would providing a smaller field for incidental use discourage the encroachment by out of county leagues/clubs)?

- Question: Will there be posted hours for the park as there are for the Dunes State Park?

- Question: If a non-toxic/environmentally friendly artificial turf product for the field is not currently available, how cost-prohibitive would it be to replace an installed field with a less toxic version in the future?

- Consideration: The architect voiced a fascination with the prospect of designing a multi-level All-Inclusive Playground in the southwest corner of the Dunes CIty Park site and believes there may be enough room for one. There is no comparative precedent in the surrounding area. Such configuration may have additional ADA adaptive considerations and retaining wall needs requiring an increase in time/cost.

- Consideration: Configuration of All-Inclusive Playground to allow optimal integrative play between physically abled children and children with limitations (eg if you wanted a central hub for integration with peripheral mixed or separate stations) and easier access for physically challenged youth and their guardians/assistants in moving between vehicles and playground (eg reserved parking stalls and/or ramps, wider gates, etc).

- Question: Would a more round configuration (Option 1 design) better fit the desired equipment/needs for children with limitations or would the oblong configuration (Option 2 design) be a better fit?

- Consideration: There is a legacy to the site under consideration for Dunes CIty Park. Many city residents have family/friends who have served or have personally served at Fort Ord. Only Option 1 provides for a museum to house photographs and other mementos from that legacy era.

- Question: In the current Option 1 design, would moving the Historical Buildings Museum up next to the Chapel/Community Building allow for preservation of the 22 extra parking spaces in the Option 1 design?

- Question: Assuming we can save the field for local use (meaning youth from the surrounding neighborhoods), is there still a requirement for those extra parking spaces between the anticipated number of park participants and the Recreation/Aquatic Center guests/staff?

- Question: Would moving the Sports Pavilion up next to the Chapel/Community Building (as it appears in the other 3 design options) allow more flexibility in accommodating the addition of a single field (as appears in Option 2) in the Option 1 design?

Final Decision-making Process

- I believe that (1) using the current site topography to minimize need for retaining walls by placing an amphitheater in the southwest corner is the optimal use of that space and available funds and that (2) the addition of 2 regulation fields to this site in attempt to meet the current and future needs of Organized Sports in other neighborhoods will negatively impact the design needs supporting the youth in the neighborhoods immediately surrounding the Dunes City Park site without meeting the needs for convenient field locations of participating Organized Sports families. There are many in our city who strongly believe in making every possible effort to preserve existing native trees. Given those beliefs, I ruled out the Option 3 and Option 4 designs.

- Design Option 1 and Design Option 2 are very similar. Each places the amphitheater in the southwest corner increasing the approx. capacity from 80 in Options 3 & 4 to 250. Each retains all Legacy and Significant trees on the site. The configuration of the Rec/Aquatics Center appears to be about the same. In the end I believe that modifying Option 1 to retain the Historical Buildings Museum and the configuration of the All-Inclusive Playground while adding a single field for use by youth in the surrounding

neighborhoods makes the best long term use of the existing site with a lower traffice impact on the surrounding neighborhoods.

Comment No. 35

Sent: Monday, February 13, 2023 7:23 PM
To: ourparksdunes@cityofmarina.org
Subject: Dunes Park

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good evening,
Thank you for the effort put forth to provide 4 very thoughtful options for Dunes Park. I would like to voice my support for options 3 or 4 as they provide the ball fields the community is desperately in need of. There are many nearby options for outdoor space but limited options for ball fields.
Thank you for your time.

Comment No. 36

Sent: Monday, February 13, 2023 9:33 PM
To: ourparksdunes@cityofmarina.org
Subject: Option 3 or 4 for Marina Dunes Build

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To Whom It May Concern, I am writing this email as a parent and a Marina resident of the last 19 years. I would like to extend my input in the new housing development building options 1-4. I would like to choose either option 3 or 4 because I would like to support the children of Marina who play sports and need a good and safe field to play on. Both of my children have played soccer and baseball for Marina over the years on fields in Marina that are sub par with uneven ground and a large amount of gopher holes making for an unsafe and difficult area to play on. Please consider my request when deciding which building option to choose.

Comment No. 37

Sent: Monday, February 13, 2023 9:47 PM
To: ourparksdunes@cityofmarina.org

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I have played sports here in marina as a kids and now my kids play here in marina. I love our growing town. BUT we need to put more energy into our organized sports. An that mean being able to provide a place for our community to gather and play on quality an cared for fields. We want to vote for park option #3

Comment No. 38

Sent: Monday, February 13, 2023 10:25 PM
To: ourparksdunes@cityofmarina.org
Subject: Park Option

** WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. **

How wonderful that this is being built. It will be a great addition to the city and citizens. I would be happy with either option 3 or 4 but would prefer 3.

Comment No. 39

Sent: Monday, February 13, 2023 10:27 PM
To: ourparksdunes@cityofmarina.org
Subject: City Park Options

** WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. **

Vote for Option 3.

Sent from my iPhone

Comment No. 40

Sent: Saturday, February 11, 2023 1:33 PM
To: ourparksdunes@cityofmarina.org
Subject: Ranking of development projects

Follow Up Flag: Follow up
Flag Status: Flagged

** WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. **

Good afternoon,

I am emailing to advocate for the development of project 4 or 3. Most preferred option being project 4. As a mom of three who also lived and grew up in Marina my whole life, Marina is in need of well developed baseball/softball fields & sports facilities. The fields that currently exist are not sufficient to running successful youth sports programs for our growing community. We have traveled with our sons who have played baseball in many cities throughout northern & southern California that provide numerous well-kept, well developed sports facilities. It always makes us wish, and feel disappointed, that our community does not have better sports complexes to offer the youth.

With the number of new homes being developed, projects that benefit the growing youth population would be most beneficial and appreciated. Thank you for your consideration, it's with great hope that new baseball fields/multi-sport fields are soon underway.

Comment No. 41

Sent:	Monday, February 13, 2023 8:06 AM
To:	ourparksdunes@cityofmarina.org
Subject:	Please approve park options #3 or #4 for new Dunes park
Follow Up Flag:	Follow up
Flag Status:	Flagged

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

The City of Marina is in dire need of usable sports fields. Our youth soccer, baseball and softball leagues have been punted to different substandard fields over the years, fields pockmarked with dangerous gopher holes, with limited parking and viewing areas. Our youth deserve dedicated fields in the new development. Please approve option #3 or #4 for the new park at the Dunes.

Comment No. 42

Sent:	Monday, February 13, 2023 8:26 AM
To:	ourparksdunes@cityofmarina.org
Subject:	Dunes City Park Development- option #3
Follow Up Flag:	Follow up
Flag Status:	Flagged

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I have been a homeowner in Marina for 13 years. My children have grown up playing for Marina Youth Soccer and Marina Youth Baseball Softball over the years. Marina playing fields, compared to other towns around the peninsula are in horrible condition and downright dangerous to play on at times. I have been following the Dunes development project and am not sure why there are now 4 options for the "sports complex". Marina needs playing fields now, not future promises. Marina is the fastest growing town with hundreds if not thousands of new families moving in. We need sports fields!! We need OPTION #3. This gives everyone a little something. Please support the youth of Marina! They are our future!!

Comment No. 43

Sent: Monday, February 13, 2023 8:36 AM
To: ourparksdunes@cityofmarina.org
Subject: Dunes Park Project

Follow Up Flag: Follow up
Flag Status: Flagged

** WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. **

Attention City of Marina,
Invest in Marina's youth and Please go with option 3 or 4 for the Dunes Park Project. Marina is dire need of usable sports fields for their youth. Existing fields don't meet the various standards of sports play. For example, in baseball you need a smaller diamond for the youngest kids and full size for the older youth. Further, parking is an issue at all existing fields, not nearly enough. Overflow parking spills in to nearby streets and neighborhoods.
As stated on the city's website "Marina has the highest development on the peninsula". This means more families with kids moving to Marina and an increasing need for youth sports and access to public sports fields. The existing fields will clearly not meet this goal and clearly don't meet current needs.
Please consider options 3 or 4 and give marina youth the opportunity to play sports where they live. It's an investment in our future.
Please confirm you received this email.

Comment No. 44

Sent: Monday, February 13, 2023 11:23 AM
To: ourparksdunes@cityofmarina.org
Subject: Park

** WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. **

Playing fields for children is a vital role in a child's youth. It may be expensive today but it pays for it self as a deterrent to illegal activities later on in life. As a lifelong resident who is now raising a family in marina it would be a disgrace if our leaders chose to ignore the youth of our community. Give our community what it needs more than anything. Game usable fields that we as a community can support through the many youth leagues that desperately need them.

Comment No. 45

Sent: Tuesday, February 14, 2023 5:17 AM
To: ourparksdunes@cityofmarina.org
Subject: Marina Park

** WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. **

As a mother of 6 children who all play sports. I wanted to voice my opinion on the necessity of needed new, clean, and safe fields for my kids to play. Supporting the community in sports is a huge deal as you are supporting kids in being active in the community and keeping them off the "street" in the future. Options 3 and 4 are the best options you have, however do us a favor and think more about the kids in their town. Give these kids something to look forward to. Something amazing. Seaside was able to build the most amazing field for baseball/softball and soccer. I wish we had a field like theirs. Check it out, David Cutino Park. They invested in their athletes, you should too.

Comment No. 46

Sent: Monday, February 13, 2023 4:16 PM
To: ourparksdunes@cityofmarina.org
Subject: Parks Options

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My grandchildren have lived in Marina for about 13 years, they are involved in the sports that are offered to the children of Marina, I have been to & have driven them to so many of their practices and games. I am requesting the city approve option #3 or #4 for the new Dunes Park, with more families moving into Marina, there needs to be more public playing fields for the kids to go to other than the streets, they need someplace to practice, please think of the kids and families that will use those public playing fields and other organizations that will use them. Please approve #3 or #4

Sent: Monday, February 13, 2023 3:29 PM
To: ourparksdunes@cityofmarina.org
Subject: approval

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My 2 grandchildren have lived in Marina, for about 13 years, they are involved in sports that are offered to the children of Marina, I have been to so many of their baseball/softball games. I am requesting the city approve option #3 or #4 for the new Dunes Park, with more families moving into Marina there needs to be more public playing fields for kids to go to, KEEP them off the streets, they need somewhere to play, and practice their sports, please think of the kids and younger generations that will use these public playing fields and other organizations using them. PLEASE approve #3 or #4 on behalf of my grandchildren and all Marina kids'

Comment No. 47

Sent: Tuesday, February 14, 2023 8:07 AM
To: ourparksdunes@cityofmarina.org
Subject: Please vote for option 3 or 4!

** WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. **

Hi. I am a resident of Marina and a mother of 2 kids.
Both of my kids play softball, baseball, and soccer with Marina baseball and Marina soccer.
We need more field because first of all, there is just not enough fields for all the teams.
Secondly, the fields the kids use are not well maintained. It sometimes leads to injuries.
Also, no lights so practice is cut short during winter.
With the plan 3, or 4, We can host more tournaments, games and events to bring more people to Marina and that will increase revenue for local stores and restaurants as well!
Please vote for plan 3, or 4!!
Thank you

Sent from my iPhone

Comment No. 48

Sent: Tuesday, February 14, 2023 8:35 AM
To: ourparksdunes@cityofmarina.org
Subject: Options for new park at the Dunes

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I would like to support option 3 or 4 (the options with 2 ball fields).
After hearing the public comment at the public presentation it seems we need more ball fields for youth in our community and I remember when this park was originally presented it's focus was to provide new soccer/baseball/softball opportunities for our community.

My number one priority is to see the pool/rec centers get renovated as I would love to have a public, family friendly pool in our community (learning to swim early can be a life saver).

Thank you Marina City Staff and the design team for all your work.

Comment No. 49

Sent: Tuesday, February 14, 2023 9:30 AM
To: ourparksdunes@cityofmarina.org
Subject: Park vote

** WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. **

Hi,
I'm a resident of the Dunes neighborhood and my family would love to see Option 1 for the new park space. I have two small children and the great lawn would provide a lot of versatility in the future. I also think the location of the amphitheater in Option 1 makes the most sense.

Comment No. 50

Sent: Tuesday, February 14, 2023 10:32 AM
To: ourparksdunes@cityofmarina.org
Subject: Dunes parks

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello, I am writing today to voice my support in the building of the new Dunes Park recreation area, and specifically my support of option 1. I firmly believe that marina has the potential to be a community driven, walkable city and option 1 seems to be most aligned with that vision. The different areas look to be more commingled, rather than isolated, encouraging community interaction regardless of the reason for attending the park. I think option 2 has potential as well, if a baseball/soccer field is deemed necessary.

As a young mother, I look forward to a marina that can be used by all generations.

Comment No. 51

Sent: Tuesday, February 14, 2023 12:32 PM
To: ourparksdunes@cityofmarina.org
Subject: Marina Youth Softball/Baseball

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To whom it may concern,

As a long time resident of Marina, I would like to vote with option 3 or 4 for the proposed Marina dunes Sports field.

Comment No. 52

Sent: Tuesday, February 14, 2023 12:58 PM
To: ourparksdunes@cityofmarina.org
Subject: Plans

** WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. **

Hi, I prefer plans 1 or 2. 2 is a good balance between active and non active type of recreation. 3 and 4 are too sports centric. Not everyone plays sports.

One concern I have is how do you vet public comments that they are indeed from Marina residents? I see people from Seaside share the links to the this web page.

Sent from my iPhone

Comment No. 53

Sent: Tuesday, February 14, 2023 1:29 PM
To: ourparksdunes@cityofmarina.org

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

The City of Marina is in need of usable sports fields. Our youth soccer, baseball and softball leagues have been punted to different substandard fields over the years, fields pockmarked with dangerous gopher holes, with limited parking and viewing areas. Our youth deserve dedicated fields in the new development. Please approve option #3 or #4 for the new park at the Dunes. Also we need better pickleball and tennis courts please. Thank you.

Comment No. 54

Sent: Tuesday, February 14, 2023 1:40 PM
To: ourparksdunes@cityofmarina.org
Subject: new Sport field in Marina

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi,

I am writing this email to voice the need for a new Sport field in Marina. From the 4 options, options 3 or 4 would be a great space for our community.

Comment No. 55

Sent: Tuesday, February 14, 2023 1:57 PM
To: ourparksdunes@cityofmarina.org
Subject: Dunes park development

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi there -

I saw a Facebook post about design input for the Dunes park development. I believe that design #4 is the best option - sports fields are so important for children and design #4 seems to have the best balance of function and parking.

Looking forward to seeing the results!

Comment No. 56

Sent: Tuesday, February 14, 2023 2:34 PM
To: ourparksdunes@cityofmarina.org

Subject: Marina Dunes Park Input

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

My wife and I will be closing on a home in The Dunes on March 2nd., after signing our purchase agreement in May 2022. We've closely followed the development taking place in Marina since early 2022. We are very excited by the development throughout the community and it was the number one reason we decided to move from San Francisco to Marina.

The Dunes Park was a specific plan that excited us. We would share with family and friends how great it was that a new regional park was part of the plans related to the neighborhood we were joining.

We submit our input that your Dunes Park options 3 or 4 are STRONGLY preferred for our own child and certainly for a wider swath of all children in Marina. The idea of spending this much time and resources on a brand new park and not having any baseball/softball/soccer fields is *unconscionable*. One field (option 2) is not enough to support the amount of new families entering the community.

New sports fields large enough to support baseball/softball/soccer are difficult to add to existing communities. They require much more space, obviously, than basketball courts or playgrounds (which can vary significantly in size but still meet the needs of local neighborhoods). Marina should not squander this opportunity to utilize the space within the planned Dunes Park to provide children a modern field to support their enjoyment of these sports, while still providing plenty of other facilities for inclusive play, tennis, bocce, etc. There is no trade off worth making here.

We additionally believe option 3 is best because it has more trees than option 4 and less parking. Marina has done a great job of planning pedestrian and bike friendly pathways in new development, and therefore it can justify reducing the parking in lieu of more trees and park space when deciding between options 3 and 4. Our own family will be about a half-mile from this park and would not need to always drive, for example. This would be true for many new families in the Dunes neighborhood.

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Comment No. 57

Sent: Tuesday, February 14, 2023 3:02 PM
To: ourparksdunes@cityofmarina.org
Subject: New softball baseball fields for Marina

** WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. **

Our kids need more fields. Options 3&4!

Sent from my iPhone

Comment No. 58

Sent: Tuesday, February 14, 2023 4:15 PM
To: ourparksdunes@cityofmarina.org
Subject: DUNES PARK

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To whom it may concern
I'm a local mother of 2 living in Marina with my family. We moved down her from Aptos 4 years ago to buy a home and start or family which we did. We chose Marina because of the affordability and family aspect. There are so many kids here and more coming with the large new developments of Sea Haven and Dunes. However we have a lack of clean and updated parks here. There are no sports fields and minimal activities available for kids. I hope you consider putting in a sport activities center/fields by choosing options 3 or 4 in your final plan of the dunes park.

Sent from my Verizon, Samsung Galaxy smartphone

Comment No. 59

Sent: Tuesday, February 14, 2023 4:21 PM
To: ourparksdunes@cityofmarina.org
Subject: Dunes City Park Development

** WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. **

I like proposal number 1 best, 2 second best, and don't like 3 or 4.

We have such a lovely opportunity to make a natural looking space and I don't think having half the space taken up with sports fields is a good idea, as it would only benefit a very small percentage of Marina residents, whereas a plan like #1 makes it useable to everybody. Also, a sports field doesn't feel very natural.

Sent from my iPhone

Comment No. 60

Sent: Tuesday, February 14, 2023 4:54 PM
To: ourparksdunes@cityofmarina.org
Subject: Option 2

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello.

I feel like option 2 would give a lot of options to families

Comment No. 61

Sent: Tuesday, February 14, 2023 5:26 PM
To: ourparksdunes@cityofmarina.org
Subject: Dunes Park

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Evening,

Just wanted to give my input on the upcoming project for the new park being built.
It is important for the community to have a baseball and softball field that is up to date with the times. The youth deserve it and so does the growing population of Marina. Right now there are no turf fields or anyplace for the kids to go to practice on nice fields and in which have forced some to go into other cities.
Please go with either option 3 or 4.

Comment No. 62

Sent: Tuesday, February 14, 2023 5:31 PM
To: ourparksdunes@cityofmarina.org
Subject: Dunes park options

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi,
I live on Bungalow Dr. Marina

Our family prefers park Option 1. We think it has a variety of options for more people. Definitely NOT Options 3 or 4, we don't need 2 sets of sport fields taking most of the space basically for 2 sports.

If there is data showing overcrowding of other baseball/ soccer fields in the town by youth or rec sport teams **based in Marina** we might be convinced to vote for option 2 as long as it is a true softball field with baseball, not just making the girls sort it out from a baseball field.

I would also like to see data on water usage to maintain the different options.

Comment No. 63

Sent: Tuesday, February 14, 2023 5:34 PM
To: ourparksdunes@cityofmarina.org
Subject: Ranking - Option 2

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi there,

I'm a Marina resident in the dunes. I would like to submit my ranking for the Dunes City Park development

Ranking preferred: Option 2

Comment No. 64

Sent: Tuesday, February 14, 2023 5:36 PM
To: ourparksdunes@cityofmarina.org
Subject: Dunes Park Sports Field

** WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. **

Hi, I'm a local resident of marina and I saw a post on the baseball/softball facebook page about a new park area. It would be best for Marina's student athletes (like myself) to have a good place to practice sports or extra curriculars, and just be able to have fun at. I play softball and the only field in my area now is at Los Arboles Middle School since the one at Gloria Jean Tate Park was recently destroyed. There are many dirt fields in all of monterey county but there aren't even as many turf fields so having one would be a plus for the city of marina. By this I'm trying to say I believe options 3 or 4 are the best, especially for the local athletic programs. Hopefully this gets received and taken it into thought.

Comment No. 65

Sent: Tuesday, February 14, 2023 5:48 PM
To: ourparksdunes@cityofmarina.org
Subject: Dunes Park ranking

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

After reviewing the proposed park plans my preferences are as follows, with the top being the most desired:

1. Design #2
2. Design #1
3. Design #3
4. Design #4

I would really love to see the most trees saved that we can, and don't like the extra mature trees being removed for the 3rd and 4th options. I also think the first two options serve a wider group of people and would better benefit the community.

Comment No. 66

Sent: Tuesday, February 14, 2023 6:41 PM
To: ourparksdunes@cityofmarina.org
Subject: Ranking of Development Projects

** WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. **

Good evening,

I am emailing to advocate for the development of project 4 or 3. Most preferred option being project 4. As a dad of three who also lived and grew up in Marina my whole life, Marina is in need of well developed baseball/softball fields & sports facilities. The fields that currently exist are not sufficient to running successful youth sports programs for our growing community. We have traveled with our sons who have played baseball in many cities throughout northern & southern California that provide numerous well-kept, well developed sports facilities. It always makes us wish, and feel disappointed, that our community does not have better sports complexes to offer the youth.

With the number of new homes being developed, projects that benefit the growing youth population would be most beneficial and appreciated. Thank you for your consideration, it's with great hope that new baseball fields/multi-sport fields are soon underway.

Comment No. 71

Sent: Tuesday, February 14, 2023 8:34 PM
To: ourparksdunes@cityofmarina.org
Subject: Parks

** WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. **

I am a Marina resident and I support plan 3 and 4. We need fields for our youth sports.

Sent from my iPad

Comment No. 72

Sent: Tuesday, February 14, 2023 8:49 PM
To: ourparksdunes@cityofmarina.org
Subject: Parks

** WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. **

We are very interested in hanging in having the parks we would love option 3 or 4 !

Thank you!

Sent from my iPhone

Comment No. 73

Sent: Tuesday, February 14, 2023 8:52 PM
To: ourparksdunes@cityofmarina.org
Subject: Dunes park in motion

** WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. **

Voting for Option 3 or 4.

My son played for Marina Soccer before. And it so sad that there wasn't enough place to play or practice around the area. Kids needs our help.

Marina Resident.

Sent from my iPhone

Comment No. 74

Sent: Tuesday, February 14, 2023 9:04 PM
To: ourparksdunes@cityofmarina.org
Subject: Voting for youth sports field

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello
As a resident of Marina, I would like to vite for options #2.

Thank you

Comment No. 75

Sent: Tuesday, February 14, 2023 9:10 PM
To: ourparksdunes@cityofmarina.org
Subject: Marina Park

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I vote option 3!!! Give us our fields!!!

Comment No. 77

Sent: Tuesday, February 14, 2023 9:37 PM
To: ourparksdunes@cityofmarina.org
Subject: Marina parks

** WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. **

Option #4

Sent from my iPhone (Siri Dictation)

Comment No. 78

Sent:	Tuesday, February 14, 2023 9:39 PM
To:	ourparksdunes@cityofmarina.org
Cc:	Marina Pony Baseball Softball
Subject:	Future parks

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To whom it may concern:

As a Marina resident and mother of two children, I ask the City Council of Marina to consider the Dunes Park Plans 3 or 4 so that we can have more sports fields for our children.
Every year my son plays baseball for Marina Pony Baseball, but over the years the fields have gotten more and more run down.
Last year my son was teased by another city's baseball team for how poor our fields look. It's unfair that our children should be teased, especially now that the City has the opportunity to build new fields.
Marina High School recently built a new field. It would be great if we could have new fields for our younger players.
Again, please consider Plans 3 or 4.

Comment No. 79

Sent: Tuesday, February 14, 2023 9:50 PM
To: ourparksdunes@cityofmarina.org
Subject: Rankings for Dunes Park

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello:
I live in the Dunes. My vote would be for:

1. Option 2
2. Option 1

Comment No. 80

Sent: Tuesday, February 14, 2023 9:59 PM
To: ourparksdunes@cityofmarina.org
Subject: Dunes park

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To whom it may concern,
Hello, I am emailing you about the options of the dunes park. Please do not let option 1 be chosen. Our youth is in need of positive outlets like sports, now more than ever I believe. Especially the youngsters that are not able to play in school sports yet. They rely heavily on the marina youth sports associations that don't have their own fields to provide for our children like schools sports do. I would love to see option 3.

Comment No. 81

Sent: Tuesday, February 14, 2023 10:18 PM
To: ourparksdunes@cityofmarina.org
Subject: Options 3 & 4

** WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. **

As a former Recreation Commissioner for the City of Marina, and as a former Head Coach of Marina Soccer - MYSA, I respectfully submit my support of Options 3 and/or 4 for the Parks at The Dunes. These two park options provide the best solutions for the highest population of youth sports participants.

PLEASE consider Options 3 and/or 4 — the kids deserve it!!

Comment No. 82

Sent: Tuesday, February 14, 2023 10:29 PM
To: ourparksdunes@cityofmarina.org
Subject: Dunes Park project

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Sir/Madam,

As a long time member of the Marina community and former board member of both the Marina Youth Soccer Association and Marina Youth Baseball and Softball, I strongly urge you to consider the youth of Marina when you vote on your plan for the new Marina Dunes Park project. Please choose plan 3 or plan 4 so that our Marina kids can have a safe place to play.

Comment No. 83

Sent: Tuesday, February 14, 2023 11:54 PM
To: ourparksdunes@cityofmarina.org
Subject: Park options

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello City of Marina employees,

I find that the most inclusive option presented here that would allow foe youth sports to continue to flourish in our neighborhoods would be option 4.

This would allow for a variety of youth sports which will keep kids involved in their communities and not sitting idle and becoming disinterested or disillusioned with what it is to grow up in today's society.

Sports provides a healthy challenge to the psychology of how a child learns to socialize, problem solve and prioritize their problem solving skills. Providing these kinds of opportunities and remembering that this is for our children will help in providing the city it's best well rounded foot forward.

I hope that you find this email with an open mind.

Comment No. 84

Sent: Tuesday, February 14, 2023 11:55 PM
To: ourparksdunes@cityofmarina.org
Subject: Future of Dunes Park

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,
I am writing you to express my interest and concern in the lack of community parks and ball fields accessible to our youth, families, and community members of the City of Marina.

I moved to this area in 2004 to attend CSUMB and I quickly fell in love with this community. I had no doubt I wanted to make this town my home and despite the high cost of living my husband and I chose to remain here and call Marina our home.

Together we have two boys. A 5 year old and a 5 months old whom we dedicate all our free time to. We are very family oriented and our 5 year old is very active amongst the local sports community. He enjoys playing t-ball/baseball (he was the youngest player selected to play in the all-stars team last year) soccer, and flag football.

The last 2 years my husband and I have coached his t-ball team and have seen first hand the struggle it has been to secure a field, gather volunteers to clean up field's before games, and most importantly play in run down facilities. It would be great if the City of Marina joined THEIR community in supporting the need to build a park that will meet not only the needs of our local sports community but those of the entire city.

Marina is the only City on the Peninsula without a City Park facility that has restrooms, ball fields, a playground, picnic area, and parking all at one site.

In recent years I've found having a birthday party for my son in the outdoors as a safer and healthier way to celebrate. However, each year I struggle finding a park that meets our needs within Marina city limits that is not in a residential neighborhood and has limited access to non residents. For this reason I've always taken my business to a nearby city that has parks that meet our needs. It would be amazing if in the near future we don't have to continue doing this, and can start celebrating within our city.

For this reason I ask you to please consider options 3 and 4 for the future of the Dunes Park.

These options best fit our growing community and will be of great benefit to generations to come.

Please join your local community in supporting our needs to make Marina and even better place to live with a park that we'll all benefit from.

Thank you for your time.

Comment No. 85

Sent:	Wednesday, February 15, 2023 12:04 AM
To:	ourparksdunes@cityofmarina.org
Subject:	Future of Dunes Park

** WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. **

Hello,
> I am writing you to express my interest and concern in the lack of community parks and ball fields accessible to our youth, families, and community members of the City of Marina.
>
> I moved to this area in 2004 when I transferred to CSUMB and I quickly fell in love with this community. I had no doubt I wanted to make this town my home and despite the high cost of living my wife and I chose to remain here and call Marina our home.
>
> Together we have two boys. A 5 year old and a 5 months old whom we dedicate all our free time to. We are very family oriented and our 5 year old is very active amongst the local sports community. He enjoys playing t-ball/baseball (he was the youngest player selected to play in the all-stars team last year) soccer, and flag football.
>
> The last 2 years my wife and I have coached his t-ball team and have seen first hand the struggle it has been to secure a field, gather volunteers to clean up field's before games, and most importantly play in run down facilities. It would be great if the City of Marina joined THEIR community in supporting the need to build a park that will meet not only the needs of our local sports community but those of the entire city.
>
> Marina is the only City on the Peninsula without a City Park facility that has restrooms, ball fields, a playground, picnic area, and parking all at one site.
>
> In recent years we've found having a birthday party for our son in the outdoors as a safer and healthier way to celebrate. However, each year we struggle finding a park that meets our needs within Marina city limits that is not in a residential neighborhood and has limited access to non residents. For this reason we've always taken our business to a nearby city that has parks that meet our needs. It would be amazing if in the near future we don't have to continue doing this, and can start celebrating within our city.
>
> For this reason I ask you to please consider options 3 and 4 for the future of the Dunes Park.
>
> These options best fit our growing community and will be of great benefit to generations to come.
>
> Please join your local community in supporting our needs to make Marina and even better place to live with a park that we'll all benefit from.

Thank you for your time.

Comment No. 86

Sent: Wednesday, February 15, 2023 5:56 AM
To: ourparksdunes@cityofmarina.org
Subject: Marina Dunes park

** WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. **

Please consider option 4- for our youth sports.

Comment on the amphitheater- when they wanted to place the amphitheater at Locke Paddon Park there were ideas of wonderful summer performances. So it was built. I have never hear of anyone using that venue for anything. I hope that doesn't happen with this new one.

Comment No. 87

Sent: Wednesday, February 15, 2023 6:29 AM
To: ourparksdunes@cityofmarina.org
Subject: Park designs

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

I would like to vote for option 2 for the new city park.i like the large children's play area and sports field. Thank you for sharing the plans with the community.

Comment No. 88

Sent: Tuesday, February 14, 2023 7:30 PM
To: Ourparksdunes@cityofmarina.org
Subject: Dunes City Park Development

** WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. **

For your consideration,
The Southwest corner of the proposed park dimensions is quite steep. Option 1 and 2 propose an amphitheater to cost-effectively utilize slope on the space. Also, the tremendous view of the Monterey Bay and peninsula from the Southwest corner provides for fantastic passive enjoyment.

I learned at the park pow-wow a few weeks ago that to install the "inclusive play area" will be exponentially more expensive as the contractor will need to install many walls to tier the area. Options 3 and 4 specifications show the play area to be constructed on the steep slope at the Southwest corner.

My preference is option 1 or 2. I think these options will be the most cost-effective, for both buildout and long-term maintenance.

Comment No. 89

Sent: Wednesday, February 15, 2023 6:34 AM
To: ourparksdunes@cityofmarina.org
Subject: Dunes City Park

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon, ► Option preferences: - I strongly prefer Option 1. - I do NOT like Options 2, 3 and 4. ► Option 1 may have a high maintenance cost so the designers should explore increasing artificial landscaping or hardscaping. ► Given that funding for the Sports Pavilion is still questionable, I recommend that its area be kept as open space. ► I have concerns about the use of astroturf. - To the best of my knowledge, there is no such thing as "safe" PFAS. - Can we please get more information on what materials will be used before the city proceeds? Kind

Comment No. 90

Sent: Wednesday, February 15, 2023 6:42 AM
To: ourparksdunes@cityofmarina.org
Subject: Sports fields

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello, I vote for option 3. My child plays soccer for Marina and the field we had to play in had so many holes ot was dangerous! Please help our youth have somewhere to play sports in our city of Marina. Thank you.

Comment No. 92

Sent: Wednesday, February 15, 2023 8:07 AM
To: ourparksdunes@cityofmarina.org
Subject: Dunes Park

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To whom this may concern,

Regarding the four options presented for Dune Park, I would like to see either option 3 (ideally) or 4 implemented. The city of Marina needs fields for youth sports. Thank you.

Comment No. 93

Sent: Wednesday, February 15, 2023 8:51 AM
To: ourparksdunes@cityofmarina.org
Subject: New field project

** WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. **

Good morning city of Marina,
Please choose options 3 or 4 for the new dunes field project. This is extremely important to our youth have had made due with what we have been given for many years. This design will allow all ages to come together as a community for many outdoor and indoor recreational activities and is very important to the community to help create this community cohesiveness.

Sent from my iPhone

Comment No. 94

Sent: Wednesday, February 15, 2023 9:09 AM
To: Ourparksdunes@cityofmarina.org
Subject: Park plans

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear planning committee,

As a teacher and parent here on the peninsula, I see the need and love for sports fields. I highly urge you to consider options 3 and 4. My inclination would be option 3, as it retains the most trees, and saves the most money with less tree removal costs and less need for retaining walls.

Particularly in a post pandemic world, we need areas for kids to run and flourish in a team environment that meets both their physical and social-emotional needs.

Comment No. 96

Sent: Wednesday, February 15, 2023 10:26 AM
To: ourparksdunes@cityofmarina.org
Subject: Dunes Park

** WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. **

To whom it may concern:

With Marina community growing, I feel it is very important to offer what we can to our younger population. Youth sports fields would be such an asset to the community. Please hear what the community of Marina would greatly appreciate and that would be to have a youth sports field! Please listen to the growing families of Marina. Choices 3 and 4 could offer that! Thank you for listening

Sent from my iPhone

Comment No. 97

Sent:	Wednesday, February 15, 2023 10:48 AM
To:	ourparksdunes@cityofmarina.org
Subject:	Sports field options

** WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. **

Hello,

I have reviewed the 3 options and I think option 2 would be great for our community.

Comment No. 98

Sent:	Wednesday, February 15, 2023 11:27 AM
To:	ourparksdunes@cityofmarina.org
Subject:	Option 1

** WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. **

Greetings,

I am a Marina resident in the Dunes and would like to place my input for the new park design. I like option 1.

Comment No. 99

Sent:	Wednesday, February 15, 2023 11:50 AM
To:	ourparksdunes@cityofmarina.org
Subject:	Option 3 as a parent

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,
I am sending this as a parent of youth in Marina, please choose option three, it has a bit of everything for all to enjoy.

Comment No. 100

Sent: Wednesday, February 15, 2023 12:03 PM

To: ourparksdunes@cityofmarina.org;

Subject: What about the arts?

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Aloha,

It is my understanding that several sports teams are complaining that they want new and improved sports fields, that the city will be adding in everything from pickle ball courts, to the new bike pump track, more basketball courts, more sports, the pool and more parks.

That's all awesome and I love getting outdoors in our beautiful community. I just thought I'd point out the obvious, what about the arts? What about a place to hold a show on an actual stage? We're the only community without a stage. While others are wanting more and better fields, all I'm asking for is a proper space for performances. We've tried using the World theater stage at CSUMB, it was over $10,000 a day with their union workers. The schools that have stages use them for their after school child care programs until 5:30 each day after school and then campus needs to close for cleaning. The middle school? No stage, although we have one we build in a cafeteria that is a band aid. Local Marina churches? No stages, plus conflicts for the many cultural groups represented in Marina. That mini platform near the basketball court at the youth center that is used around the clock is dominated by sports, the seniors and kids at the youth center. Plus it's a sorry excuse for the only community space to have any performances.

Wouldn't it be nice to have a venue for live music, theater, bands and productions like Seaside, Monterey, Carmel, Salinas and all of our other neighbors including Watsonville? We've lived here 15 years and I would be happy to be a liason director should someone feel inclined to shift a fraction of our funds away from sports and throw the arts a bone. It doesn't have to be grand either. We can do better. We could even call it the Terry Siegrist Performing Arts Center, he was after all, a Broadway baby.

Not everyone plays sports.

Comment No. 101

Sent:	Wednesday, February 15, 2023 12:05 PM
To:	ourparksdunes@cityofmarina.org
Subject:	Dunes Park option 4

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

As a parent of 3 growing children it is necessary the city builds more ball fields for the youth in our community.

Option 3 and 4 make the most sense. And it is what is needed to make a huge impact in the community today. Both non profit programs in
Our community serve about 500-700 families combined.

I have been a part of both organizations MYBS and MYSA for more than a decade. Talks and issues form local families all stem from the lack of care in parks and sports fields from the city to build and maintain more for youth in our community.

Today the rise in sports has alot do do with our growing community. The city should be proud and honored to have this option available for families. The families that run these programs do so 100% volunteer run with no payment needed. With no political motives or personal ambitions but simply for the love of the sport and to keep it alive in our society today.

Please make the change you know is needed for our youth. Don't dealy in continued broken promises. Please give the families of Marina the opportunity to have a beautiful sports complex at the dunes. To do anything less and make excuses and is reprehensible.

Please take time to really understand and see what having youth sports does for the city.

Comment No. 102

Sent: Wednesday, February 15, 2023 1:28 PM
To: ourparksdunes@cityofmarina.org
Subject: Marina Dunes Park Option 3

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I think that the City of Marina should adopt Option 3 for the Marina Dunes Park. It strikes a good balance between retaining existing trees, creating 2 new soccer fields and baseball/softball fields, and uses more of the space for the park and less for parking. Options 1 & 2 have lawns that occupy space better used for sports fields (which can also be used as "lawns" when not in use by recreational users) and have a much larger ampitheater (which is space that I think can be better used by sports fields that will serve many more people's interests on a more regular basis).

Marina has very few good fields for playing sports or playgrounds in good condition. These are the two highest priorities for me and my family.

Comment No. 103

Sent: Wednesday, February 15, 2023 1:57 PM
To: ourparksdunes@cityofmarina.org
Subject: Dunes Park Plans

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I support plan four with the two *ball fields and pickle ball courts for the new Dunes park. I am ok with plan three also.*

Thanks.

Comment No. 104

Sent: Wednesday, February 15, 2023 3:01 PM
To: Ourparksdunes@cityofmarina.org
Subject: New City Park

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To whom it may concern.

I prefer option one for the new city park off 2nd Avenue by The Dunes development.

It makes more sense to bundle the playing fields in one location (Preston Park). The museum will pay tribute to those who served at Fort Ord.

Comment No. 105

Sent: Wednesday, February 15, 2023 4:07 PM
To: ourparksdunes@cityofmarina.org
Subject: Dunes City Park Rankings

** WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. **

Hello,

My family of three has lived in the Dunes development for 4 1/2 years and we enjoy almost daily walks/hikes throughout the area. We're excited for the Dunes City Park and appreciate the effort that the landscape architect has put into the plans. We also appreciate the opportunity to comment on the potential plans.

Our preferred design is Option 1, with Option 2 a distant second choice. Options 3 and 4 are not liked at all. Here's why we have these preferences:

1) Option 1 provides some great new features for Marina: an amphitheater, a museum (finally!), and space to enjoy the outdoors in a variety of activities.

2) Option 1 preserves all significant trees. As anyone who lives in The Dunes can attest, growing healthy trees in Marina's extremely windy environment is not trivial and many "new" trees aren't going to survive the first few years.

3) Option 2 adds a single combo playing field, but the planners have to realize that the park is in an extremely exposed/windy location, it's not a good location for sports fields. There's essentially nothing between the park and the ocean so for half the year there are prevailing winds in double-digits and it tends to get ground fog in the late spring through early autumn. People are going to hate playing baseball there.

4) Options 3 and 4 are simply playing fields (in a bad location) with a few amenities scattered about. We lose the potential museum. A tiny amphitheater adjacent to 2nd Avenue is a non-starter due to street noise and wind exposure and the loss in utility from seating only 80 people. And the loss of 16 trees to "design" is unacceptable given how hard it is to grow mature attractive trees in Marina.

A few general observations:

1) We've heard that Marina has existing ball fields at two other parks and that the fields are marginally maintained. Will Marina's park maintenance budget support both any new fields at the Dunes park plus deferred maintenance/potential field expansions at other Marina city parks?

2) Given that new landscaping has a tough time establishing itself in Marina (see how many Dunes street trees are replaced every time we have a major storm) and that people prefer trees that grow reasonably straight (see also Dunes street trees near this park location), does the City have plans to over-budget for landscape materials and maintenance for at least the first 3 years?

3) Speaking of budget, has the city realistically planned for park maintenance to ensure that the park retains its attractiveness over the years? I understand that some of Marina's other parks are rather forlorn because the city lacks both budget and human resources for regular and deferred maintenance. It would be a shame if this park suffers the same fate. The two small "private but open to the public" parks within the Dunes development require intensive homeowner-paid maintenance several times per month. I've occasionally seen a crew of landscapers there whose size probably matches the entire Marina park maintenance staff's size. It would be great if the City could match this level of maintenance, but I'm skeptical.

Thanks for letting us share one family's opinions!

Comment No. 106

Sent: Wednesday, February 15, 2023 4:09 PM
To: ourparksdunes@cityofmarina.org
Subject: Dunes park option

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

I am a long time Marina resident. My preferred order of ranking for the Dunes park is option 1 followed by option 2.

Sent from my Verizon, Samsung Galaxy smartphone

Comment No. 107

Sent: Wednesday, February 15, 2023 4:25 PM
To: ourparksdunes@cityofmarina.org
Subject: Dunes City Park Development Options Comments

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I'd like to first thank the committee for the time that they have put into the designs offered and to the range of options presented. Looking at the 4 options provided, my first preference is for Option 3. We have only recently moved to Marina in 2022 so I'm only speculating on the need for playing fields but I know that is a problem in just about every town. Having a design that includes 2 full sized soccer fields and 2 baseball/softball fields seems like the wisest choice if the goal is to accommodate the city's recreational needs into the future. While doing this, option 3 still attempts to respect many of the significant existing trees that are located on the property while still providing a large inclusive play area in the southwest corner of the park.

If there is significant pushback on the number of trees that would be taken down with option 3 or if there is demand for a larger amphitheatre, option 2 would be my next choice.

Again, thank you for the thought and effort that has gone into the project to date and we look forward to seeing how the project progresses.

Comment No. 108

Sent: Wednesday, February 15, 2023 4:27 PM
To: ourparksdunes@cityofmarina.org
Subject: Dunes City Park comment/rankings

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi!

I'm a resident of Marina and am submitting my preference for Option 1 for the Dunes City Park. I really like the idea of the great lawn and preserving some of the historical buildings. I like the layout of the park and playground on Option 1 as well. Thanks for considering my opinion.

Comment No. 109

Sent: Wednesday, February 15, 2023 4:54 PM
To: ourparksdunes@cityofmarina.org
Subject: The Dunes Park Concept Designs

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi,
I vote for Design #1.

Comment No. 110

Sent: Wednesday, February 15, 2023 6:05 PM
To: ourparksdunes@cityofmarina.org
Subject: Park options

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To whom it may concern.

I prefer option one for the new city park off 2nd Avenue by The Dunes development.

It makes more sense to bundle the playing fields in one location (Preston Park). The museum will pay tribute to those who served at Fort Ord.

Comment No. 111

Sent: Wednesday, February 15, 2023 6:09 PM
To: ourparksdunes@cityofmarina.org
Subject: Voting option 2!

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Option 2!

Sent from my iPhone

Comment No. 112

Sent: Wednesday, February 15, 2023 6:27 PM
To: ourparksdunes@cityofmarina.org
Subject: Dunes City Park Development

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Vote for option #2

Sent from my iPhone

Comment No. 113

Sent: Wednesday, February 15, 2023 6:39 PM
To: ourparksdunes@cityofmarina.org
Subject: Dunes Park

** WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. **

I vote for #1 option. Love all the variety, including an amphitheater. The green area will be great for frisbee, baseball catch, football toss. Things for both kids and adults. Don't like having 2 big fields taking up most of space.
Sent from my iPhone

Comment No. 114

Sent: Wednesday, February 15, 2023 6:44 PM
To: ourparksdunes@cityofmarina.org
Subject: polished

** WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. **

voting for the dunes park

number #2 please

Sent from my iPhone

Comment No. 115

Sent: Wednesday, February 15, 2023 6:44 PM
To: ourparksdunes@cityofmarina.org
Subject: Voting

** WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. **

I vote for Option 2 , please !

Sent from my iPhone

Comment No. 116

Sent: Wednesday, February 15, 2023 6:55 PM
To: ourparksdunes@cityofmarina.org
Subject: Voting for dunes park

** WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. **

I vote for Option 2, please!

Sent from my iPhone

Comment No. 117

Sent: Wednesday, February 15, 2023 8:50 PM
To: ourparksdunes@cityofmarina.org
Subject: New sports field

** WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. **

Hi I am writing to ask for you to please consider putting option 3 for our new sports field. I have two children who have played with Marina Soccer for years and also was on the board for 5 years. We have played on marina fields that have been dangerous for the kids because they are not kept well, lots of gopher holes. I have seen kids get injured playing on those field's numerous times. We really need to have good fields all in one area that are well kept. As a parent watching my kids having to travel from field to field at different locations is very difficult and sometimes I have to miss watching one of my kids because they are not at the same field when playing. Marina NEEDS this. Please support our youth and the families that live in marina. So many families leave the area for convenience and the safety of their children. I know because I did. Please please pick option 3.

Comment No. 118

Sent: Wednesday, February 15, 2023 8:56 PM
To: ourparksdunes@cityofmarina.org
Subject: Park at Dunes

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thanks for park design work.

I prefer **options 1** or **2**.

Particularly important to me is for the City to retain **tennis courts** in the park design.

The City has apparently decided that courts at a park in the new Sea Haven neighborhood would be striped only for pickle ball. Therefore, I hope the City would devote a couple courts at the Dunes for tennis.

I also hope the park design will retain a couple **bocce ball** courts. They don't take much space, yet provide for friendly and casual activity, especially for older citizens.

Comment No. 119

Sent:	Wednesday, February 15, 2023 10:42 PM
To:	ourparksdunes@cityofmarina.org
Subject:	New sports fields at the Dunes for the local youth in our community

** WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. **

Dear City of Marina Council Members,

Please consider the design options 3 or 4 that will build new sports fields for the Marina Community.

I grew up in Surrey, BC Canada. It's one of the fastest growing cities in Canada. I've seen how wonderful community programs, centers, and public spaces for community sports, community festivals enrich families, youth, children. Now that I've lived in Marina the past 5 years, I hope that there are spaces for my 2 young toddler girls, and for my husband and I to have a space to participate and become a part of, to build a welcoming, thriving, vibrant community.

Comment No. 120

Sent: Wednesday, February 15, 2023 2:16 PM
To: ourparksdunes@cityofmarina.org
Subject: Dunes City Park Development

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon,

My preference for the new Dunes City Park is option 1.

- Option 1 is the least expensive and will require the least maintenance up-keep for the city.
- Option 1 includes historical buildings which is a nice tribute to legacy of former Ford Ord.
- Option 1 preserves more of the legacy trees that are beautiful and beneficial in a park.
- Option 1 & 2 have the Amphitheater in the southwest corner of the park which is appealing with the views of the Monterey Bay and Peninsula; in addition will hold larger capacity for community events.

This is supposed to be a City Park. I feel the baseball/softball/soccer fields should be centralized at one location like Preston Park. Heather Farms Park in Walnut Creek CA is a great example with many ball fields in one location.

Comment No. 121

Sent: Wednesday, February 15, 2023 1:07 PM
To: ourparksdunes@cityofmarina.org
Subject: Dunes City Park Development

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Following up to my previous email:

My preference for the new Dunes Park is option 1 or 2.

- Option 1 or 2 will be the most cost-effective, for both initial build-out and long-term maintenance.
- Option 1 or 2 will preserve many more of the legacy trees that provide the beautiful optics lacking in our town.
- Option 1 includes a tribute to the rich heritage of the former Fort Ord, a big part of our town's legacy.
- The soccer and baseball/softball fields should be centralized at one location at the existing Preston Park. Centralized fields have been very successful in other towns, such as the Heather Farms Park in Walnut Creek.

Comment No. 122

Sent:	Wednesday, February 15, 2023 12:34 PM
To:	ourparksdunes@cityofmarina.org
Subject:	NEW Sport fields - Options 3 or 4!!!
Importance:	High

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning!

As a long time coach in the city of Marina I cannot emphasize enough the need for new, modern sports fields and facilities for our local youth. I've spent many years in Marina coaching my own children at MYSA and then serving the broader community as the head coach of the Marina High School Girl's Soccer team. To be absolutely clear, the sports fields in Marina are in horrible condition! Most of the fields are gopher hole ridden and generally unsafe for organized play of any kind. It is the primary reason that MPUSD is planning to completely replace its multipurpose field with a artificial turf surface. The rationale should be the same for the City of Marina. This is a once in a generation opportunity to build something that will provide a healthy and positive outlet for our local youth. We live in a world of inactive children addicted to mobile devices. In Monterey County diabetes has become a serious public health crisis. Youth delinquency and the influence of gangs is a real threat to our local youth and the communities they live in.

Regarding the Dunes Park options presented, here's my feedback:

Option #1, with no fields is simply short sighted and frankly incomprehensible considering the state of parks in Marina. I have not idea how that even made the final cut. Hard no!

Option #2, with a single field is far too conservative for the local youth population. A single field would end up being packed at all hours from dawn to midnight due to the demand for a quality playing field. Look no further than the city of Seaside's David Cutino Park to see what a single field future looks like. Seaside built a fantastic modern park but it's booked nearly 100% of the time. To be fair, Seaside had no choice but a single field due to available real estate on the existing parks footprint. Marina has no such limitation. Please don't be short sighted with this important decision as there will be no opportunity for a "do-over". This is not the time to think small.

Only options 3 & 4 provide multiple fields and are therefore the only logical choices. A few comments on what these fields need to include:

1. Ideally, the two 11v11 full sided soccer fields will include 9v9 and/or 7v7 lines on each half to get as much play as possible out of the limited space. If done right you'll have up to eight 7v7 fields, four 9v9 fields, and two 11v11 soccer fields, along with the 2 baseball/softball fields.

2. The fields MUST be artificial turf playing surfaces! If not, please stop now and don't waste taxpayer money. EVERY natural turf field in Marina needs to be dug up and replaced due to the damage caused by the burrowing animals that are abundant in Marina. A natural surface in Marina REQUIRES full time dedicated professional maintenance for the lifetime of the park....just like any of our local golf courses. If you're not

prepared to fund and staff the maintenance of a natural turf surface then you're going to repeat the same mistakes and was money on fields that will be unusable in less than 3 years.

3. Include lights! This time of year it gets dark very early. Kids still need things to do after school when the sun goes down. Adults need physical activity after their workday ends. Get maximum use out of your investment by including lights on the athletic fields. Also insure there is plenty of ambient lighting around walkways, picnic areas and parking lots for safety.

4. For the renovated indoor recreations center or the sports pavilion, may I suggest including regulation futsal court lines along with the basketball courts. It's a relatively minor and inexpensive feature that would provide Marina with a unique ability to accommodate the fastest growing indoor sport in the world. The closest futsal courts in Northern California are located in Walnut Creek and Sacramento. This would provide Marina with accolades not seen since Marina built its world class skate park. I'd be happy to chat with anyone interested in discussing this option and how simple this would be incorporate. There are many examples from around the world of how to incorporate futsal seamlessly with basketball courts and it provides one more option for local youth.

Thank you for considering my feedback. Best of luck and please don't hesitate to contact me if you have any questions or concerns.

Comment No. 123

Sent: Wednesday, February 15, 2023 8:31 AM
To: ourparksdunes@cityofmarina.org
Subject: Comments on Proposed Dunes City Park

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

My first choice is Option 2.
Next second choice is Option 1.
Third choice is Option 4.
Fourth choice is Option 3.

Comment No. 124

Sent: Thursday, February 16, 2023 10:33 AM
To: Ourparksdunes@cityofmarina.org
Subject: vote on park plans

** WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. **

My vote is for Plan 1

From:

Sent: Wednesday, February 15, 2023 12:34 PM

To: ourparksdunes@cityofmarina.org

Subject: NEW Sport fields - Options 3 or 4!!!

Importance: High

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Good morning!

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Thank you for considering my feedback. Best of luck and please don't hesitate to contact me if you have any questions or concerns.

All the best,



FIELD LAYOUT - CONCEPT 2

SSA
LANDSCAPE ARCHITECTS

PRESTON PARK

PRESTON DRIVE
MARINA, CA

- 1" = 50'-0"
- 03 . 08 . 2023
- 01 OF 01

March 13, 2023 Item No: **13e**

Honorable Mayor and Members of the City Council

City Council
March 21, 2023

CITY COUNCIL RECEIVE A PRESENTATION ON OBJECTIVE DESIGN STANDARDS (ODS) FROM THE CITY'S CONSULTANT, RAIMI+ASSOCIATES (R+A). AS THIS IS A PRESENTATION ONLY, NO ACTION IS REQUESTED AT THIS TIME. THE PRESENTATION IS EXEMPT FROM ENVIRONMENTAL REVIEW PER SEC. 15378 OF THE CEQA GUIDELINES.

REQUEST:

It is requested that the City Council receive the consultant's Objective Design Standards (ODS) presentation, receive any input from the public, and provide its own feedback on the key takeaways and community feedback presented. There is no action required by the City Council at this time.

BACKGROUND:

On September 14, 2022, the City executed an Agreement for Professional Services (Agreement) with Raimi+Associates (R+A) to prepare Objective Design Standards (ODS) in compliance with Senate Bill (SB) 330. The State has defined ODS as standards that:

> *"[Involves] no personal or subjective judgement by a public official and is uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official before submittal of an application."*
> *- California State Senate Bill 330 (Section 66300.7)*

Senate Bill 330, effective January 1, 2020, requires individual jurisdictions to establish a clear and impartial approval process for all housing projects. The act requires a local agency to approve a housing development project that complies with applicable objective general plan and zoning standards and criteria that were in effect at the time the application was deemed to be complete. A project may not be denied or its density lowered if it meets all objective standards. In order to deny a project the City must base its decision upon demonstrable and written health and safety findings that places the burden of proof on the local agency.[1] Furthermore, the courts could impose a $10,000/unit fine on a local agency if that agency denies a project under these circumstances.

In other words, a multi-family housing project that is consistent with the existing general plan and zoning code at the time the project is deemed complete must be approved by the local agency and the City's current subjective design review guidelines cannot be applied.

ANALYSIS:

Since these efforts began in September of last year, the consultant and staff team have developed and/or completed the following tasks:

1. Completed a City tour to understand existing conditions, reviewed recently approved multi-family and mixed-use developments, and reviewed the City's existing Design Review ordinance and related design guidelines;

[1] https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB330

2. Conducted stakeholder interviews with local designers and architects as well as with local developers including Eden Housing, an affordable developer with several properties in the City;
3. Created an ODS website and sent out Facebook and Nextdoor social media blasts to inform residents about the process and opportunities to provide input through the **Visual Preference Survey**. The consultants also prepared a **Fact Sheet** (**EXHIBIT A**) which has been housed on the website;
4. With the results of the existing conditions review, stakeholder interviews, and survey responses, R+A prepared a **Site Analysis & Issue Identification Summary Memo** (**EXHIBIT B**) which will help inform the ODS Framework Plan and draft ODS Ordinance; and
5. Presented a status update to the Planning Commission on March 9, 2023.

As noted in the Fact Sheet, *the goal of objective design standards is to eliminate the need for personal interpretation and uncertainty, in favor of language that encourages a transparent and streamlined review process. Previously, local development standards often contained ambiguous or unclear standards and requirements for residential development. Individual applicants and planners would both have to interpret and negotiate vague terminology such as "high quality," "consistent design," or "sensitive to local context." This level of subjectivity and lack of clarity often resulted in inconsistent interpretations, as well as prolonged approval processes that impeded the creation of new housing and development.*

Another important aspect of ODS is that these standards focus on building height, bulk, massing, setbacks, useable open space, the pedestrian experience in terms of proximity to the street and building openings onto the street, and façade articulation rather than architectural style, per se. Although certain architectural styles may appear through the implementation of these aspects of site development, the ODS neither encourage nor discourage any specific architectural styles. Rather than focusing on a particular architectural style (e.g., Asian, Adobe, Contemporary), the developer would be encouraged to incorporate features of site and architectural design that draws on the cultural diversity of Marina.

As with many recent statutes and regulations passed through the State legislature, SB 330 is intended to create a more streamlined pathway to encourage the development of new housing to reduce the impacts of the State's ongoing housing crisis. As mentioned previously, this law went into effect in January 2020 and the City of Marina is behind on the adoption of these required standards and, therefore, subject to the penalties incorporated into the bill. These standards will apply citywide, but outside the Coastal zone and outside the areas already regulated for design by adopted Specific Plans.

CONCLUSION:
This presentation to the City Council is for informational purposes and to discuss the overall direction and takeaways from the public process to date.

Respectfully submitted,

REVIEWED/CONCUR:

Alyson Hunter, AICP Interim Planning Manager Community Development Dept. City of Marina	Guido Persicone, AICP Director Community Development Dept. City of Marina	Layne Long City Manager City of Marina



EXHIBIT A

City of Marina
Objective Standards Fact Sheet

Project Overview

The City of Marina is embarking on a project to create objective design standards for all new residential and residential mixed-use projects in the city. Recent State laws require local jurisdictions to adopt objective standards and streamline their housing development and review process to ensure high quality design and facilitate efficient delivery of new residential units.

California State Senate Bill 330 (SB 330) requires individual jurisdictions to establish a clear and impartial approval process for all housing projects.

Today, the City primarily relies on the Zoning Ordinance and five Specific Plans to address the character of new residential development. These documents include objective development regulations and subjective design guidelines. The goal of this project is to create objective design standards that apply citywide to areas outside of these Specific Plans. These design standards will allow flexibility in design, but require key elements that support the pedestrian experience, create human-scaled buildings, and preserve the character of Marina's neighborhoods. These objective design standards will be formally incorporated into the Zoning Ordinance once approved by City Council.

What are Objective Design Standards?

Objective Design Standards are defined by State law as standards that:

"[Involves] no personal or subjective judgement by a public official and is uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official before submittal of an application."

- California State Senate Bill 330 (Section 66300.7)

These standards typically contain **concise and quantifiable language** that are designed for consistent interpretation by designers, reviewers applicants, and approval bodies.

The language is **clear and explicit** in its direction, and balances **flexibility in design** with a universal set of rules that facilitate an efficient review process and result in buildings that are appropriate for their context and environment.

Why are Objective Design Standards Necessary?

The goal of objective design standards is to eliminate the need for personal interpretation and uncertainty, in favor of language that encourages a transparent and streamlined review process. Previously, local development standards often contained ambiguous or unclear standards and requirements for residential development. Individual applicants and planners would both have to interpret and negotiate vague terminology such as "**high quality**," "**consistent design**," or "**sensitive to local context**." This level of subjectivity and lack of clarity often resulted in inconsistent interpretations, as well as prolonged approval processes that impeded the creation of new housing and development.

Examples of Subjective Guidelines and Objective Standards

Subjective Language

Provide articulation to reduce the apparent mass and scale of the building, and to be sensitive to the neighborhood context.



Objective Language

For every 100 feet of building length, there shall be a vertical massing break along the facade comprised of an offset of at least 5 feet in depth and 10 feet in length.



Where will these standards apply?

Objective design standards will apply to new projects that are either:

- **Single-family Residential Projects**
  (of more than 1 dwelling unit)
- **Multi-Family Residential Projects**
- **Mixed-use Projects**
  (with at least two-thirds residential component)

New individual single-family homes, commercial-only projects, and other project types still need to meet existing development standards in the Zoning Ordinance, Specific Plan design guidance (if applicable), and if discretionary approval is required, additional standards on a project-by-project basis.

How long will this project last?

The City of Marina is collaborating with a consultant to prepare objective design standards in the upcoming months. The final standards are expected to be presented to City Council for adoption by late Summer 2023.

Where can I learn more?

The Planning Department will soon be launching a new webpage where updates will be shared.

Questions? Please Contact:

Alyson Hunter, Senior Planner, City of Marina
ahunter@cityofmarina.org | (831) 884-1251

www.CityofMarina.org

Project Schedule

PROJECT UNDERSTANDING	OBJECTIVE STANDARDS DIRECTION	OBJECTIVE STANDARDS PREPARATION	REVIEW + ADOPTION
Review Legislation, Zoning, & Specific Plans + Identify Issues & Opportunities	Staff & Public Engagement	Draft Standards & Site Analysis	Public Review & Adoption Hearings
Fall/ Winter 2022	**Fall 2022/ Spring 2023**	**Winter 2022/ Spring 2023**	**Summer 2023**

COMMUNITY ENGAGEMENT



Marina Objective Design Standards: Site Analysis + Issue Identification Summary Memo

February 16, 2023

Site Analysis + Issue Identification Summary Memo

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I. Introduction + Purpose

The City of Marina is embarking on a project to create objective design standards for all new residential and residential mixed-use projects in the city. Recent State laws require local jurisdictions to adopt objective standards and streamline their housing development and review process to ensure high quality design and facilitate efficient delivery of new residential units.

Development of residential multi-family projects and mixed-use projects in the City of Marina is currently regulated by a number of documents and policies. These regulatory documents include the City's General Plan (update in progress), Zoning Ordinance, four specific plans and several master plans, and other key ordinances and documents.

As an introductory exercise for the Objective Design Standards (ODS) effort, this memo provides:

- A high-level summary of feedback from City Staff and the Community Development Director
- A high-level summary of feedback from focus group participants
- A brief summary of the City's current regulatory language as it applies to development and design regulations for multi-family and mixed-use projects
- A review and analysis of recently approved or pending project plans for single-family and/or multi-family housing in the City
- Identification of issues and opportunities, and key topic areas for the ODS to address
- Identification of areas in the City where the ODS will apply and key opportunity sites
- Results of the community Visual Preference Survey
- Next steps in the process

Key Takeaways

- **Staff and Practitioner Feedback**:
    - Conversations with City staff and local developers and designers have revealed a lack of a single defining historical architectural character in the City and identified several weaknesses in the existing regulations as they apply to the design of individual projects, and their subsequent review.
    - Topics such as site context, parking, building massing, articulation, and materiality emerged as areas where the regulations need to be improved.
    - There was general consensus that objective design standards should allow flexibility and creativity in design.
- **Existing Regulatory Documents**:
    - The City of Marina does not have consistent objective design standards across its various regulatory documents. Design standards and guidelines appear in the zoning code, specific plans and master plans, the General Plan, and additional documents such the City of Marina Design Guidelines and Standards for Landscape, Site and Parking Lot Design, Site Lighting, and Signs. The content, structure, and level of clarity vary significantly, presenting both reviewers and applicants with a challenging range of design considerations scattered across multiple documents. This project presents an opportunity to pull together this disparate design guidance into one complete and comprehensive set of objective design standards that will cover a broad range of topic areas including site planning, building design, open space, parking, landscaping, and lighting.

  - Since many of the specific plan areas are already built out, and/or are in the process of being updated (e.g., Downtown Vitalization Plan), this memo does not analyze the four existing documents in detail. However, the City could consider applying these Objective Design Standards to the Downtown area in the interim before the Downtown Vitalization Plan is adopted.
- **Recently Approved and Pending Projects:** A review of recently approved and pending projects revealed several key topic areas to focus on in the Objective Design Standards, including building orientation and entries, appropriate setbacks and transitions both to the street and neighboring development, building modulation, articulation, colors, and materials, parking orientation and design, and open space.

- **Community Feedback:** Results from the community visual preference survey suggest that the topics or characteristics most important to the community are architectural features (e.g., windows, roof style/pitch, level of detail, trim, articulation), colors and materials, and massing and modulation.

- **Site Analysis:** Most of the areas of the City where the Objective Design Standards will apply are largely single-family neighborhoods that are built out and unlikely to redevelop in the short term. However, there are two large opportunity sites for new multi-family and/or mixed-use development: Cypress Knolls and the City-owned vacant parcels along the eastern boundary of the City at Imjin Rd, 6th Ave, and 8th St.

II. Staff & Community Feedback

Staff Feedback

The project team has thus far completed several meetings with City staff to gather feedback and insight regarding project review, engagement with Objective Design Standards, and project examples.

Summary of Staff Feedback

- Marina lacks a defining architectural style or character.
- Recent projects are trending towards modern architecture.
- Current height and parking requirements hinder development.
- Because the Downtown Vitalization Plan has not been adopted, most projects that fall within Downtown must go through a Specific Plan process that establishes specific development and design standards for the project.
- Objective Design Standards should be flexible and accommodate a range of architectural styles.

Focus Group Feedback

Recognizing that design standards will impact the work of both City staff as well as design practitioners and applicants, two focus group meetings were facilitated where developers and designers were invited to share insights, with particular emphasis on past or ongoing projects located in Marina.

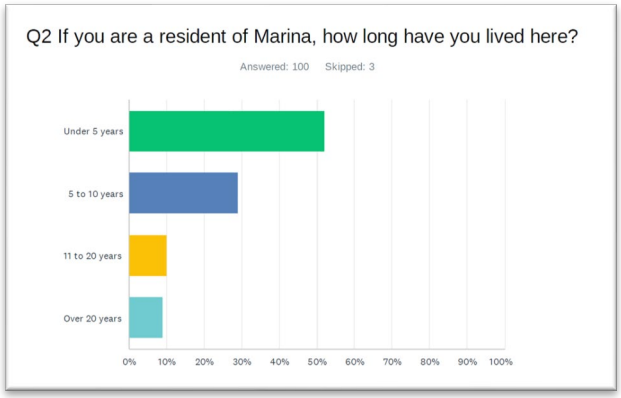
Summary of Focus Group Feedback

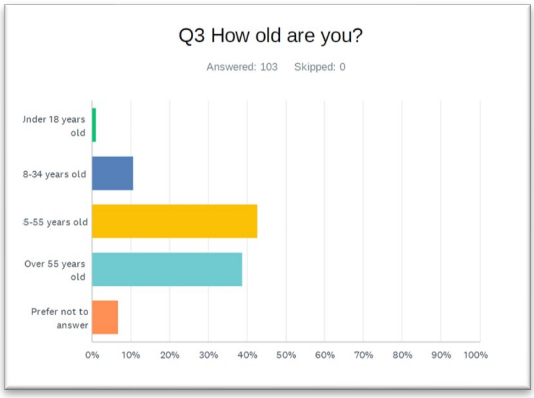
- **Character/Style:**
  - Marina lacks historical character and a defining architectural style.
  - The focus should be more on the direction/style Marina wants to embrace in the future, rather than looking to the past.

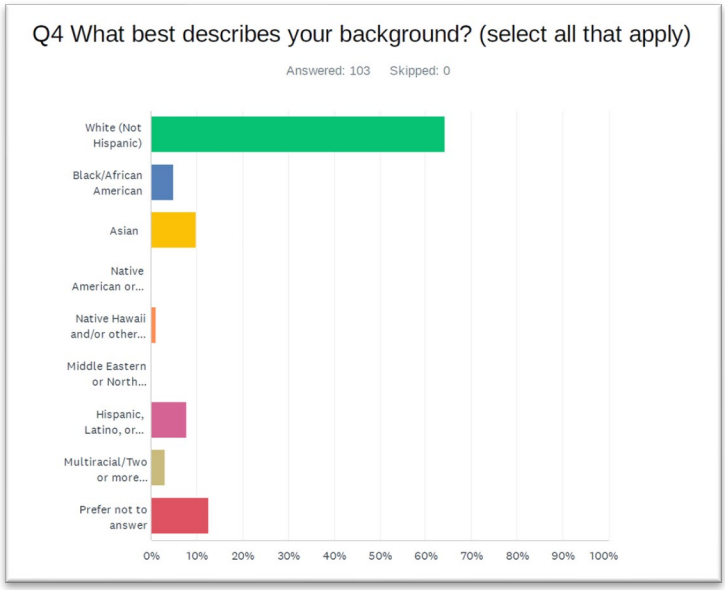
  - Appropriate architectural styles could include Monterey and California/Mediterranean forms and finishes, alongside more contemporary/modern architecture, or bringing in style influences from Fort Ord (barracks style).
- **Modulation/Articulation:**
  - Focus on creating façade rhythm and pattern, but do not require it to repeat at regular/specified intervals.
  - Simplicity of design is preferred over heavily articulated facades.
- **Parking:** Parking requirements are overly burdensome
- **Open Space:**
  - Balconies are highly desirable in Marina.
  - Roof decks are a good way to provide common open space but can be problematic in Marina due to climate and durability (i.e., water issues).
- **Materials:**
  - Encourage variation in materials.
  - Materials need to be durable to withstand the local climate.
- **Context:** Need better site and context sensitivity.
- **Other:**
  - Vertical mixed-use and retail ground-floor development is challenging in Marina.
  - ODS should allow flexibility in design.
- **City Review Processes:**
  - Current processes and timelines work well and are not overly burdensome to developers.

Visual Preference Survey Feedback

The project team released a month-long visual preference survey to better understand community priorities and concerns that should be considered when creating Objective Design Standards. There was a total of 103 survey responses, mostly from residents who have lived in the City for less than five years. Most respondents were between 35 – 55 years in age, or older. The graphs below show the demographic breakdown of the survey respondents.







The following provides a brief summary of the survey results.

Summary of Visual Preference Survey Responses

- Generally, the community regards the following three characteristics as most important for designing a successful building (in order of importance):
    - Architectural features (e.g., windows, roof style/pitch, level of detail, trim, articulation)
    - Colors and materials
    - Massing and modulation (e.g., projections, recesses, ground-floor pedestrian-scale, corner treatments, etc.)

- **Character/Architectural Style**
    - Several of the contemporary/modern building examples received more positive overall responses from the community.
    - However, some of the individual comments were mixed, with several respondents discouraging modern architecture in favor of Craftsman, Mediterranean, or Midcentury styles for Marina.
    - Some respondents echoed focus group feedback, calling for a unique identity for Marina.
- **Height/Intensity**
    - In general, the height/intensity of the building examples did not seem to impact respondents' views on how successful the building was in terms of design quality.
    - However, individual comments were more mixed, with some respondents calling for more housing and others asking the City to limit buildings to 2-3 stories in the areas where the ODS will apply.
- **Materials**
    - Community members seem to prefer buildings that use a mix of materials and textures (e.g., wood, stucco, metal).
- **Frontage/Setbacks**
    - Individual survey responses indicated a desire for larger setbacks with more landscaping along the street frontage.

- **Other**
  - Many of the individual comments were regarding parking, and requests to require sufficient garage parking for new housing developments.
  - Building maintenance seems to be a concern, suggesting that architectural elements and materials need to be selected with Marina's climate and durability in mind.

III. Existing Regulations

At present, development standards and design guidance appear in the Zoning Ordinance, specific plans, and other guiding documents such as the General Plan, Local Coastal Plan, and City of Marina Design Guidelines and Standards for Landscape, Site and Parking Lot Design, Site Lighting, and Signs. Although the degree of detail, specificity, and subjectivity varies considerably across these documents, the City is responsible for developing a new and consistent set of objective standards that are uniformly understood and accessible to both project applicants and internal reviewers.

Zoning Ordinance and Citywide Design Guidelines and Standards

The current Zoning Ordinance does not include a dedicated chapter for design standards, and these are generally absent from the code. Instead, many of the City's development and design standards are located in the City of Marina Design Guidelines and Standards for Landscape, Site and Parking Lot Design, Site Lighting, and Signs. Refer to Section IV below for more detailed analysis of the Zoning Ordinance and citywide Design Guidelines and Standards.

Specific Plans

There are four specific plans that uniquely regulate portions of the city:

- Downtown Vitalization (In progress)
- University Villages (Dunes)
- Seahaven (formerly Marina Heights)
- Marina Station

These specific plans represent unique areas of influence within the City of Marina and feature unique and individual sets of development requirements and criteria. This objective design standards project will be complimentary yet independent of efforts to update specific plans. The expectation is that each specific plan update will be individually responsible for updating its design guidelines and regulations to feature clear and objective design standards.

Since many of the specific plan areas are already built out, and/or are in the process of being updated (e.g., Downtown Vitalization Plan), this memo does *not* analyze these existing documents in detail. However, the City could consider applying these Objective Design Standards to the Downtown area in the interim before the Downtown Vitalization Plan is adopted.

General Plan

The General Plan includes limited design guidance for development of multi-family and mixed-use residential projects.

The Community Design & Development Element provides some broad guidance on community character and design principles for the City's edges, as well as specific development and design principles for three areas of the City: University Village, Reservation Road Shopping Area, and Armstrong Ranch. The Land Use Element contains a mix of broad policy statements as well as detailed zoning-type language, such as use lists for each designation.

The General Plan goals and policies most frequently cited as findings during the review of multi-family and mixed-use projects are as follows:

General Plan Goals and Policies

Community Goals

- **Goal 1.17:** *The overall goal of the Marina General Plan is the creation of a community which provides a high quality of life for all its residents; which offers a broad range of housing, transportation, and recreation choices; and which conserves irreplaceable natural resources.*
- **Goal 1.18.1:** *Housing within the means of households of all economic levels, ages and lifestyles, and therefore, a diversified and integrated housing supply in which new residential development emphasizes a mix of housing types and lot sizes at the neighborhood level.*
- **Goal 1.18.5:** *A city designed for and attractive to pedestrians, in which most of the housing, shops, businesses, and community facilities are within easy walking distance of each other.*
- **Goal 1.18.8**: *A city physically and visually distinguish-able from the other communities of the Monterey Bay region, with a sense of place and identity in which residents can take pride*.
- **Goal 1.18.15:** *Attractive, distinctive residential neighborhoods and commercial districts which contribute to the overall vitality, image and identity of the city.*

Community Land Use Policies

- **Policy 2.4.5:** *Future land development, whether it involves development of new areas, infilling of existing neighborhoods or commercial areas…shall be organized and have sufficient intensity…to create a pedestrian-oriented community.*

Housing Policies

- **Policy 2.31.6**: *New housing shall be constructed at densities and in patterns which conserve land, reduce reliance on the private automobile and result in walkable, attractive neighborhoods.*
- **Policy 2.31.8**: *New housing shall be integrated into the fabric of the City in such a way that it complements existing housing areas and contributes to the overall stability, image, and sense of community of the City*.

Transit and Supportive Land Use Polices

- **Policy 3.35.1**: *Safe and secure bicycle parking shall…be provided in all new multi-family residential projects.*
- **Policy 3.38.6:** *Internal Circulation. Parking lots should be attractively landscaped and the pedestrian circulation paths clearly evident to provide direct, well lit, internal pedestrian circulation networks provided to building entrances, adjacent public rights-of-way and public transit.*

The City is currently undergoing an update to the General Plan, which will be used to guide the development of the objective design standards as feasible given the timelines for each project. The ODS team will engage directly with the General Plan Update project in the coming months.

Local Coastal Plan

The City of Marina Local Coastal Plan provides guidance on coastal planning issues in Marina, including ecological issues, public access to and along the beach, and land use designations which are consistent with the policies of the local plan and Coastal Act. The local coastal zone boundary includes a very small area of single-family homes in the area east of Highway 1 known as the Vernal Pond-Brown Bulb Ranch Planning Area (around Robin Drive). The land use designation in this area is "Low-Density Residential,"

which has an average density of five to eight dwelling units per acre. The Local Coastal Plan provides the following guidance for residential uses in this area:

- New housing units in the Coastal Zone shall be designed on the site to protect existing sensitive habitat areas, reduce the cost of the unit and conserve energy. Clustering and other techniques of minimizing visual impacts and enhancing the feasibility of desirable forms of housing may be required.
- Residential land uses are appropriate as long as visual resource objectives are met and proper setbacks and protection are provided to the vernal ponds and their adjacent wetlands.
- Adjacent development shall be designed to provide adequate setbacks for habitat protection, preclude unauthorized access to the ecological reserve, and provide for interception of street drainage and other measures required for maintenance of water quality in the pond.

Residential properties in the Local Coastal Zone are not exempt from the requirements of SB330, therefore the Objective Design Standards will apply to this area. The City will need to amend the Local Coastal Plan to adopt the Objective Design Standards for residential parcels in the Local Coastal Zone.

IV. Existing Regulations: Issues + Opportunities

Design guidelines, in some form, are currently scattered throughout many regulatory documents. For the purposes of this memo, the guidelines have been condensed into broader topics and key categories that are shared across single-family, multi-family, and residential mixed-use development. These topics have been analyzed for weaknesses and deficiencies, to help understand which areas necessitate minor revisions versus significant additions or alterations. Key takeaways and recommendations are summarized at the end of this section.

Zoning Ordinance and Citywide Design Guidelines and Standards

Analysis and Issue Identification

- **Heights and Density.** Maximum density standards for multi-family and mixed-use development are very low at 25-35 du/acre, which will likely be addressed through the General Plan Update process.

- **Single-Family Residential Development:** Design standards specific to single-family residential development (attached or detached) are completely absent from the zoning ordinance and citywide Design Guidelines and Standards. The Objective Design Standards do not apply to the construction or renovation of individual single-family homes, but will address single-family residential developments of more than one unit.

- **Mixed Use Development:** The Zoning Ordinance contains limited design criteria/findings for mixed-use development in Section 17.16.170 (Development standards—Mixed use developments) for the C-R zone and Section 17.18.020 (Development standards—Mixed use developments) for the C-1 zone. The criteria are broad and subjective in nature, focusing on compatibility and privacy.
    - Example Language. *Site and Architectural Design Review. The design review approval of mixed use projects shall be based upon the following criteria:*

        1. *Promoting internal compatibility between the different uses on the same site;*

2. Minimizing effects potentially detrimental to on-site or neighboring residential use such as, but not limited to, potential noise, glare and odors;

3. Ensuring that the design of residential units of a mixed use development is of a residential character, and that privacy between residential units and between other uses on the site is maximized through careful siting and design;

4. Encouraging integration of the street pedestrian environment with retail commercial uses on the site through the use of plazas, courtyards, walkways, and street furniture.

- **Ground Floor Interface and Commercial Design:** Design standards specific to ground floor spaces are completely absent from the Zoning Ordinance and citywide Design Guidelines and Standards document. Additionally, current regulatory documents lack any design guidance for the interface between the ground floor and public realm, including building frontages/entries, setback character, etc.

- **Building Design:** Building design standards (massing, modulation, articulation, materials, etc.) are completely absent from the Zoning Ordinance and citywide Design Guidelines and Standards.

- **Neighborhood Transitions:** Per the Zoning Ordinance, multi-family residential and residential mixed-use development is required to provide deeper rear setbacks abutting single-family zoned properties. However, the current regulations lack additional transition standards such as upper level stepbacks or other standards to address daylight, privacy, and compatibility between new development and existing neighborhoods.

    - Example Language: *Minimum rear yard required in the R-4 districts shall be ten feet except where the rear yards abuts any lot in the R-1 or R-2 district, in which case the required rear yard shall be twenty feet.*

- **Site Design and Parking:** Parking standards are dispersed between the Zoning Ordinance and citywide Design Guidelines and Standards. Parking ratios for multi-family residential uses are regulated by unit size and are quite burdensome:
    - Example Language from Section 17.44.020: *Multiple Dwellings.*
      1. One-bedroom units and efficiencies: one space for each dwelling unit which shall be covered plus one additional space for each five dwelling units or fraction thereof,
      2. Two-bedroom units: one and one-half spaces for each dwelling unit, one of which shall be covered plus one additional space for each five dwelling units or fraction thereof,
      3. Three or more bedroom units: two spaces for each dwelling unit, one of which shall be covered plus one additional space for each five dwelling units or fraction thereof,

  Condominiums approved under Section 17.66 (Development Standards for Condominium/Planned Development Projects and Condominium Conversions) are even more burdensome at 2 covered spaces required for a 2-bedroom unit. However, the code does provide for parking reductions for mixed-use developments, senior housing, and developments within a quarter mile of a transit center.

  All site and parking design standards are contained within the citywide Design Guidelines and Standards document. There are minimal, if any, design guidelines for parking

placement/frontage, structured parking, and parking lot screening. The site design, access, and parking landscaping standards are predominantly subjective in nature.

  - Example Language: *Potentially large expanses of paved areas accommodating automobile parking shall be broken/softened by the introduction of planting areas or alternatively by the use of paving materials such as "turf block." Buildings shall be located as close to the street as practical with as little parking as possible separating buildings from the street.*

- **Fences and Walls**: Currently regulated under the Zoning Ordinance Chapter 17.42 (General Zoning Regulations), the code regulates the height of fences and walls, but does not include any design guidelines or standards. Additionally, there is one subjective guideline related to fences in the citywide Design Guidelines and Standards:

  - Example Language: *Any perimeter fencing shall be in accordance with the height limitations of Section 17.06.060 of the Zoning Ordinance and shall be a "good neighbor" design; i.e., have the "structural" side of the fence facing in towards the project site or have an identical appearance on both sides of the fence.*

- **Usable Open Space:** The Zoning Ordinance includes requirements for both common and private usable open space for multi-family residential developments, regulated by the unit size/number of bedrooms. The code provides some minimum objective dimensions for private open space/balconies, but lacks minimum area and linear dimensions for common open spaces. Additionally, common open space includes interior side and rear setback areas, but without a minimum dimension, which could lead to narrow and unusable setbacks being counted towards common open space. There are opportunities to improve on these standards by regulating open space requirements by building type/density rather than unit size, and adding additional design standards for minimum dimensions, landscaping, and amenities.

  - Example Language from the R-4 Zone: *Total Open Space Required. The minimum area of common and private open space required for multiple-family dwellings or three or more single-family dwellings on a building site in the C-R district shall be two hundred fifty square feet per single-room occupancy unit, three hundred square feet per efficiency or one-bedroom unit, and fifty additional square feet for each additional bedroom. A portion or all of the required open space shall be private; otherwise it shall be shared in common.*

- **Landscaping:** Landscaping is not covered in the Zoning Ordinance, but extensive development and design requirements are included in the citywide Design Guidelines and Standards. Language regulating landscaping is much closer to objective, with requirements for drought tolerant species, non-plant materials/mulch, limitations on turf, tree species/placement, etc. The scope of this work effort will focus on providing supplemental landscape design standards for screening and buffering between uses which are absent in the Design Guidelines and Standards document.

  - Example Language: *A minimum of 65 percent of the total of all landscaped areas shall be landscaped with drought-tolerant plant material requiring minimal irrigation once established and shall be irrigated separately from any areas, which have higher water demands.*

- **Lighting:** The citywide Design Guidelines and Standards document includes some limited guidelines for lighting, but most are broad and subjectively written, without reference to measurement/thresholds for illumination levels or color. Standards and guidelines for height and type/design of fixtures are absent, and an area that can be addressed by the Objective Design Standards project.

    - Example Language: *General site and parking lot lighting should tend towards warmer color spectrum, which is typical of incandescent and sodium-vapor lighting sources.*

- **Utilities, Service Areas, and Equipment:** Design guidelines regarding utilities, service areas, and equipment (e.g., trash enclosures, building equipment, etc.) are minimal, and currently located within the "Site and Parking Lot Guidelines and Standards" section of the citywide Design Guidelines and Standards. They lack objective and comprehensive standards for dimensions, screening, and materials.

Key Takeaways and Recommendations

- The City's current regulatory documents lack standards and guidelines for single-family residential development, mixed-use development and ground-floor interface and commercial space, and building design (massing, modulation, articulation, materials, etc.). This project will address this gap by providing a comprehensive set of site and building design standards for single-family residential/townhome development, multi-family residential, and residential mixed-use focusing on supporting the pedestrian experience, creating human-scaled buildings, ensuring high-quality building design and materials, and preserving the character of Marina's neighborhoods.
- While current regulations address neighborhood transitions, landscaping, site design, parking, and lighting, existing standards and guidelines are limited and predominantly written in a subjective manner that lacks clarity and leaves room for interpretation. The language for some of the existing standards and guidelines should be revised to make them clear and objective. There is also an opportunity to expand on the current standards and guidelines to address deficiencies, focusing on the priorities identified by staff, practitioners, and community members.
- While outside of the scope for this project, the City may wish to consider the following code revisions to promote multi-family housing and mixed-use development:
    - Lowering the parking requirements for multi-family residential developments.
    - Revising open space standards such that they are regulated by density/building type rather than unit size, and adding minimum dimensions and area requirements for common open space.
    - Increasing the maximum density for multi-family residential and mixed-use zones.

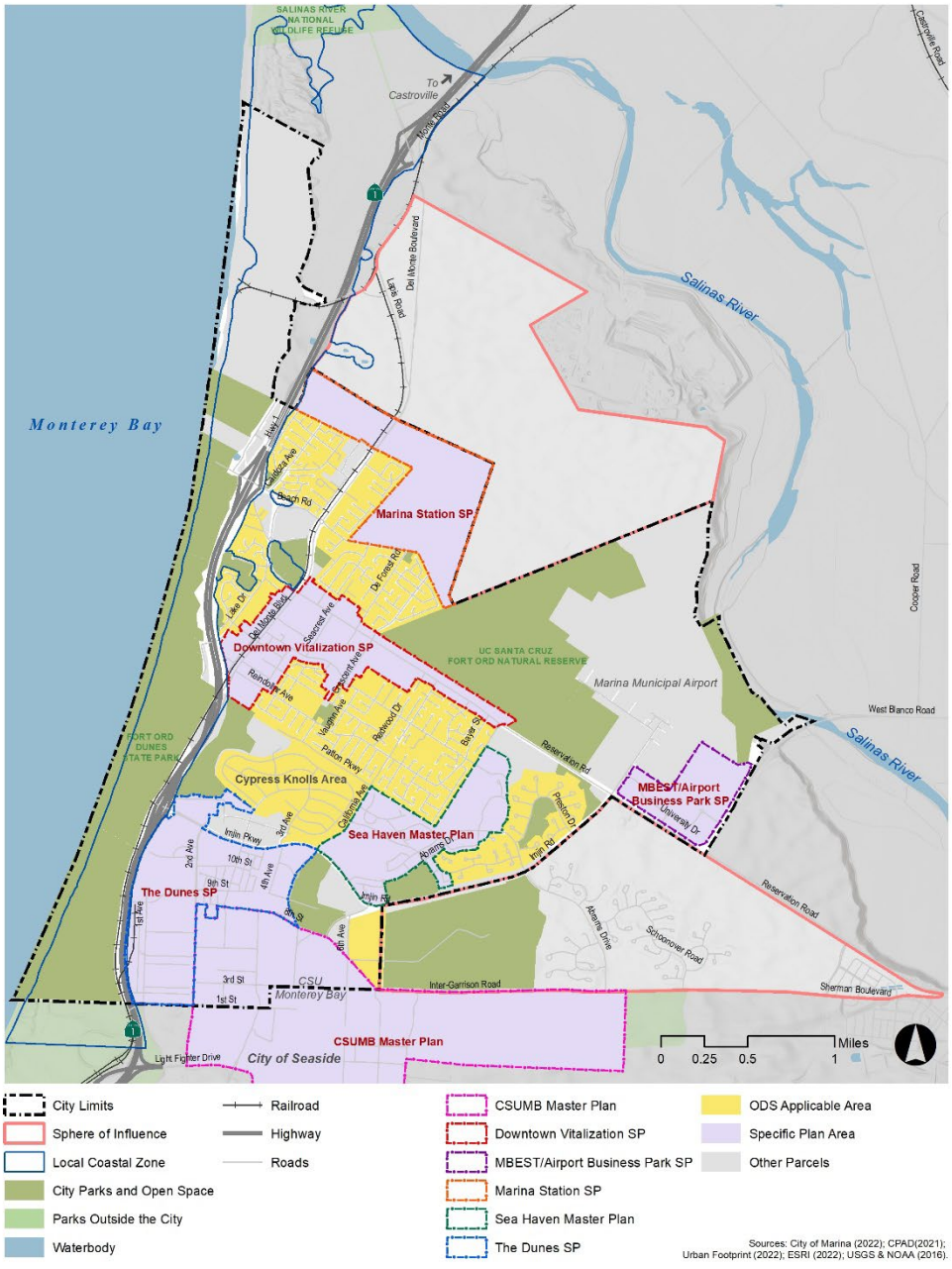
V. Site Analysis

The following site analysis provides a visual inventory of where the Objective Design Standards will apply within the City, as well as an understanding of key parcel characteristics and opportunity sites for new single-family, multi-family, and residential mixed-use development in these areas.

Areas of the City where ODS will Apply

Much of the City is governed by four specific plans and several master plans. The following maps highlight the residential parcels that fall outside of the specific plan areas, and thus where the citywide ODS will apply, as well as the zoning for these parcels.

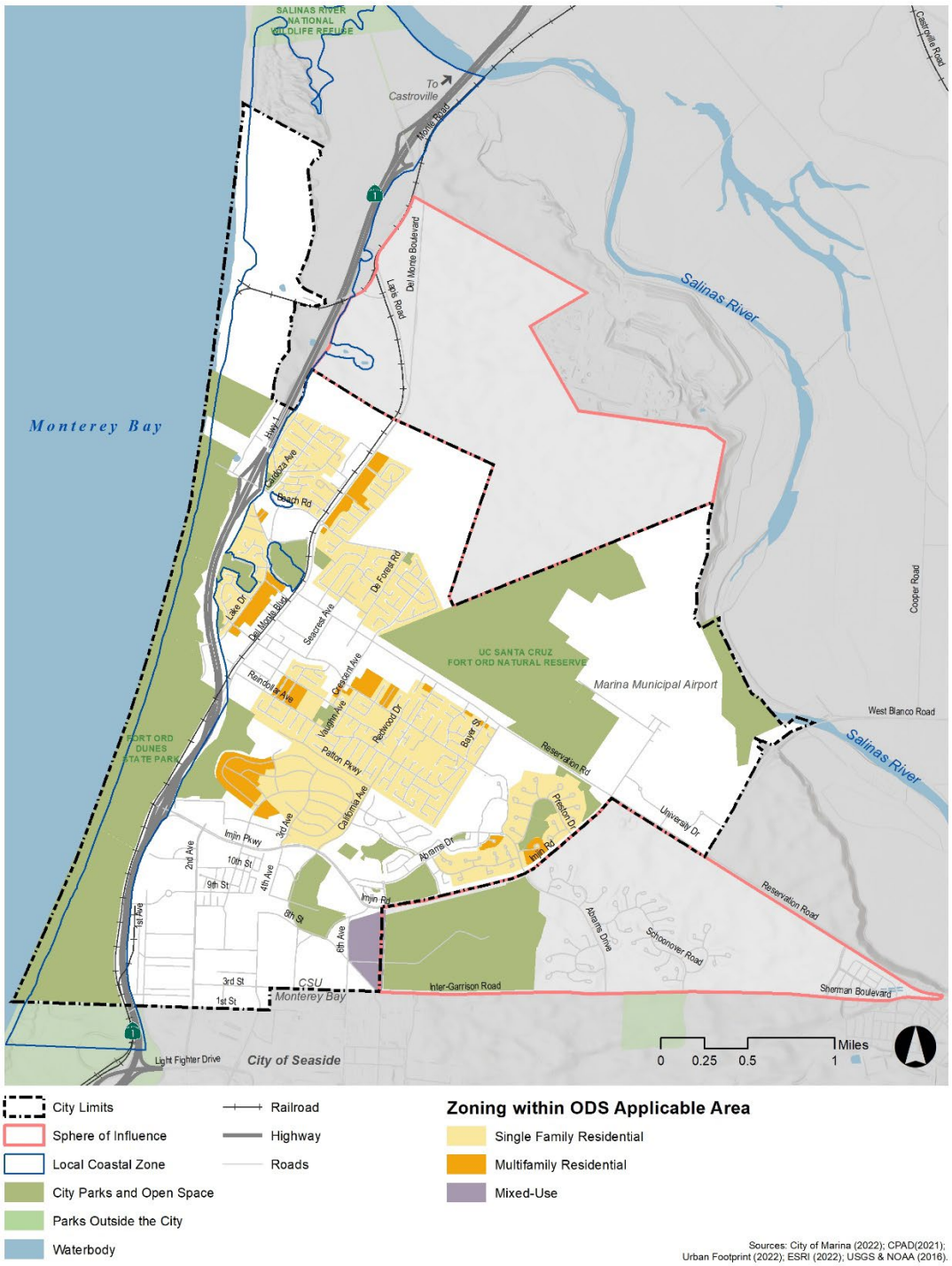
Areas in the City where ODS will Apply



Zoning and Parcel Characteristics

The following map shows the zoning/land use for all of the parcels where the Objective Design Standards will be applicable. The majority of the parcels covered by the citywide ODS are zoned for single-family residential development. Typical parcel sizes for detached single-family homes are 7,000 – 9,000 square feet. Multi-family parcels range greatly in size, with no typical parcel size.

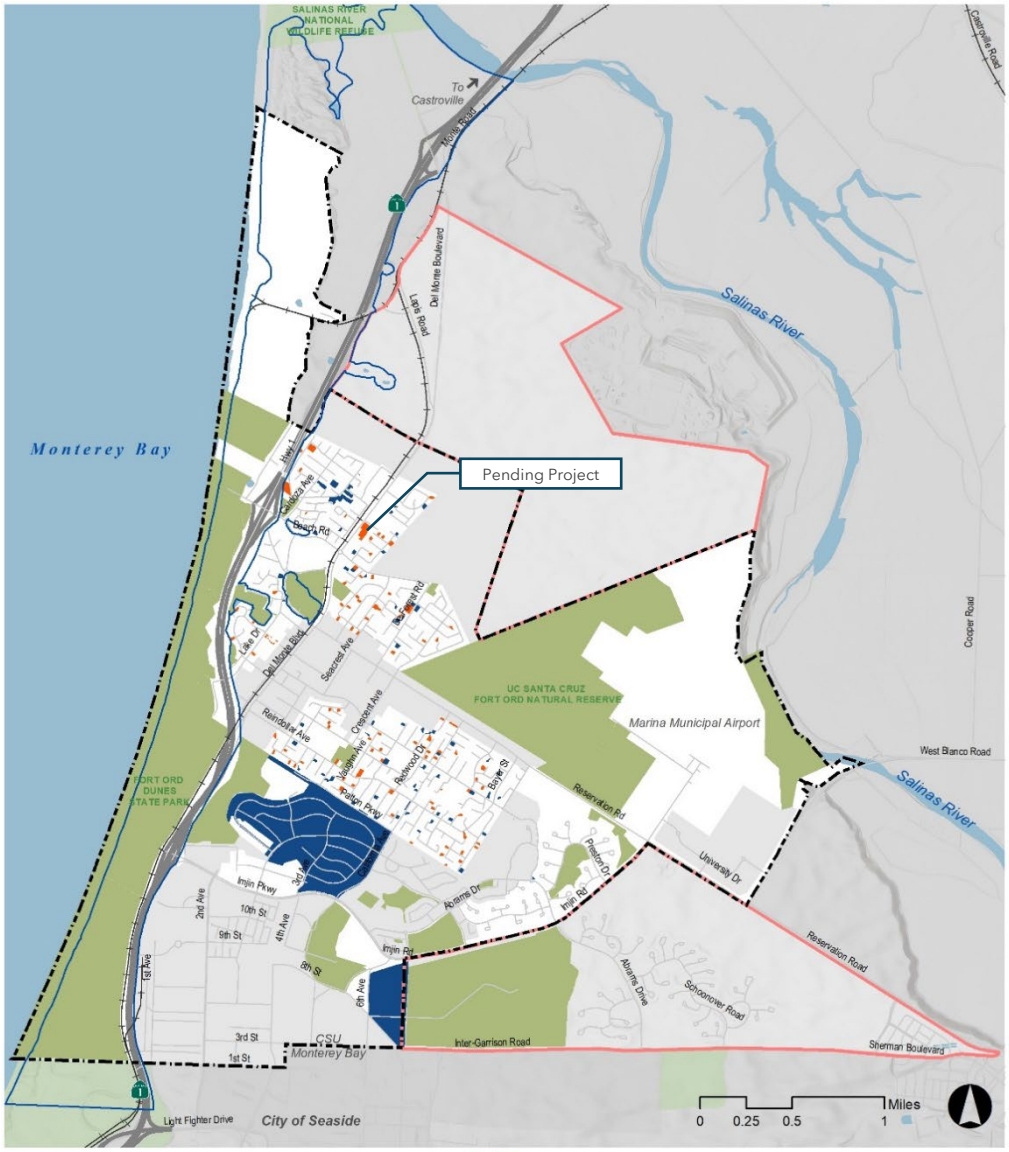
Zoning for ODS Applicable Areas



Opportunity Sites

The following map shows only the areas of the City where the Objective Design Standards will apply, and highlights vacant and underutilized parcels (defined as parcels where the building to land value is less than 0.5). There are only a few large parcels or opportunity sites where significant MFR/mixed use residential development could occur in areas of the city outside of SPs – namely Cypress Knolls and the City-owned mixed-use parcels bounded by Imjin Rd., 6th Ave., and 8th St. Most other vacant and underutilized parcels are small single-family parcels scattered across with city, with few opportunities for consolidation.

Vacant and Underutilized Parcels in ODS Applicable Areas



VI. Recently Approved/Pending Projects

The team analyzed recently built, approved, and pending residential projects in the City of Marina to understand how current standards are being applied and glean insights into the key design characteristics of each project, including key concerns and sentiment from the public and decision makers on these projects. Several themes emerged that point towards key topic areas to focus on in the objective design standards.

Summary of Findings from Recent Projects

- **Entries.** Most projects lack a defining building entry. Instead, residential entries are oriented towards parking areas.
- **Setbacks:** Front and rear setback are minimal:
    - Shallow front setbacks provide limited transition between buildings and the sidewalk/street.
    - Shallow rear setbacks provide limited transition between new projects and surrounding residential development in terms of both privacy and solar access.
- **Parking:** Surface parking lots take up a large portion of the project site. Most projects requested and were granted a reduction in required vehicle parking spaces.
- **Open Space:**
    - Most projects include a considerable amount of private and common open space.
    - Many projects lack common landscaped open space at the ground level. The majority of the open space is being accommodated via balconies and common roof decks.
- **Modulation/Articulation:** Some projects lack sufficient modulation (e.g., vertical massing breaks) to break up the façade plane.
- Most projects required/requested height/density and parking concessions in exchange for providing affordable housing.

VII. Next Steps

Over the next month, the project team will collect additional community feedback and conduct study sessions with the Planning Commission and City Council to brief them on the project, provide an overview of the issues and opportunities presented in this memo, and get direction from decision makers that will be used to shape the draft Objective Design Standards.