

DATE SUBMITTED December 23, 2025
 SUBMITTED BY Community Development Director
 DATE ACTION REQUIRED January 7, 2026

COUNCIL ACTION (X)
 PUBLIC HEARING (X)
 REQUIRED
 RESOLUTION (X)
 ORDINANCE 1ST READING ()
 ORDINANCE 2ND READING ()
 CITY CLERK'S INITIALS ()

**IMPERIAL CITY COUNCIL
 AGENDA ITEM**

SUBJECT:	DISCUSSION/ACTION: APPROVAL OF TENTATIVE TRACT MAP 24-02 FOR MONTERREY PARK SUB #2 UNIT 3D (APN 064-295-084 AND APN 064-281-068)		
	1. Adoption of Resolution No 2026- <u>02</u> Approving Tentative Tract Map 24-02 for Monterrey Park Sub #2 Unit 3D (APN 064-295-084 and APN 064-281-068)		
DEPARTMENT INVOLVED:	Community Development Department		
BACKGROUND/SUMMARY:	See attached Staff Report.		
FISCAL IMPACT: N/A	ADMIN SERV INITIALS		<u>JMS</u>
STAFF RECOMMENDATION: Staff recommends approval of Resolution No. 2026- <u>02</u> .	DEPT. INITIALS		<u>OM</u>
MANAGER'S RECOMMENDATION: <i>approve</i>	CITY MANAGER'S INITIALS		<u>AKM</u>
MOTION:			
SECONDED: AYES: NAYES: ABSENT:	APPROVED () DISAPPROVED () REFERRED TO:	REJECTED () DEFERRED ()	



Staff Report

Agenda Item No. _____

To: City of Imperial City Council

From: Yvonne Cordero, Planner

Date: December 29, 2025

Applicant:	Daniel Dobron, Jupiter Ventures/Pacific West
Project Description:	Tentative Tract Map TM 24-02 Subdivision of eleven (11), 6,000 single-family residential lots
Zoning:	Single-Family Residential (R-1)
Environmental:	Mitigated Negative Declaration (certified June 20, 2005)
Recommendation:	Approve, subject to Conditions of Approval

Background

Developer Jupiter Ventures has proposed the subdivision of two adjacent parcels into eleven (11) single-family residential lots within the Monterrey Park Subdivision. The single-family residential lots encompass a net area lot of 2.43 acres designated as Residential Low-Medium (RLM) density in the City of Imperial's General Plan. The typical lot size within an RLM zoned property is 6,000 square feet with a maximum density of six units per acre. The Monterrey Park Subdivision project was originally approved in 2005 through the City's certification of a Mitigated Negative Declaration and associated entitlements (Attachment C and D), which included 598 residential units, three park sites, and a retention basin. The current proposal modifies the original plan by increasing the total number of units to 609 residential units and amending the original conditions of approval to align with the updated project requirements.

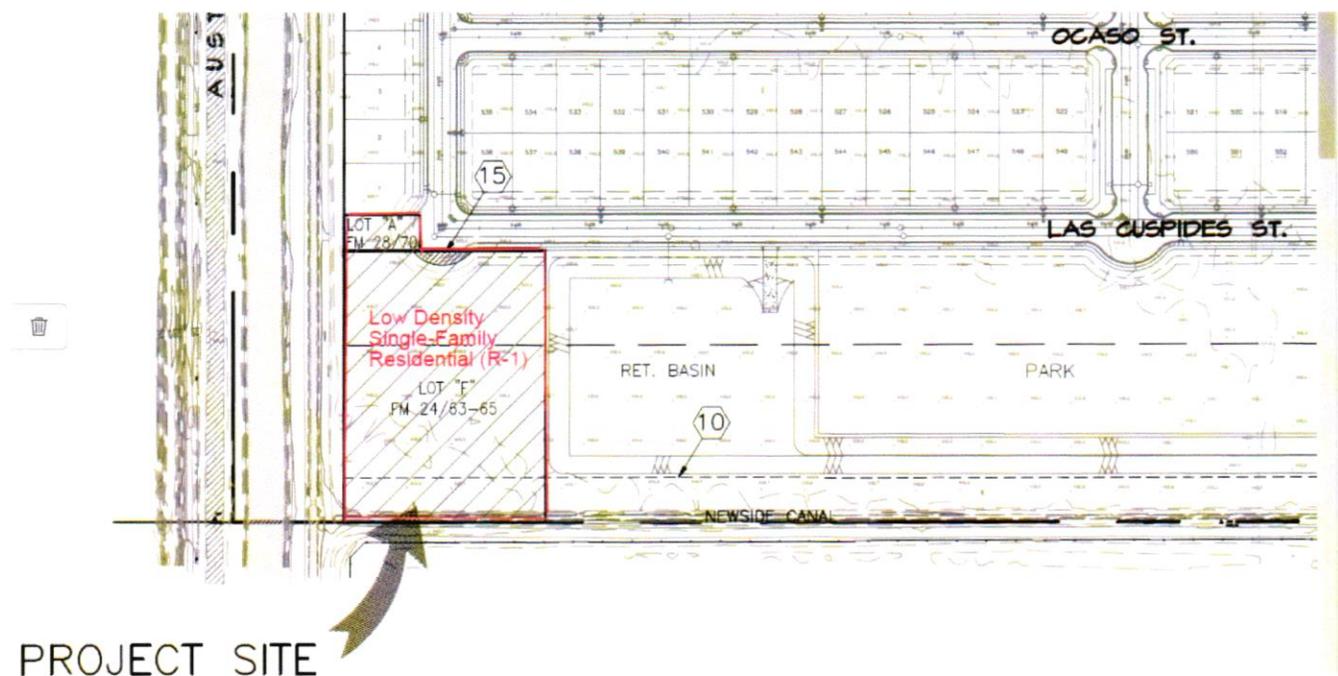
The City of Imperial Planning Commission approved Resolution PC2025-08 (Attachment A), recommending approval of Tentative Tract Map TM 24-02 to the City Council, with the recommendation to forward the project to the Airport Land Use Commission (ALUC) to determine the land use compatibility with the Imperial County Airport's sphere of influence.

ALUC reviewed the project in March 2005 and determined that it was consistent with the Airport Land Use Compatibility Plan of 1996. Subsequently, the Monterey Park Subdivision underwent another ALUC review in April 2008, during which the proposed increase in

residential density to 6.9 dwelling units per acre was assessed. The project was deemed inconsistent with the 1996 Compatibility Plan; however, the City Council approved the modifications, and construction of the homes continued. The current Tentative Tract Map amendment seeks approval for eleven additional residential units across two parcels, representing a key step toward the full development of the Monterey Park Subdivision. This development is widely recognized as one of the highest-quality housing projects in the Imperial Valley, with nearly twenty years of ongoing construction that has significantly contributed to local employment and provided families with the opportunity for homeownership within our city. The ALUC reviewed the proposed amendments, and during their November 19, 2025, meeting, they concluded that the project is incompatible with the 1996 Airport Land Use Compatibility Plan (Attachment B) due to concerns over the plan's open land and density requirements.

Project Site Description

The project site consists of two parcels, encompassing a total net area of 2.43 acres, identified as Assessor's Parcel Number (APN) 064-281-068 (Lot A) and APN 064-295-084 (Lot F) of Monterey Park Sub 2 Unit 3D located at the Southwest corner of Las Cuspides Street and Valle Verde Lane. Tentative Map Monterey Park Sub #2 3D is provided in Attachment E.



Environmental Discussion/CEQA Analysis

The subject property is designated as Low-Density Residential under the General Plan and pre-zoned Single Family Residential (R-1), which permits the development of detached single-family residences at densities consistent with the proposed modifications. The increase in the density's net change of residential units from 598 to 609 and the overall footprint of the project site is consistent with the scope of the previously conducted environmental analysis under the California Environmental Quality Act (CEQA).

The proposed Tentative Tract Map (TTM) aligns with the adjacent land uses demonstrated in the table below:

Direction	Land Use Designation	Zoning	Current Use
North	Low-Density Residential	Single Family Residential (R-1)	Single Family Homes
South	Public Use	General Industrial (I-1)	Imperial County Airport
East	Low-Density Residential	Single Family Residential (R-1)	Retention Basin/Open Land
West	Agricultural	Imperial County A2 Zone	Agricultural Land

Staff review has determined the proposed amendment is consistent with applicable land use policies, development regulations, and remains within the thresholds identified in the certified Mitigated Negative Declaration, evidenced by adopted Resolution 2005-24 provided in Attachment C and Resolution 2005-33 approving and adopting the environmental documents for Monterrey Park Subdivision provided in Attachment D, both executed in June 2005. The revised project advances the City’s objectives of promoting sustainable, livable, and well-integrated residential communities while adhering to the legal and policy framework governing land use within the City of Imperial.

Public Notification

The public hearing scheduled for January 7, 2026, was duly noticed in the IV Weekly and Calexico Chronicle, newspapers of general circulation, on December 25, 2025. A Notice of Public Hearing was mailed to all property owners within 300 feet of the property. The City of Imperial has not received any public comments for or against this project as of the date of this report’s publication.

Recommendation

Staff recommends that the City Council conduct a public hearing to receive comments for and against the project. Unless sufficient evidence to the contrary is presented at the public hearing, Staff recommends that the City Council approve Resolution 2026-___ for Tentative Tract Map TM 24-02 for Monterrey Park.

Attachments

- Attachment A – Executed Resolution PC2025-08 with Conditions of Approval
- Attachment B – Airport Land Use Commission Determination Letter
- Attachment C – Resolution 2005-24 Approving the Monterrey Park Tentative Tract Map and Certifying a Mitigated Negative Declaration
- Attachment D – Resolution 2005-33 Approving and Adopting the Environmental Documents for the Monterrey Park Subdivision
- Attachment E – Tentative Map Monterrey Park Sub #2 Unit 3D
- Attachment F – DRAFT Resolution 2026-___

Respectfully submitted,

Othon Mora, MCM, CBO
Community Development Director

RESOLUTION NO. PC2025-08

**A RESOLUTION OF THE PLANNING COMMISSION, OF THE CITY OF IMPERIAL,
APPROVING TENTATIVE TRACT MAP 24-02 FOR
MONTERREY PARK SUB #2 UNIT 3D (APN 064-295-084 AND APN 064-281-068)**

WHEREAS, the Applicant has applied for a Tentative Map to subdivide a 2.43-acre net lot area into eleven (11) single-family residential lots within the Single-Family Residential (R-1) Zone, subject to the approval of a Tentative Tract Map; and

WHEREAS, the City of Imperial Municipal Code and the Subdivision Map Act allows the subdivision of the 2.43-acre net lot area into eleven (11) new single-family residential lots within the Single-Family Residential (R-1) Zone subject to the approval of a Tentative Tract Map; and

WHEREAS, a duly notified public hearing was published on April 10, 2025, in a local newspaper of general circulation, indicating the date and time of the public hearing in compliance with state law concerning the Tentative Tract Map TM 24-02 for Monterrey Park, and said notice was mailed to each property owner within a 300-foot radius of the project site; and

WHEREAS, a duly notified public hearing was held by the Planning Commission on April 23, 2025, to hear testimony for and against the proposed Tentative Tract Map TM 24-02 for Monterrey Park; and

WHEREAS, in accordance with the requirements of the California Environmental Quality Act (CEQA), staff analyzed Tentative Tract Map TM 24-02 for Monterrey Park, and determined that the request is consistent with the previously certified Negative Declaration in accordance with the requirements of the California Environmental Quality Act (CEQA).

WHEREAS, upon hearing and considering all testimony and arguments, analyzing the information submitted by staff, and considering any written and oral comments received, the Planning Commission considered all facts relating to the request for the approval of Tentative Tract Map 24-02 for Monterrey Park; and

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Imperial as follows:

- A) That the foregoing recitations are true and correct; and
- B) The project has been reviewed in accordance with the requirements set forth by the City of Imperial for implementation of the California Environmental Quality Act; and
- C) There are no sensitive resources located within the area of the project or adjacent to the area of the project to be significantly impacted by the project; and

- D) That based on the evidence presented at the public hearing, the Planning Commission hereby determines that the project is consistent with the previously certified Negative Declaration in accordance with the requirements of the California Environmental Quality Act (CEQA).
- E) That approving the Tentative Tract Map TM 24-02 for Monterrey Park is consistent with the land uses allowed within the Single Family Residential (R-1) Zone; and
- G) That the City Attorney is authorized to make minor typographical changes to this Resolution that do not change the substance of this Resolution;

PASSED, ADOPTED AND APPROVED by the Planning Commission of the City of Imperial, this 23rd day of April, 2025.



Lisa Winkler
Planning Commission Vice-Chairperson

ATTEST:



Kristina Shields
City Clerk

EXHIBIT A
CONDITIONS OF APPROVAL FOR
MONTERREY PARK TENTATIVE TRACT MAP 24-02

1. Developer/Applicant shall comply with all local, State and Federal laws, regulations, rules, ordinances, and standards as they pertain to this project, whether specified herein or not. Where conflicts occur, the most stringent shall apply.
2. The Developer/Applicant shall offer for dedication all rights-of-way, easements, or parcels of land required for both on-site and off-site construction of streets, pipelines, utilities, and the stormwater retention basin.
3. The Developer/Applicant shall pay all impact and capacity fees.
4. The Developer/Applicant shall pay any and all amounts as determined by the City of Imperial to defray all costs for the review of maps, drawings, reports, field investigations, or other activities related to compliance of this project with City ordinances and/or any other laws, regulations, or requirements that apply. No Tract Map shall be recorded until such costs have been paid to the City.
5. All maps, plans, studies, cost estimates, designs and calculations required for this project shall be subject to the review and approval of the City Engineer, Department of Public Works and Department of Community Development prior to submittal for approval to record the Tract Map.
6. All infrastructure improvements shall be constructed, or in lieu thereof, security provided to ensure construction, prior to the recordation of a Tract Map. A Phasing Plan for infrastructure improvements shall be submitted to and approved by the City of Imperial City Council. The construction of on-site and off-site improvements shall adhere to the schedule set forth in the phasing plan and improvement plans. The phasing for the project has been attached hereto to these conditions of approval.
7. The Developer shall comply with the City's Water Master Plan to ensure sufficient volume and flow of water. The Developer shall construct new water mains and storage facilities in the project area if necessary and build according to City development standards. In the event that the collection system is improved by the City or another Developer, this project shall pay its fair share of the cost of improvements.
8. The Developer shall comply with the City's Sewer Master Plan to ensure sufficient handling of wastewater. The Developer shall improve the collection system through the construction of new sanitary sewer mains and lift stations where required and in accordance with City development standards. In the event that the collection system is improved by the City or another Developer, this project shall pay its fair share of the cost of improvements.
9. The Developer acknowledges that the potential pace of growth in the City and the resulting demand on City services such as water and wastewater may result in such services not being available. The Developer acknowledges particular concern with wastewater and agrees that capacity is not allocated until the issuance of a building permit. The Developer acknowledges that a building permit will not be issued unless there is sufficient wastewater capacity based on the total amount of building permits already issued at that time. To address a shortage in wastewater capacity, the parties may agree upon fair share fees for the construction

of a new wastewater treatment plant to respond to this project's wastewater demand.

10. The Developer shall comply with the Financial Responsibility clause of the Memorandum of Understanding between the City of Imperial and the Imperial Unified School District with regard to mitigation of school impacts. The terms of the Financial Responsibility shall be satisfied prior to the recordation of any Final Map as it relates to cash deposits, dedications and funding from a Community Facilities District (CFD). The Development Impact Fees for schools shall be paid prior to the issuance of any building permit. The City and the School District will jointly confirm that the terms of the Financial Responsibility have been fulfilled.
11. Prior to the start of any construction activity, a qualified California Department of Fish and Game (CDFG) biologist shall survey the site for any active owl burrows. Any burrows found shall be identified and flagged. Burrows shall not be disturbed during the mating season (February 15 to August 15). After the mating season ends, the burrows shall be destroyed by a qualified CDFG biologist to prevent the return of the owls to these burrows during the next mating season. All mitigation measures outlined in the Mitigated Negative Declaration shall apply.
12. A Grading and Drainage Plan/Study shall be submitted to the City Engineer for review and approval. The Grading and Drainage Plan/Study shall address property grading and erosion control which shall include the prevention of sedimentation or damage to off-site properties. A Storm Water Pollution Prevention Plan (SWPPP) shall be submitted to the City of Imperial for review and approval. Best Management Practices shall be utilized to minimize or prevent storm water pollution. Prior to the recordation of a Tract Map, the Developer/Applicant shall provide the City with a letter from the Imperial Irrigation District (IID) stating that the plans have been reviewed and approved for the discharge of storm water onto IID facilities.
13. The retention ponds must be designed to drain out within seventy-two (72) hours of any storm event. Retention Basins must be completed in accordance with the requirements set forth in condition 14(a) above. The bottom of the retention ponds shall have a minimum separation with the top of the groundwater table such that the ponds will function in their intended use.
14. Construction sites shall control dust (PM-10) generation through the implementation of the construction mitigation measures detailed in Regulation VIII of the Air Pollution Control District's CEQA handbook and as outlined in the Mitigation Monitoring Program.
15. The Developer/Applicant shall construct a six-foot (6') solid masonry wall along the Southern boundary adjacent to the Imperial County Airport, and the Eastern boundary of the project site adjacent to the retention basin prior to the occupancy of any structure. Landscaping, such as honeysuckle or other similar climbing plant, shall be provided along the fence lines to provide an additional noise buffer. The material and color of all walls required by this section shall be decorative and emulate the existing Eastern wall on the project site.
16. All on-site utilities, including power lines, telephone lines, and cable television lines shall be installed underground. In the event that the utility companies, such as the Imperial Irrigation District, determine that on-site utilities cannot be located underground, the Developer/Applicant may install such utilities as needed above ground.
17. The Developer/Applicant shall provide a soils report indicating, among other things, the suitability of the site for the proposed development, specifications for earthwork, design guidelines for slabs and foundations and recommended roadway sections. Soils directly below

and adjacent to the sewer outfall pipeline that was found in the northeast corner of the site shall be tested for hydrocarbon residues, volatiles and other heavy metals before construction begins within the vicinity. In the event that hazardous materials are found, the project site shall be remediated.

18. The conditional approval of the Tentative Map shall not constitute the waiver of any requirement of the City's Ordinances or regulations, except where a condition set forth herein specifically provides for a waiver. All mitigation measures outlined in the Mitigated Negative Declaration are hereby incorporated and made conditions of approval whether restated herein or not.
19. The Developer/Applicant shall obtain, pay for and comply with all permits from the Imperial Irrigation District, and other applicable agencies for all improvements within, across, or affecting the respective rights of way.
20. All Final Tract Maps shall provide for 10-foot public utility easements adjacent to all street rights of way for underground power, communications and cable television systems.
21. All off-site and on-site improvements shall comply with the City of Imperial Development Standards. Where no standards exist, the improvements shall be completed in accordance with the City Engineer's recommendations.
22. The Developer/Applicant shall comply with all requirements of the Imperial County Fire Department. Such requirements may include, but are not limited to, the location and sizing of fire hydrants, premise identification numbers (address numbers), and roadway access.
23. The Tentative Map shall be valid for a period of two years following the City Council approval and the appeal period. Tentative Map may be extended by virtue granted as State Law and the Subdivision Map Act deem.
24. The Developer/Applicant shall record agricultural easements, to put new homeowners on notice regarding the noise, dust, odors and other potential impacts associated with active farming of nearby lands. The Developer/Applicant shall also make homeowners aware of the Imperial County Right to Farm Ordinance when they purchase new homes in the project area.
25. A Phasing Plan shall be submitted, reviewed and approved by the City of Imperial City Council. Phasing of the development shall demonstrate that each phase can, together with any phases that preceded it, exist as an independent unit that meets all of the foregoing criteria and all other applicable regulations herein even if no subsequent phase should ever be completed. See attached revised Phasing Plan with sequencing for the project which complies with these revisions to the conditions of approval.
26. The Tract Map shall include an avigation easement for all lots created. In addition, all lots will be developed and sold with a hold harmless agreement with the City of Imperial and the County of Imperial Airport, and the US Naval Air Facility – El Centro. The avigation easement shall be reviewed and approved by the Imperial County Airport Manager and shall be consistent with the avigation easement recorded for the Sky Ranch Subdivision.
27. All residential development within the project site shall be constructed using building materials and techniques such as dual pane windows, and increased insulation to decrease interior noise levels within dwelling areas to 45 dba or lower.

28. Prior to approval of the Final Map, the applicant shall submit a request for the abandonment of the right-of-way area identified on the Tentative Map. The request shall include all necessary legal descriptions, exhibits, and supporting documentation required by the City. The abandonment shall be subject to City Council approval and shall not be finalized until all necessary easements, dedications, and public service provisions are addressed to the satisfaction of the City. The applicant shall be responsible for all costs associated with the abandonment process, including necessary mapping, legal descriptions, and utility relocations.
29. The Developer/Applicant shall agree to defend, indemnify and hold harmless the City of Imperial, Imperial County Airport, and the US Naval Air Facility – El Centro and their agents, including consultants, officers and employees from any claim, action or proceeding against the City, County Airport, or Naval Air Facility or their agents, including consultants, officers and employees to attack, set aside, void, or annul the approval of the Tentative Tract Map and associated Zone Change, General Plan Amendment and Mitigated Negative Declaration. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorneys fees, or expert witness costs that may be asserted by any person or entity, including the Developer/Applicant arising out of or in connection with the approval of the Tentative Tract Map and associated Zone Change, General Plan Amendment and Mitigated Negative Declaration, including any claim for private attorney general fees claimed by or awarded to any party from the City, County Airport or Naval Air Facility.
30. The Conditions of Approval from June 7, 2018, still apply to this project.

I, Kristina Shields, City Clerk of the City of Imperial, California, certify that the foregoing Resolution No. PC2025-08 was duly adopted at a meeting of the Imperial Planning Commission at its meeting held on the 23rd day of April 2025 by the following vote:

AYES: Curiel, Terrazas-Baxter, Winkler
NOES: None
ABSENT: None
ABSTAIN: Rivera and Abatti

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Imperial, California, on April 23, 2025.


KRISTINA SHIELDS
City Clerk



Jim Minnick
DIRECTOR

EXHIBIT B

Imperial County Planning & Development Services Planning / Building

November 21, 2025

Jupiter Ventures
Attn: Daniel Dobron
3823 Temecula Pkwy, Suite A
Temecula, CA 92592

SUBJECT: Airport Land Use Commission Determination for Jupiter Ventures Tentative Map
Monterrey Park Sub #2 Unit 3D Project; ALUC 04-25

Dear Applicant:

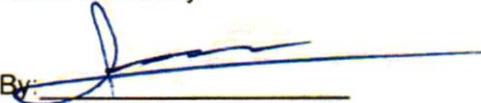
On November 19, 2025, the Airport Land Use Commission (ALUC) reviewed the request made by Jupiter Ventures for the proposed Tentative Map Monterrey Park Sub #2 Unit 3D Project located at the southwest corner of Monterrey Park Subdivision, Imperial, CA 92251. The applicant requested a review by ALUC for a determination of the consistency or inconsistency with the 1996 Airport Land Use Compatibility Plan (ALUCP).

After conducting a public hearing and hearing all the opponents and proponents of the proposed Tentative Map Monterrey Park Sub #2 Unit 3D Project, the Commission found it not consistent with the 1996 Airport Land Use Compatibility Plan (ALUCP).

If you should have any questions, please contact Alan C. Molina, Planner II, at (442) 265-1736 or via email at alanmolina@co.imperial.ca.us.

Sincerely,

JIM MINNICK
ALUC Secretary

By: 

Alan Molina, Planner II

CC: Jim Minnick, Planning & Dev. Services Director
Michael Abraham, AICP, Assistant ICPDS Director
Diana Robinson, ICPDS Manager
Daniel Dobron @ dan@pwdevelopment.com
Annette Leon @ annette@dubosedesigngroup.com
APN 064-295-084 & 064-281-068

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RESOLUTION NO. 2005-24

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL,
CALIFORNIA, APPROVING THE MONTERREY PARK TENTATIVE TRACT
MAP (APN 043-320-42) AND CERTIFYING A MITIGATED NEGATIVE
DECLARATION**

WHEREAS, Westshore Development, LLC., has submitted an application for a Tentative Tract Map for certain real property described as Parcel 2 of Parcel Map M-962, County of Imperial, State of California, according to Map on File in Book 4, Page 45 or Parcel Maps, in the Office of the County of Imperial; Said Land being a portion of the East half of Tract 46, Township 15 South, Range 13 East, San Bernardino Meridian; Excepting therefrom that portion conveyed to David E. Shenck and Catherine Shenck in Deed recorded July 27, 1983 in book 1505, Page 1089 of Official Records, otherwise known as APN 043-320-25-01; and

WHEREAS, a duly notified public hearing was held by the Planning Commission on April 27, 2005 (continued to May 11, 2005 and May 18, 2005) and by the City Council on June 1, 2005 (continued to June 15, 2005 and June 20, 2005); and

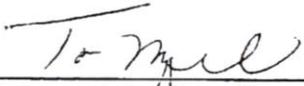
WHEREAS, upon hearing and considering all testimony and arguments, examining the Initial Environmental Study, analyzing the information submitted by staff and considering any written and oral comments received, the City Council considered all facts relating to the Tentative Tract Map.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Imperial as follows:

- A) That the foregoing recitations are true and correct; and
- B) That based on the evidence presented at the public hearing, the City Council hereby **APPROVES** the Tentative Tract Map for the Monterrey Park Tentative Tract Map subject to the conditions of approval outlined in Exhibit A and based on the following findings:
 - 1. The project has been reviewed in accordance with the requirements set forth by the City of Imperial for implementation of the California Environmental Quality Act.
 - 2. The project is in compliance with the California Environmental Quality Act, Section 2100 through 21176 of the Public Resources Code.
 - 3. The initial environmental assessment shows that there is no substantial evidence that the Tentative Tract Map may have a significant impact on the environment.

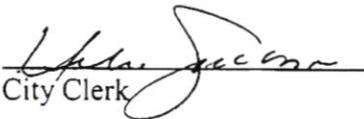
4. There are no sensitive resources located within the area of the project or adjacent to the area of the project so as to be significantly impacted by the project.
5. The proposed Tentative Tract Map is consistent with the intent of the Imperial General Plan to maintain land use designation consistency within the incorporated area of a City's and its sphere of influence.
6. The proposed Tentative Tract Map is consistent with the policies and the land uses of the existing City of Imperial General Plan.
7. The proposed Tentative Tract Map is consistent with the objective of the City of Imperial Zoning Ordinance.

PASSED, ADOPTED AND APPROVED by the City Council of the City of Imperial, this 20th day of June 2005.



Mayor of the City of Imperial

ATTEST:



City Clerk

STATE OF CALIFORNIA)
COUNTY OF IMPERIAL)ss
CITY OF IMPERIAL)

I, the undersigned, City Clerk of the City of Imperial, DO HEREBY CERTIFY that the foregoing Resolution No. 2005-24 was duly and regularly adopted at an adjourned regular meeting of the Imperial City Council held on the 20th day of June 2005, by the following vote:

AYES: COX, SAMPSON, AND MAZEROLL

NAYES: NONE

ABSENT: DALE

ABSTAIN: GRAN

MOTION CARRIED 3-0-1



DEBRA JACKSON, CITY CLERK
CITY OF IMPERIAL, CALIFORNIA

RESOLUTION 2005-24

EXHIBIT A

CONDITIONS OF APPROVAL

for

**MONTERREY PARK TENTATIVE TRACT MAP
(APN 043-320-42)**

1. Developer/Applicant shall comply with all local, State and Federal laws, regulations, rules, ordinances, and standards as they pertain to this project, whether specified herein or not. Where conflicts occur, the most stringent shall apply.
2. The Developer/Applicant shall offer for dedication all rights of way, easements, or parcels of land required for both on-site and off-site construction of streets, pipelines, utilities and the storm water retention basin.
3. The Developer/Applicant shall pay all impact and capacity fees.
4. The Developer/Applicant shall pay any and all amounts as determined by the City of Imperial to defray all costs for the review of maps, drawings, reports, field investigations, or other activities related to compliance of this project with City ordinances and/or any other laws, regulations, or requirements that apply. No Tract Map shall record until such costs have been paid to the City.
5. All maps, plans, studies, cost estimates, designs and calculations required for this project shall be subject to the review and approval of the City Engineer, Department of Public Works and Department of Community Development prior to submittal for approval to record the Tract Map.
6. All infrastructure improvements shall be constructed, or in lieu thereof, security provided to ensure construction, prior to the recordation of a Tract Map. A Phasing Plan for infrastructure improvements shall be submitted to and approved by the City of Imperial City Council. The construction of on-site and off-site improvements shall adhere to the schedule set forth in the phasing plan and improvement plans.
7. The Developer shall initiate through the City Council, the formation of a Special District for the maintenance of drainage/park facilities, street lighting, fencing and landscaping.
8. The Developer shall provide adequate financial assistance to offset the impacts to local law enforcement, fire and school services to ensure the level of service of these departments are not adversely affected by the estimated population increase as a result of the development of this project.

9. The Developer shall comply with the City's Water Master Plan to ensure sufficient volume and flow of water. The Developer shall construct new water mains and storage facilities in the project area if necessary and built according to City development standards. In the event that the collection system is improved by the City or another developer, this project shall pay its fair share of the cost of improvements.
10. The Developer shall comply with the City's Sewer Master Plan to ensure sufficient handling of wastewater. The Developer shall improve the collection system through the construction of new sanitary sewer mains and lift stations where required and in accordance with City development standards. In the event that the collection system is improved by the City or another developer, this project shall pay its fair share of the cost of improvements.
11. Developer acknowledges that the potential pace of growth in the City and resulting demand on City services such as water and wastewater may result in such services not being available. Developer acknowledges particular concern with wastewater and agrees that capacity is not allocated until issuance of a building permit. Developer acknowledges that a building permit will not issue unless there is sufficient wastewater capacity based on the total amount of building permits already issued at that time. In order to address a shortage in wastewater capacity, the parties may agree upon fair share fees for the construction of a new wastewater treatment plant to respond to this project's wastewater demand.
12. The Developer/Applicant shall submit a lighting plan prior to any construction activity. All lighting installed shall be shielded and directed so as to minimize significant off-site glare or adverse light intrusion into neighboring properties. Lighting improvements shall include street lights on Brewer Road, Nance Road interior streets, at bus stops and at mail kiosks. The lighting plan shall be reviewed and approved by the City of Imperial Planning Department, Building Department and the Imperial County Airport.
13. A Landscaping Plan shall be submitted to the City of Imperial for review and approval prior to the recordation of a Tract Map. Landscaping shall be provided in all parks and retention basins. Where noise walls are required along roadways and adjacent to the Imperial County Airport, landscaping shall also be provided. All landscaped areas shall be irrigated with automatic sprinkler systems.
14. The Developer shall provide a minimum of 10.5 acres of parks with recreational amenities. The type of amenities to be installed shall be as follows:
 - a. The 8.4-acre park/retention basin shall be developed with suitable landscaping, decomposed granite walking paths, and a total of two (2) park benches. This park/retention basin shall be developed and dedicated to the City prior to the occupancy of the first Final Map.
 - b. The half-acre pocket parks along Monterrey Park Lane shall be improved with sufficient landscaping, trees, park benches, walking paths and trash and

- recycling receptacles. Both pocket parks shall be dedicated to the City and developed prior to the occupancy of Phase III.
- c. The 4-acre park shall be developed with sufficient landscaping, trees, picnic tables, a gazebo, a restroom (for both males and females), barbecue pits, a volleyball court, and playground equipment for a small tot lot. This park shall be dedicated to the City and developed prior to the occupancy of Phase III.
 - d. All trees installed within the project site and the park areas shall be low-lying to prevent any conflicts with over-flight of aircrafts. No trees shall be planted within seventy-five feet (75') of the northern boundary of the relocated canal.
 - e. The Developer/Applicant shall install lighting within all park areas for night-time security. All lighting shall be shielded and oriented so as not to create nuisance light and glare.
15. The Developer shall comply with the Financial Responsibility clause of the Memorandum of Understanding between the City of Imperial and the Imperial Unified School District with regards to mitigation of school impacts. The terms of the Financial Responsibility shall be satisfied prior to the recordation of any Final Map as it relates to cash deposits, dedications and funding from a Community Facilities District (CFD). The Development Impact Fees for schools shall be paid prior to issuance of any building permit. The City and the School District will jointly confirm that the terms of the Financial Responsibility have been fulfilled.
 16. The Developer shall provide centrally located school bus turnout(s) within the project site as specified by the Superintendent of the Imperial Unified School District. The bus turnout(s) shall be at least 40 feet in length and will be provided with crosswalks, signage, night-time lighting, and any other traffic calming devices specified by the School District or City in order to ensure student safety during loading and unloading.
 17. Prior to the start of any construction activity, a qualified California Department of Fish and Game (CDFG) biologist shall survey the site for any active owl burrows. Any burrows found shall be identified and flagged. Burrows shall not be disturbed during the mating season (February 15 to August 15). After the mating season ends, the burrows shall be destroyed by a qualified CDFG biologist to prevent the return of the owls to these burrows during the next mating season. All mitigation measures outlined in the Mitigated Negative Declaration shall apply.
 18. A Grading and Drainage Plan/Study shall be submitted to the City Engineer for review and approval. The Grading and Drainage Plan/Study shall address property grading and erosion control which shall include the prevention of sedimentation or damage to off-site properties. A Storm Water Pollution Prevention Plan (SWPPP) shall be submitted to the City of Imperial for review and approval. Best Management Practices shall be utilized to minimize or prevent storm water pollution. Prior to the recordation of a Tract Map, the Developer/Applicant shall provide the City with a letter from the Imperial Irrigation District (IID) stating that the plans have been reviewed and approved for the discharge of storm water onto IID facilities.

19. The retention ponds must be designed to drain out within seventy-two (72) hours of any storm event. Retention ponds must be landscaped so as to mitigate fugitive dust. The bottom of the retention ponds shall have a minimum separation with the top of the groundwater table such that the ponds will function in their intended use. Such ponds will not be credited as meeting the park requirement unless approved by the City.
20. Construction sites shall control dust (PM-10) generation through implementation of the construction mitigation measures detailed in Regulation VIII of the Air Pollution Control District's CEQA handbook and as outlined in the Mitigation Monitoring Program.
21. The Developer/Applicant shall construct a six-foot (6') solid masonry wall along the west boundary of the project site adjacent to Austin Road, and along the North boundary of the site adjacent to Brewer Road, prior to the occupancy of any structure. The masonry wall adjacent to Austin Road must be at minimum five feet higher than the grade of the Central Main Canal. Landscaping shall be provided along the walls on Brewer Road; and the Developer/Applicant shall also install landscaping along the fence line adjacent to the Imperial County Airport runway to provide an additional noise buffer. The material and color of all walls required by this section shall be decorative and subject to the review and approval by the Planning Commission. The Developer/Applicant shall also construct a chain-link fence along the northern boundary of the relocated canal adjacent to the airport boundary. The height of the fence shall be a minimum of six feet (6') in height or similar to the height of the fence along the northern boundary of the airport property, whichever is greater. Honeysuckle or other similar climbing plant shall be installed by the Developer/Applicant along the fence to provide visual and noise buffer.
22. All on-site utilities including power lines, telephone lines, and cable television lines shall be installed underground. In the event that the utility companies, such as the Imperial Irrigation District, determines that on-site utilities cannot be located underground, the Developer/Applicant may install such utilities as needed above ground.
23. The Developer/Applicant shall relocate all on-site canals (e.g. Central Main canal) and drains underground as shown on the Tentative Tract Map. In the event that the Imperial Irrigation District determines that on-site canals and drains cannot be located underground, the Developer/Applicant may install such utilities as needed above ground.
24. The Developer/Applicant shall provide a soils report indicating, among other things, the suitability of the site for the proposed development, specifications for earthwork, design guidelines for slabs and foundations and recommended roadway sections. Soils directly below and adjacent to the sewer outfall pipeline that was found in the northeast corner of the site shall be tested for hydrocarbon residues, volatiles and other heavy metals before construction begins within the vicinity. In the event that hazardous materials are found, the project site shall be remediated.
25. The conditional approval of the Tentative Subdivision Map, Zone Change and General Plan Amendment shall not constitute the waiver of any requirement of the City's

Ordinances or regulations, except where a condition set forth herein specifically provides for a waiver. All mitigation measures outlined in the Mitigated Negative Declaration are hereby incorporated and made conditions of approval whether restated herein or not.

26. The Developer/Applicant shall obtain, pay for and comply with all permits from the Imperial Irrigation District, and other applicable agencies for all improvements within, across, or affecting the respective rights of way.
27. All Final Tract Maps shall provide for 10-foot public utility easements adjacent to all street rights of way for underground power, communications and cable television systems.
28. All off-site and on-site improvements shall comply with the City of Imperial Development Standards. Where no standards exist, the improvements shall be completed in accordance with the City Engineer's recommendations.
29. The Developer/Applicant shall comply with all requirements of the Imperial County Fire Department. Such requirements may include, but are not limited to, the location and sizing of fire hydrants, premise identification numbers (address numbers), and roadway access.
30. The Tentative Subdivision Map shall be valid for a period of two years following the City Council approval and the appeal period.
31. The Developer/Applicant shall record agricultural easements, to put new homeowners on notice regarding the noise, dust, odors and other potential impacts associated with active farming of nearby lands. The Developer/Applicant shall also make homeowners aware of the Imperial County Right to Farm Ordinance when they purchase new homes in the project area.
32. A Phasing Plan shall be submitted, reviewed and approved by the City of Imperial City Council. Phasing of the development shall demonstrate each phase can, together with any phases that preceded it, exist as an independent unit that meets all of the foregoing criteria and all other applicable regulations herein even if no subsequent phase should ever be completed.
33. The Tract Map shall include an avigation easement for all lots created. In addition, all lots will be developed and sold with a hold harmless agreement with the City of Imperial and the County of Imperial Airport, and the US Naval Air Facility – El Centro. The avigation easement shall be reviewed and approved by the Imperial County Airport Manager and shall be consistent with the avigation easement recorded for the Sky Ranch Subdivision.
34. The Developer shall extend Brewer Road from its terminus at Nance Road to connect to Austin Road. The Developer shall improve Nance and Brewer Roads to residential collector standards with continuous left turn lanes. The Developer shall improve Austin Road with a continuous left turn lane. The Developer shall comply with all mitigation measures recommended by the most recently revised traffic study (May 6, 2005) which

states, among other things, that the Nance/Worthington intersection must have stop controls added to the east and west legs to convert the intersection to an all-way stop-controlled intersection. A southbound right hand turn lane shall be added to the Nance/Brewer Road intersection. Northbound right hand turn lanes shall be added to the Brewer/Austin Road and Austin/Worthington Road intersections. Installation of portions of the above-referenced improvements will require acquisition of land in which neither Developer nor City has sufficient title or interest. Prior to approval of a final map, the Developer shall either acquire the necessary interest or enter an agreement provided for by Government Code Section 66462.5 to complete the improvements prior to issuance of any building permit. At City's sole discretion, Developer will either undertake private condemnation or pay all costs associated with annexation. Installation of the above-referenced improvements will be subject to a fair share reimbursement at the time development occurs (i.e., building permits are issued) within the surrounding areas.

35. The Developer shall pay fair share fees for the improvement of Worthington Road between Nance Road and Highway 86 to a four lane road with secondary arterial status. The cumulative impacts to the Highway 86/Worthington Road intersection shall be mitigated by re-striping the approaches so that there is an eastbound left lane, an eastbound shared through-right lane, a westbound left lane, and a shared westbound through-right lane. The intersection will also have the following additional lanes added: southbound and northbound through lanes, eastbound through, eastbound left, westbound through, and westbound left. The Developer shall pay fair share fees for the mitigation of these cumulative impacts.
36. A Class II bikeway shall be constructed within the project site and along Brewer Road to ensure connectivity with those bikeways identified within the City of Imperial Bicycle Master Plan. Worthington Road shall be improved with a Class II bikeway.
37. In a meeting with Imperial Irrigation District (IID) Staff on June 14, 2005, the IID stated that it will reconfigure existing circuits to provide the necessary electrical power to the area, and as such, an electrical substation is not needed. The Developer may relocate the proposed RV parking area to that area designated for an IID substation shown on the Tentative Tract Map. The area formerly occupied by the proposed RV parking area shall remain a landscaped, open space area. In the event that IID will require a substation on the project site, the substation shall be screened on all sides with a six foot (6') high masonry wall that matches the masonry walls to be built on the boundaries of the project site. The color and material type of these walls will be subject to the approval of the Planning Commission. The perimeter of the substation shall also be landscaped with turf, shrubs, and trees to the greatest extent feasible in order to reduce the aesthetic impact that this substation will have on the project site. The City acknowledges that the substation will be shared with surrounding developments and Developers may enter into fair share agreement(s) amongst themselves.
38. All residential development within the project site shall be constructed using building materials and techniques such as dual pane windows, and increased insulation to decrease interior noise levels within dwelling areas to 45 dba or lower.

39. The Developer/Applicant shall agree to defend, indemnify and hold harmless the City of Imperial, Imperial County Airport, and the US Naval Air Facility – El Centro and their agents, including consultants, officers and employees from any claim, action or proceeding against the City, County Airport, or Naval Air Facility or their agents, including consultants, officers and employees to attack, set aside, void, or annul the approval of the Tentative Tract Map and associated Zone Change, General Plan Amendment and Mitigated Negative Declaration. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorneys fees, or expert witness costs that may be asserted by any person or entity, including the Developer/Applicant arising out of or in connection with the approval of the Tentative Tract Map and associated Zone Change, General Plan Amendment and Mitigated Negative Declaration, including any claim for private attorney general fees claimed by or awarded to any party from the City, County Airport or Naval Air Facility.

RESOLUTION NO. 2005-33

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL
APPROVING AND ADOPTING THE ENVIRONMENTAL DOCUMENTS FOR THE
MONTERREY PARK SUBDIVISION LOCATED AT THE SOUTHEAST CORNER OF
AUSTIN AND BREWER ROADS**

WHEREAS, the Environmental Evaluation Committee has conducted an initial study on the possible environmental consequences of the proposed Monterrey Park project, which study was initially completed November 11, 2004; and

WHEREAS, the study, in its final form, did not identify any significant effects on the environment which would result from the proposed project provided certain mitigation measures therein identified and listed were adopted and implemented; and

WHEREAS, the Environmental Evaluation Committee, based on the Initial Study, determined that any potential environmental effects of the proposed project have been clearly mitigated by the identified mitigation measures to the point where no significant environmental effects would occur and the Planning Director, based upon this determination, prepared a Negative Declaration, subject to mitigating requirements, with respect to the environmental consequences of the subject project; and

WHEREAS, a notice of the preparation and the posting of the proposed Mitigated Negative Declaration was duly posted and given and comments from the public and interested persons were invited; and

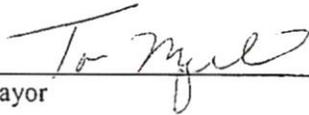
WHEREAS, the Council of the City of Imperial has reviewed and considered the environmental study, the findings and determination of the Environmental Evaluation Committee and the Planning Commission, the proposed Mitigated Negative Declaration, the proposed Mitigation Monitoring Program, the staff reports, oral and written, and the comments, statements, and other evidence presented by all persons, including members of the public, who appeared and addressed the City Council at the public hearing held on June 15, 2005, and June 20, 2005, all comments and materials submitted prior thereto; and

WHEREAS, the Council of the City of Imperial has before it all of the necessary environmental information required by the California Environmental Quality Act (CEQA) to properly analyze and evaluate any and all of the potential environmental impacts of the proposed project.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Imperial, based upon the findings and the records and files herein, and the findings above made, hereby determines that the proposed Monterrey Park project will not have a significant effect upon the environment if the mitigation measures listed and identified in the Mitigated Negative Declaration and associated Mitigation Monitoring Program are implemented prior to development of the subject property.

BE IT FURTHER RESOLVED that the Council approves and adopts the Mitigated Negative Declaration and Mitigation Monitoring Program.

PASSED AND ADOPTED this 20th day of June, 2005.



Mayor

ATTEST:



City Clerk

STATE OF CALIFORNIA)
COUNTY OF IMPERIAL)ss
CITY OF IMPERIAL)

I, the undersigned, City Clerk of the City of Imperial, DO HEREBY CERTIFY that the foregoing Resolution No. 2005-33 was duly and regularly adopted at an adjourned regular meeting of the Imperial City Council held on the 20th day of June 2005, by the following vote:

AYES: COX, SAMPSON, AND MAZEROLL

NAYES: NONE

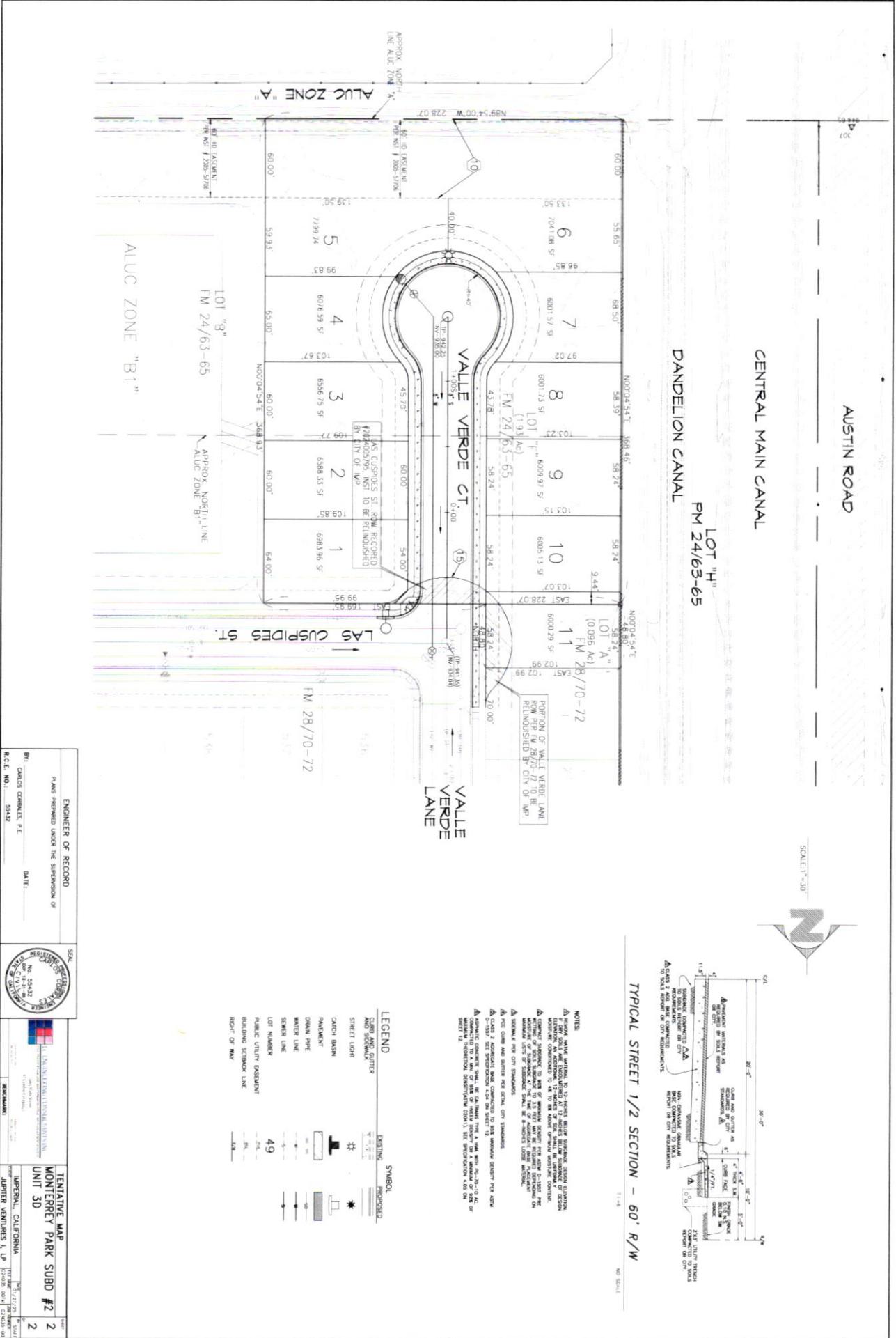
ABSENT: DALE

ABSTAIN: GRAN

MOTION CARRIED 3-0-1



DEBRA JACKSON, CITY CLERK
CITY OF IMPERIAL, CALIFORNIA



ENGINEER OF RECORD
 PLANS PREPARED UNDER THE SUPERVISION OF
 BR: CARLOS CORALES, P.E. DATE: _____
 R.E. NO.: 35432



MONTERREY PARK SUBD #2
 UNIT 3D
 JUPITER VENTURES I, LP

NO.	REVISION	DATE
2	MONTERREY PARK SUBD #2 UNIT 3D	07/27/24
2	JUPITER VENTURES I, LP	07/27/24

RESOLUTION NO. 2026-02

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL, CALIFORNIA, APPROVING TENTATIVE TRACT MAP 24-02 FOR MONTERREY PARK SUB #2 UNIT 3D (APN 064-295-084 AND APN 064-281-068)

WHEREAS, the Applicant has applied for a Tentative Map to subdivide a 2.43-acre net lot area into eleven (11) single-family residential lots within the Single-Family Residential (R-1) Zone, subject to the approval of a Tentative Tract Map; and

WHEREAS, the City of Imperial Municipal Code and the Subdivision Map Act allow the subdivision of the 2.43-acre net lot area into eleven (11) new single-family residential lots within the Single-Family Residential (R-1) Zone, subject to the approval of a Tentative Tract Map; and

WHEREAS, a duly notified public hearing was held by the Planning Commission on April 23, 2025, to hear testimony for and against the proposed Tentative Tract Map TM 24-02 for Monterrey Park, where the Planning Commission approved Resolution PC2025-08 and is hereto as attached as Exhibit A; and

WHEREAS, a review of consistency with the Airport Land Use Compatibility Plan of 1996 conducted on November 19, 2025, by the Airport Land Use Commission determined the project was not consistent with the plan, evidenced by the determination letter attached as Exhibit B; and

WHEREAS, in accordance with the requirements of the California Environmental Quality Act (CEQA), staff analyzed Tentative Tract Map TM 24-02 for Monterrey Park, and determined that the request is consistent with the previously certified Negative Declaration; and

WHEREAS, a duly notified public hearing was published on December 25, 2025, in a local newspaper of general circulation, indicating the date and time of the public hearing in compliance with state law concerning the Tentative Tract Map TM 24-02 for Monterrey Park, and said notice was mailed to each property owner within a 300-foot radius of the project site; and

WHEREAS, upon hearing and considering all testimony and arguments, analyzing the information submitted by staff, and considering any written and oral comments received, the City of Imperial City Council considered all facts relating to the request for the approval of Tentative Tract Map 24-02 for Monterrey Park; and

NOW, THEREFORE, BE IT RESOLVED by the City of Imperial City Council as follows:

- A) That the foregoing recitations are true and correct; and
- B) The project has been reviewed in accordance with the requirements set forth by the City of Imperial for implementation of the California Environmental Quality Act; and

- C) There are no sensitive resources located within the area of the project or adjacent to the area of the project to be significantly impacted by the project; and
- D) That based on the evidence presented at the public hearing, the City Council hereby determines that the project is consistent with the previously certified Mitigated Negative Declaration in accordance with the requirements of the California Environmental Quality Act (CEQA).
- E) That approving Tentative Tract Map TM 24-02 for Monterrey Park is consistent with the land uses allowed within the Single Family Residential (R-1) Zone and subject to the Conditions of Approval in Exhibit C; and
- G) That the City Attorney is authorized to make minor typographical changes to this Resolution that do not change the substance of this Resolution;

PASSED, ADOPTED AND APPROVED by the Planning Commission of the City of Imperial, this 7th day of January, 2026.

Ida Obeso-Martinez
Mayor

ATTEST:

Kristina Shields
City Clerk

EXHIBIT A

RESOLUTION NO. PC2025-08

A RESOLUTION OF THE PLANNING COMMISSION, OF THE CITY OF IMPERIAL, APPROVING TENTATIVE TRACT MAP 24-02 FOR MONTERREY PARK SUB #2 UNIT 3D (APN 064-295-084 AND APN 064-281-068)

WHEREAS, the Applicant has applied for a Tentative Map to subdivide a 2.43-acre net lot area into eleven (11) single-family residential lots within the Single-Family Residential (R-1) Zone, subject to the approval of a Tentative Tract Map; and

WHEREAS, the City of Imperial Municipal Code and the Subdivision Map Act allows the subdivision of the 2.43-acre net lot area into eleven (11) new single-family residential lots within the Single-Family Residential (R-1) Zone subject to the approval of a Tentative Tract Map; and

WHEREAS, a duly notified public hearing was published on April 10, 2025, in a local newspaper of general circulation, indicating the date and time of the public hearing in compliance with state law concerning the Tentative Tract Map TM 24-02 for Monterrey Park, and said notice was mailed to each property owner within a 300-foot radius of the project site; and

WHEREAS, a duly notified public hearing was held by the Planning Commission on April 23, 2025, to hear testimony for and against the proposed Tentative Tract Map TM 24-02 for Monterrey Park; and

WHEREAS, in accordance with the requirements of the California Environmental Quality Act (CEQA), staff analyzed Tentative Tract Map TM 24-02 for Monterrey Park, and determined that the request is consistent with the previously certified Negative Declaration in accordance with the requirements of the California Environmental Quality Act (CEQA).

WHEREAS, upon hearing and considering all testimony and arguments, analyzing the information submitted by staff, and considering any written and oral comments received, the Planning Commission considered all facts relating to the request for the approval of Tentative Tract Map 24-02 for Monterrey Park; and

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Imperial as follows:

- A) That the foregoing recitations are true and correct; and
- B) The project has been reviewed in accordance with the requirements set forth by the City of Imperial for implementation of the California Environmental Quality Act; and
- C) There are no sensitive resources located within the area of the project or adjacent to the area of the project to be significantly impacted by the project; and

EXHIBIT A

- D) That based on the evidence presented at the public hearing, the Planning Commission hereby determines that the project is consistent with the previously certified Negative Declaration in accordance with the requirements of the California Environmental Quality Act (CEQA).
- E) That approving the Tentative Tract Map TM 24-02 for Monterrey Park is consistent with the land uses allowed within the Single Family Residential (R-1) Zone; and
- G) That the City Attorney is authorized to make minor typographical changes to this Resolution that do not change the substance of this Resolution;

PASSED, ADOPTED AND APPROVED by the Planning Commission of the City of Imperial, this 23rd day of April, 2025.


Lisa Winkler
Planning Commission Vice-Chairperson

ATTEST:


Kristina Shields
City Clerk



Jim Minnick
DIRECTOR

EXHIBIT B

Imperial County Planning & Development Services Planning / Building

November 21, 2025

Jupiter Ventures
Attn: Daniel Dobron
3823 Temecula Pkwy, Suite A
Temecula, CA 92592

SUBJECT: Airport Land Use Commission Determination for Jupiter Ventures Tentative Map
Monterrey Park Sub #2 Unit 3D Project; ALUC 04-25

Dear Applicant:

On November 19, 2025, the Airport Land Use Commission (ALUC) reviewed the request made by Jupiter Ventures for the proposed Tentative Map Monterrey Park Sub #2 Unit 3D Project located at the southwest corner of Monterrey Park Subdivision, Imperial, CA 92251. The applicant requested a review by ALUC for a determination of the consistency or inconsistency with the 1996 Airport Land Use Compatibility Plan (ALUCP).

After conducting a public hearing and hearing all the opponents and proponents of the proposed Tentative Map Monterrey Park Sub #2 Unit 3D Project, the Commission found it not consistent with the 1996 Airport Land Use Compatibility Plan (ALUCP).

If you should have any questions, please contact Alan C. Molina, Planner II, at (442) 265-1736 or via email at alanmolina@co.imperial.ca.us.

Sincerely,

JIM MINNICK
ALUC Secretary

By: 
Alan Molina, Planner II

CC: Jim Minnick, Planning & Dev. Services Director
Michael Abraham, AICP, Assistant ICPDS Director
Diana Robinson, ICPDS Manager
Daniel Dobron @ dan@pwdevelopment.com
Annette Leon @ annette@dubosedesigngroup.com
APN 064-295-084 & 064-281-068

AMNS:\AllUsers\APN\064\295\084\ALUC 04-25 Jupiter Ventures\ALUC Determination Letter.docx

EXHIBIT C

CONDITIONS OF APPROVAL FOR MONTERREY PARK TENTATIVE TRACT MAP 24-02

1. Developer/Applicant shall comply with all local, State and Federal laws, regulations, rules, ordinances, and standards as they pertain to this project, whether specified herein or not. Where conflicts occur, the most stringent shall apply.
2. The Developer/Applicant shall offer for dedication all rights-of-way, easements, or parcels of land required for both on-site and off-site construction of streets, pipelines, utilities, and the stormwater retention basin.
3. The Developer/Applicant shall pay all impact and capacity fees.
4. The Developer/Applicant shall pay any and all amounts as determined by the City of Imperial to defray all costs for the review of maps, drawings, reports, field investigations, or other activities related to compliance of this project with City ordinances and/or any other laws, regulations, or requirements that apply. No Tract Map shall be recorded until such costs have been paid to the City.
5. All maps, plans, studies, cost estimates, designs and calculations required for this project shall be subject to the review and approval of the City Engineer, Department of Public Works and Department of Community Development prior to submittal for approval to record the Tract Map.
6. All infrastructure improvements shall be constructed, or in lieu thereof, security provided to ensure construction, prior to the recordation of a Tract Map. A Phasing Plan for infrastructure improvements shall be submitted to and approved by the City of Imperial City Council. The construction of on-site and off-site improvements shall adhere to the schedule set forth in the phasing plan and improvement plans. The phasing for the project has been attached hereto to these conditions of approval.
7. The Developer shall comply with the City's Water Master Plan to ensure sufficient volume and flow of water. The Developer shall construct new water mains and storage facilities in the project area if necessary and build according to City development standards. In the event that the collection system is improved by the City or another Developer, this project shall pay its fair share of the cost of improvements.
8. The Developer shall comply with the City's Sewer Master Plan to ensure sufficient handling of wastewater. The Developer shall improve the collection system through the construction of new sanitary sewer mains and lift stations where required and in accordance with City development standards. In the event that the collection system is improved by the City or another Developer, this project shall pay its fair share of the cost of improvements.
9. The Developer acknowledges that the potential pace of growth in the City and the resulting demand on City services such as water and wastewater may result in such services not being available. The Developer acknowledges particular concern with wastewater and agrees that capacity is not allocated until the issuance of a building permit. The Developer acknowledges that a building permit will not be issued unless there is sufficient wastewater

capacity based on the total amount of building permits already issued at that time. To address a shortage in wastewater capacity, the parties may agree upon fair share fees for the construction of a new wastewater treatment plant to respond to this project's wastewater demand.

10. The Developer shall comply with the Financial Responsibility clause of the Memorandum of Understanding between the City of Imperial and the Imperial Unified School District with regard to mitigation of school impacts. The terms of the Financial Responsibility shall be satisfied prior to the recordation of any Final Map as it relates to cash deposits, dedications and funding from a Community Facilities District (CFD). The Development Impact Fees for schools shall be paid prior to the issuance of any building permit. The City and the School District will jointly confirm that the terms of the Financial Responsibility have been fulfilled.
11. Prior to the start of any construction activity, a qualified California Department of Fish and Game (CDFG) biologist shall survey the site for any active owl burrows. Any burrows found shall be identified and flagged. Burrows shall not be disturbed during the mating season (February 15 to August 15). After the mating season ends, the burrows shall be destroyed by a qualified CDFG biologist to prevent the return of the owls to these burrows during the next mating season. All mitigation measures outlined in the Mitigated Negative Declaration shall apply.
12. A Grading and Drainage Plan/Study shall be submitted to the City Engineer for review and approval. The Grading and Drainage Plan/Study shall address property grading and erosion control which shall include the prevention of sedimentation or damage to off-site properties. A Storm Water Pollution Prevention Plan (SWPPP) shall be submitted to the City of Imperial for review and approval. Best Management Practices shall be utilized to minimize or prevent storm water pollution. Prior to the recordation of a Tract Map, the Developer/Applicant shall provide the City with a letter from the Imperial Irrigation District (IID) stating that the plans have been reviewed and approved for the discharge of storm water onto IID facilities.
13. The retention ponds must be designed to drain out within seventy-two (72) hours of any storm event. Retention Basins must be completed in accordance with the requirements set forth in condition 14(a) above. The bottom of the retention ponds shall have a minimum separation with the top of the groundwater table such that the ponds will function in their intended use.
14. Construction sites shall control dust (PM-10) generation through the implementation of the construction mitigation measures detailed in Regulation VIII of the Air Pollution Control District's CEQA handbook and as outlined in the Mitigation Monitoring Program.
15. The Developer/Applicant shall construct a six-foot (6') solid masonry wall along the Southern boundary adjacent to the Imperial County Airport, and the Eastern boundary of the project site adjacent to the retention basin prior to the occupancy of any structure. Landscaping, such as honeysuckle or other similar climbing plant, shall be provided along the fence lines to provide an additional noise buffer. The material and color of all walls required by this section shall be decorative and emulate the existing Eastern wall on the project site.
16. All on-site utilities, including power lines, telephone lines, and cable television lines shall be installed underground. In the event that the utility companies, such as the Imperial Irrigation District, determine that on-site utilities cannot be located underground, the Developer/Applicant may install such utilities as needed above ground.
17. The Developer/Applicant shall provide a soils report indicating, among other things, the

suitability of the site for the proposed development, specifications for earthwork, design guidelines for slabs and foundations and recommended roadway sections. Soils directly below and adjacent to the sewer outfall pipeline that was found in the northeast corner of the site shall be tested for hydrocarbon residues, volatiles and other heavy metals before construction begins within the vicinity. In the event that hazardous materials are found, the project site shall be remediated.

18. The conditional approval of the Tentative Map shall not constitute the waiver of any requirement of the City's Ordinances or regulations, except where a condition set forth herein specifically provides for a waiver. All mitigation measures outlined in the Mitigated Negative Declaration are hereby incorporated and made conditions of approval whether restated herein or not.
19. The Developer/Applicant shall obtain, pay for and comply with all permits from the Imperial Irrigation District, and other applicable agencies for all improvements within, across, or affecting the respective rights of way.
20. All Final Tract Maps shall provide for 10-foot public utility easements adjacent to all street rights of way for underground power, communications and cable television systems.
21. All off-site and on-site improvements shall comply with the City of Imperial Development Standards. Where no standards exist, the improvements shall be completed in accordance with the City Engineer's recommendations.
22. The Developer/Applicant shall comply with all requirements of the Imperial County Fire Department. Such requirements may include, but are not limited to, the location and sizing of fire hydrants, premise identification numbers (address numbers), and roadway access.
23. The Tentative Map shall be valid for a period of two years following the City Council approval and the appeal period. Tentative Map may be extended by virtue granted as State Law and the Subdivision Map Act deem.
24. The Developer/Applicant shall record agricultural easements, to put new homeowners on notice regarding the noise, dust, odors and other potential impacts associated with active farming of nearby lands. The Developer/Applicant shall also make homeowners aware of the Imperial County Right to Farm Ordinance when they purchase new homes in the project area.
25. A Phasing Plan shall be submitted, reviewed and approved by the City of Imperial City Council. Phasing of the development shall demonstrate that each phase can, together with any phases that preceded it, exist as an independent unit that meets all of the foregoing criteria and all other applicable regulations herein even if no subsequent phase should ever be completed. See attached revised Phasing Plan with sequencing for the project which complies with these revisions to the conditions of approval.
26. The Tract Map shall include an avigation easement for all lots created. In addition, all lots will be developed and sold with a hold harmless agreement with the City of Imperial and the County of Imperial Airport, and the US Naval Air Facility – El Centro. The avigation easement shall be reviewed and approved by the Imperial County Airport Manager and shall be consistent with the avigation easement recorded for the Sky Ranch Subdivision.
27. All residential development within the project site shall be constructed using building

- materials and techniques such as dual pane windows, and increased insulation to decrease interior noise levels within dwelling areas to 45 dba or lower.
28. Prior to approval of the Final Map, the applicant shall submit a request for the abandonment of the right-of-way area identified on the Tentative Map. The request shall include all necessary legal descriptions, exhibits, and supporting documentation required by the City. The abandonment shall be subject to City Council approval and shall not be finalized until all necessary easements, dedications, and public service provisions are addressed to the satisfaction of the City. The applicant shall be responsible for all costs associated with the abandonment process, including necessary mapping, legal descriptions, and utility relocations.
 29. The Developer/Applicant shall agree to defend, indemnify and hold harmless the City of Imperial, Imperial County Airport, and the US Naval Air Facility – El Centro and their agents, including consultants, officers and employees from any claim, action or proceeding against the City, County Airport, or Naval Air Facility or their agents, including consultants, officers and employees to attack, set aside, void, or annul the approval of the Tentative Tract Map and associated Zone Change, General Plan Amendment and Mitigated Negative Declaration. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorneys fees, or expert witness costs that may be asserted by any person or entity, including the Developer/Applicant arising out of or in connection with the approval of the Tentative Tract Map and associated Zone Change, General Plan Amendment and Mitigated Negative Declaration, including any claim for private attorney general fees claimed by or awarded to any party from the City, County Airport or Naval Air Facility.
 30. The Conditions of Approval from Resolution 2018-49 (Conditions of Approval Revisions: June 7, 2018), still apply to this project.

*Monterrey Park Tentative Tract Map Conditions of
Approval
(Latest Revision: April 18, 2007)
(Proposed City Revisions: June 7, 2018)*

CONDITIONS OF APPROVAL

for

MONTERREY PARK TENTATIVE TRACT MAP (APN 043-320-42)

APPROVED BY RESOLUTION 2005-24 (June 1, 2005)
AMENDED BY RESOLUTION 2006-56 (September 20, 2006)
AMENDED BY RESOLUTION 2007-15 (April 18, 2007)
AMENDED BY RESOLUTION 2018-XX (June X, 2018)

1. Developer/Applicant shall comply with all local, State and Federal laws, regulations, rules, ordinances, and standards as they pertain to this project, whether specified herein or not. Where conflicts occur, the most stringent shall apply.
2. The Developer/Applicant shall offer for dedication all rights of way, easements, or parcels of land required for both on-site and off-site construction of streets, pipelines, utilities and the storm water retention basin.
3. The Developer/Applicant shall pay all impact and capacity fees.
4. The Developer/Applicant shall pay any and all amounts as determined by the City of Imperial to defray all costs for the review of maps, drawings, reports, field investigations, or other activities related to compliance of this project with City ordinances and/or any other laws, regulations, or requirements that apply. No Tract Map shall record until such costs have been paid to the City.
5. All maps, plans, studies, cost estimates, designs and calculations required for this project shall be subject to the review and approval of the City Engineer, Department of Public Works and Department of Community Development prior to submittal for approval to record the Tract Map.
6. All infrastructure improvements shall be constructed, or in lieu thereof, security provided to ensure construction, prior to the recordation of a Tract Map. A Phasing Plan for infrastructure improvements shall be submitted to and approved by the City of Imperial City Council. The construction of on-site and off-site improvements shall adhere to the schedule set forth in the phasing plan and improvement plans. The phasing for the project has been attached hereto to these conditions of approval.

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7. The Developer shall initiate through the City Council, the formation of a Special District for the maintenance of drainage/park facilities, street lighting, fencing and landscaping.
8. The Developer shall provide adequate financial assistance to offset the impacts to local law enforcement, fire and school services to ensure the level of service of these departments are not adversely affected by the estimated population increase as a result of the development of this project.
9. The Developer shall comply with the City's Water Master Plan to ensure sufficient volume and flow of water. The Developer shall construct new water mains and storage facilities in the project area if necessary and built according to City development standards. In the event that the collection system is improved by the City or another developer, this project shall pay its fair share of the cost of improvements.
10. The Developer shall comply with the City's Sewer Master Plan to ensure sufficient handling of wastewater. The Developer shall improve the collection system through the construction of new sanitary sewer mains and lift stations where required and in accordance with City development standards. In the event that the collection system is improved by the City or another developer, this project shall pay its fair share of the cost of improvements.
11. Developer acknowledges that the potential pace of growth in the City and resulting demand on City services such as water and wastewater may result in such services not being available. Developer acknowledges particular concern with wastewater and agrees that capacity is not allocated until issuance of a building permit. Developer acknowledges that a building permit will not issue unless there is sufficient wastewater capacity based on the total amount of building permits already issued at that time. In order to address a shortage in wastewater capacity, the parties may agree upon fair share fees for the construction of a new wastewater treatment plant to respond to this project's wastewater demand.
12. The Developer/Applicant shall submit a lighting plan prior to any construction activity. All lighting installed shall be shielded and directed so as to minimize significant off-site glare or adverse light intrusion into neighboring properties. Lighting improvements shall include street lights on Brewer Road, Nance Road interior streets, at bus stops and at mail kiosks. The lighting plan shall be reviewed and approved by the City of Imperial Planning Department, Building Department and the Imperial County Airport.
13. A Landscaping Plan shall be submitted to the City of Imperial for review and approval prior to the recordation of a Tract Map. Landscaping shall be provided in all parks **and retention basins as deemed by the City of Imperial per condition of approval # 14**. Where noise walls are required along roadways and adjacent to the Imperial County Airport, landscaping shall also be provided. All landscaped areas shall be irrigated with automatic sprinkler systems.

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14. The Developer shall provide a minimum of 10.5 acres of parks with recreational amenities. The type of amenities to be installed shall be as follows:
- a. The 8.4-acre retention basin shall be graded according to approved plans and developer will provide (1) an access road made of decomposed granite for maintenance by the City of Imperial, (2) a decomposed granite walkway around the top of the basin, and (3) erosion control "glue" on the slopes and the bottom of the basin to mitigate fugitive dust. All of these items shall be subject to approval by the City of Imperial. The Park Committee may review and approve, at their discretion, an alternate development plan submitted by the Developer. This retention basin shall be completed and be dedicated to the City by the end of Phase III (B) or Phase IV(B).

Note: The retention basin has already been graded out per the approved plans and the storm drain system is completed and runs all the way down to the retention basin already. The retention basin already functions as it is intended to.

- b. The half-acre pocket park along Monterrey Park Lane that is located within Phase III of the project development shall be completed and dedicated to the City of Imperial prior to the issuance of the certificate of occupancy which is past 50% of the phase within Phase III(B) or the final certificate of occupancy within Phase IV(B); whichever occurs first. The pocket park shall be improved with sufficient landscaping, trees, (5) park benches, walking path, trash and recycling receptacles.
 - c. The 4-acre park shall be developed with sufficient landscaping, trees, (2) picnic tables, a gazebo, (1) barbecue, a volleyball court, and playground equipment for a small tot lot. The first building permit issued either for Phase III(C) or Phase IV(C) triggers the need for the developer to post a security bond for the park landscaping and park improvements. The park shall be completed and dedicated to the City prior to the first issuance of a certificate of occupancy on any home located on Las Cuspides Street, within Phase III(C).
 - d. All trees installed within the project site and the park areas shall be low-lying to prevent any conflicts with over-flight of aircrafts. No trees shall be planted within seventy-five feet (75') of the northern boundary of the relocated canal.
 - e. The Developer/Applicant shall install lighting within all park areas for night-time security. All lighting shall be shielded and oriented so as not to create nuisance light and glare.
15. The Developer shall comply with the Financial Responsibility clause of the Memorandum of Understanding between the City of Imperial and the Imperial Unified School District with regards to mitigation of school impacts. The terms of the Financial Responsibility shall be satisfied prior to the recordation of any Final Map as it relates to cash deposits, dedications and funding from a Community Facilities District (CFD). The Development Impact Fees for schools shall be paid prior to issuance of any building permit. The City and the School District will jointly confirm that the terms of the Financial Responsibility have been fulfilled.

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16. The Developer shall provide centrally located school bus turnout(s) within the project site as specified by the Superintendent of the Imperial Unified School District. The bus turnout(s) shall be at least 40 feet in length and will be provided with crosswalks, signage, night-time lighting, and any other traffic calming devices specified by the School District or City in order to ensure student safety during loading and unloading.
17. Prior to the start of any construction activity, a qualified California Department of Fish and Game (CDFG) biologist shall survey the site for any active owl burrows. Any burrows found shall be identified and flagged. Burrows shall not be disturbed during the mating season (February 15 to August 15). After the mating season ends, the burrows shall be destroyed by a qualified CDFG biologist to prevent the return of the owls to these burrows during the next mating season. All mitigation measures outlined in the Mitigated Negative Declaration shall apply.
18. A Grading and Drainage Plan/Study shall be submitted to the City Engineer for review and approval. The Grading and Drainage Plan/Study shall address property grading and erosion control which shall include the prevention of sedimentation or damage to off-site properties. A Storm Water Pollution Prevention Plan (SWPPP) shall be submitted to the City of Imperial for review and approval. Best Management Practices shall be utilized to minimize or prevent storm water pollution. Prior to the recordation of a Tract Map, the Developer/Applicant shall provide the City with a letter from the Imperial Irrigation District (IID) stating that the plans have been reviewed and approved for the discharge of storm water onto IID facilities.
19. The retention ponds must be designed to drain out within seventy-two (72) hours of any storm event. **Retention Basins must be completed in accordance with the requirements set forth in condition 14(a) above.** The bottom of the retention ponds shall have a minimum separation with the top of the groundwater table such that the ponds will function in their intended use.
20. Construction sites shall control dust (PM-10) generation through implementation of the construction mitigation measures detailed in Regulation VIII of the Air Pollution Control District's CEQA handbook and as outlined in the Mitigation Monitoring Program.
21. The Developer/Applicant shall construct a six-foot (6') solid masonry wall along the west boundary of the project site adjacent to Austin Road, and along the North boundary of the site adjacent to Brewer Road, prior to the occupancy of any structure. The masonry wall adjacent to Austin Road must be at minimum five feet higher than the grade of the Central Main Canal. Landscaping shall be provided along the walls on Brewer Road; and the Developer/Applicant shall also install landscaping along the fence line adjacent to the Imperial County Airport runway to provide an additional noise buffer. The material and color of all walls required by this section shall be decorative and subject to the review and approval by the Planning Commission. The Developer/Applicant shall also construct a chain-link fence along the northern boundary of the relocated canal adjacent to the airport boundary. The height of the fence shall be a minimum of six feet (6') in height or similar to the height of the fence along the northern boundary of the airport property, whichever is greater. Honeysuckle or other similar climbing plant shall be installed by the Developer/Applicant along the fence to provide visual and noise buffer.

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22. All on-site utilities including power lines, telephone lines, and cable television lines shall be installed underground. In the event that the utility companies, such as the Imperial Irrigation District, determines that on-site utilities cannot be located underground, the Developer/Applicant may install such utilities as needed above ground.
23. The Developer/Applicant shall relocate the Central Main canal underground as shown on the Tentative Tract Map. In the event that the Imperial Irrigation District determines on-site canals and drains cannot be located underground, the Developer/Applicant may install such utilities as needed above ground.
24. The Developer/Applicant shall provide a soils report indicating, among other things, the suitability of the site for the proposed development, specifications for earthwork, design guidelines for slabs and foundations and recommended roadway sections. Soils directly below and adjacent to the sewer outfall pipeline that was found in the northeast corner of the site shall be tested for hydrocarbon residues, volatiles and other heavy metals before construction begins within the vicinity. In the event that hazardous materials are found, the project site shall be remediated.
25. The conditional approval of the Tentative Subdivision Map, Zone Change and General Plan Amendment shall not constitute the waiver of any requirement of the City's Ordinances or regulations, except where a condition set forth herein specifically provides for a waiver. All mitigation measures outlined in the Mitigated Negative Declaration are hereby incorporated and made conditions of approval whether restated herein or not.
26. The Developer/Applicant shall obtain, pay for and comply with all permits from the Imperial Irrigation District, and other applicable agencies for all improvements within, across, or affecting the respective rights of way.
27. All Final Tract Maps shall provide for 10-foot public utility easements adjacent to all street rights of way for underground power, communications and cable television systems.
28. All off-site and on-site improvements shall comply with the City of Imperial Development Standards. Where no standards exist, the improvements shall be completed in accordance with the City Engineer's recommendations.
29. The Developer/Applicant shall comply with all requirements of the Imperial County Fire Department. Such requirements may include, but are not limited to, the location and sizing of fire hydrants, premise identification numbers (address numbers), and roadway access.
30. **The Tentative Subdivision Map shall be valid for a period of two years following the City Council approval and the appeal period. Tentative Map may be extended by virtue granted as State Law and the Subdivision Map Act deem.**
31. The Developer/Applicant shall record agricultural easements, to put new homeowners on notice regarding the noise, dust, odors and other potential impacts associated with active farming of nearby lands. The Developer/Applicant shall also make homeowners aware of the Imperial County Right to Farm Ordinance when they purchase new homes in the project area.

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32. A Phasing Plan shall be submitted, reviewed and approved by the City of Imperial City Council. Phasing of the development shall demonstrate each phase can, together with any phases that preceded it, exist as an independent unit that meets all of the foregoing criteria and all other applicable regulations herein even if no subsequent phase should ever be completed. See attached revised Phasing Plan with sequencing for the project which complies with these revisions to the conditions of approval.
33. The Tract Map shall include an avigation easement for all lots created. In addition, all lots will be developed and sold with a hold harmless agreement with the City of Imperial and the County of Imperial Airport, and the US Naval Air Facility – El Centro. The avigation easement shall be reviewed and approved by the Imperial County Airport Manager and shall be consistent with the avigation easement recorded for the Sky Ranch Subdivision.
34. The Developer shall complete the following roadway and intersection improvements:
 - a. **Brewer Road** shall be extended as a residential collector from its terminus at Nance Road to connect to Austin Road. This improvement shall be completed during Phase I Final Map improvements and the Developer shall provide additional bonds or other form of acceptable security for these improvements. Said bonds shall be provided prior to the issuance of any Certificates of Occupancy.
 - b. **Nance Road** shall be improved to City of Imperial Residential Collector standards. The Developer shall be responsible for the construction of two travel lanes, parking, and curb and gutter on one side of the road. This improvement shall be completed during Phase I Final Map improvements and the Developer shall provide additional bonds or other form of acceptable security for these improvements. Said bonds shall be provided prior to the issuance of any Certificates of Occupancy.
 - c. **Worthington Road** between Austin Road and the approach area east of Nance Road shall be widened by the Developer to a three (3)-lane collector with the third lane being a two way left turn lane. This improvement shall be completed during Phase I Final Map improvements and the Developer shall provide additional bonds or other form of acceptable security for these improvements. Said bonds shall be provided prior to the issuance of any Certificates of Occupancy. A Reimbursement Agreement shall be executed to cover the project's fair share impact.
 - d. The **intersection at Nance and Worthington** shall be improved by the Developer with all-way stop control, east/west through lanes on Worthington Road, westbound left turn lane, east bound left turn lane, northbound right turn lane and a northbound through/left turn lane. These improvements shall be completed during Phase I Final Map improvements and the Developer shall provide additional bonds or other form of acceptable security for these

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- improvements. Said bonds shall be provided prior to the issuance of any Certificates of Occupancy.
- e. The Developer shall pay its fair share fees for the future signalization of the **intersection at Nance and Worthington**. These fees shall be paid on a per dwelling unit basis at the same time building permit fees are paid.
 - f. The Developer shall pay its fair share fees for the future signalization and improvements at the **intersection at Austin and Worthington**. These fees shall be paid on a per dwelling unit basis at the same time building permit fees are paid.
 - g. The **intersection at Austin and Brewer** shall be restricted to right-in and right-out only. The Developer shall install a 4' wide by 100' long raised median on Austin Road at Brewer Road to restrict turn movements on Brewer Road to right-in and right-out only. Reflectors flashing beacons shall be installed on the raised median, and lighting on Austin Road shall be installed to illuminate the raised median. The Developer shall also construct a northbound right turn lane from Austin Road to Brewer Road. These improvements shall be completed during Phase I Final Map improvements and the Developer shall provide additional bonds or other form of acceptable security for these improvements. Said bonds shall be provided prior to the issuance of any Certificates of Occupancy
 - h. The Developer shall pay fair share fees for the improvement of Worthington Road between Nance Road and Highway 86 to a four lane road with secondary arterial status. The cumulative impacts to the Highway 86/Worthington Road intersection shall be mitigated by re-striping the approaches so that there is an eastbound left lane, an eastbound shared through-right lane, a westbound left lane, and a shared westbound through-right lane. The intersection will also have the following additional lanes added: southbound and northbound through lanes, eastbound through, eastbound left, westbound through, and westbound left. The Developer shall pay fair share fees for the mitigation of these cumulative impacts
34. A Class II bikeway shall be constructed within the project site and along Brewer Road to ensure connectivity with those bikeways identified within the City of Imperial Bicycle Master Plan. Worthington Road shall be improved with a Class II bikeway.
35. In a meeting with Imperial Irrigation District (IID) Staff on June 14, 2005, the IID stated that it will reconfigure existing circuits to provide the necessary electrical power to the area, and as such, an electrical substation is not needed. The Developer may relocate the proposed RV parking area to that area designated for an IID substation shown on the Tentative Tract Map. The area formerly occupied by the proposed RV parking area shall remain a landscaped, open space area. In the event that IID will require a substation on the project site, the substation shall be screened on all sides with a six foot (6') high masonry wall that matches the masonry walls to be built on the boundaries of the project site. The color and material type of these

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- walls will be subject to the approval of the Planning Commission. The perimeter of the substation shall also be landscaped with turf, shrubs, and trees to the greatest extent feasible in order to reduce the aesthetic impact that this substation will have on the project site. The City acknowledges that the substation will be shared with surrounding developments and Developers may enter into fair share agreement(s) amongst themselves.
36. All residential development within the project site shall be constructed using building materials and techniques such as dual pane windows, and increased insulation to decrease interior noise levels within dwelling areas to 45 dba or lower.
 37. The Developer/Applicant shall agree to defend, indemnify and hold harmless the City of Imperial, Imperial County Airport, and the US Naval Air Facility – El Centro and their agents, including consultants, officers and employees from any claim, action or proceeding against the City, County Airport, or Naval Air Facility or their agents, including consultants, officers and employees to attack, set aside, void, or annul the approval of the Tentative Tract Map and associated Zone Change, General Plan Amendment and Mitigated Negative Declaration. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorneys fees, or expert witness costs that may be asserted by any person or entity, including the Developer/Applicant arising out of or in connection with the approval of the Tentative Tract Map and associated Zone Change, General Plan Amendment and Mitigated Negative Declaration, including any claim for private attorney general fees claimed by or awarded to any party from the City, County Airport or Naval Air Facility.
 38. Developer shall provide a “point of connection” for the water loop at the “Southwest” corner/cul-de-sac of what is proposed to be “Las Cuspides” street before the issuance of the last Certificate of Occupancy for either Phase III(B) or Phase IV(B).

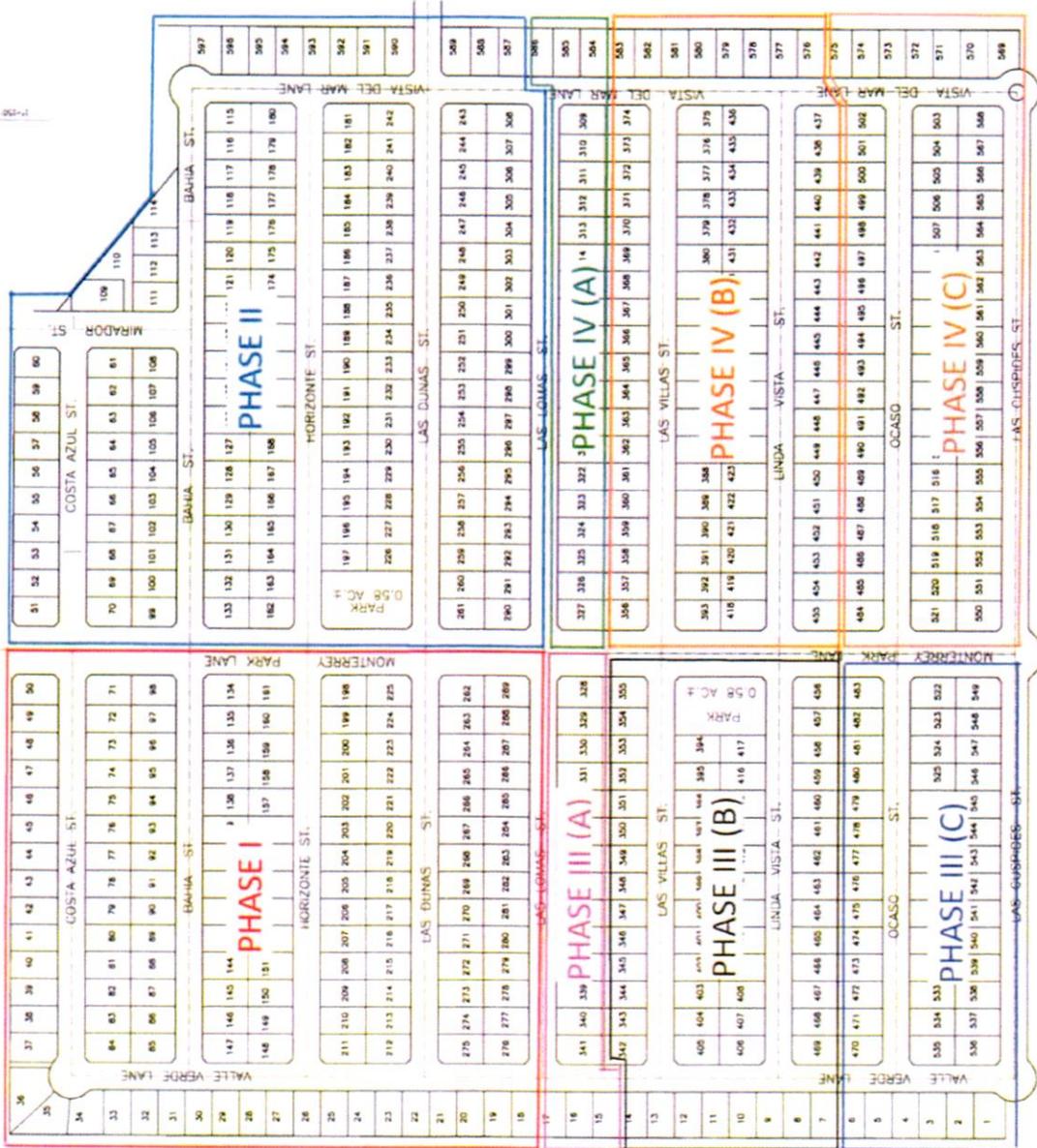
Proposed Phasing Plan and Amendments to Conditions of Approval for Monterey Park Subdivision



	<p>Map data ©2018 Google Imagery ©2018 DigitalGlobe U.S. Geological Survey USDA Farm Service Agency Terms of Use</p>	<p>1" = 376 ft</p>	<p>Location Map</p>	<p>06/08/2018</p>
<p>This map may represent a visual display of related geographic information. Data provided here on is not guarantee of actual field conditions. To be sure of complete accuracy, please contact the responsible staff for most up-to-date information</p>				

MONTERREY PARK

REVISED CITY PROPOSED PHASING



RESOLUTION NO. 2018-10

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IMPERIAL,
CALIFORNIA, ALLOWING THE AMENDMENT OF CONDITIONS OF APPROVAL AND
PHASING PLAN FOR MONTERREY PARK SUBDIVISION**

WHEREAS, the Planning Commission of the City of Imperial adopted Resolution 2005-24 on June 15, 2005 approving the Monterrey Park Subdivision subject to conditions of approval; and

WHEREAS, the developer is requesting the approval of a phasing plan and amendments to the existing conditions of approval attached Exhibit A (Conditions of Approval) and Exhibit B (Phasing Plan):

WHEREAS, the Developer is requesting a phasing plan due to financial purposes; and

WHEREAS, the Developer is requesting amendments to the conditions of approval to coincide with the proposed phasing plan for Monterrey Park Subdivision.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Imperial as follows:

- A) That the foregoing recitations are true and correct; and
- B) That the Planning Commission hereby recommends the phasing plan (Exhibit B) and amendments to the conditions of approval (Exhibit A) to the City of Imperial's City Council for approval.
- C) That the City of Imperial's City Council has the sole discretion as to whether an alternative plan will be approved; and
- D) That the Developer is required to provide additional security (in the form of bonds or other acceptable means) for additional off-site improvements as a result of any possible changes to the Conditions of Approval.

PASSED, ADOPTED AND APPROVED by the Planning Commission of the City of Imperial, this 13th day of June 2018.

Planning Commission Chair

ATTEST:

City Clerk

RESOLUTION NO.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL, CALIFORNIA,
ALLOWING THE AMENDMENT OF CONDITIONS OF APPROVAL AND PHASING PLAN
FOR MONTERREY PARK SUBDIVISION**

WHEREAS, the City Council of the City of Imperial adopted Resolution 2005-24 on June 15, 2005 approving the Monterrey Park Subdivision subject to conditions of approval; and

WHEREAS, the developer is requesting the approval of a phasing plan and amendments to the existing conditions of approval attached Exhibit A (Conditions of Approval) and Exhibit B (Phasing Plan):

WHEREAS, the Developer is requesting a phasing plan due to financial purposes; and

WHEREAS, the Developer is requesting amendments to the conditions of approval to coincide with the proposed phasing plan for Monterrey Park Subdivision.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Imperial as follows:

- A) That the foregoing recitations are true and correct; and
- B) That the Planning Commission hereby recommends the phasing plan (Exhibit B) and amendments to the conditions of approval (Exhibit A) to the City of Imperial's City Council for approval.
- C) That the City of Imperial's City Council has the sole discretion as to whether an alternative plan will be approved; and
- D) That the Developer is required to provide additional security (in the form of bonds or other acceptable means) for additional off-site improvements as a result of any possible changes to the Conditions of Approval.

PASSED, ADOPTED AND APPROVED by the City Council of the City of Imperial, this 18th day of July 2018.

Planning Commission Chair

ATTEST:

City Clerk