

DATE SUBMITTED 10/25/2023
 SUBMITTED BY COMMUNITY DEVELOPMENT DIRECTOR
 DATE ACTION REQUIRED 11/1/2023

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

**IMPERIAL CITY COUNCIL
 AGENDA ITEM**

SUBJECT: PUBLIC HEARING/DISCUSSION/ACTION: VICTORIA RANCH SPECIFIC PLAN AMENDMENT	
1. Conduct a Public Hearing for Adoption of Resolution No. 2023-56, Approving the Victoria Ranch Specific Plan Amendment, which updates the Victoria Ranch Specific Plan to reflect land use changes, current information and conditions	
DEPARTMENT INVOLVED: COMMUNITY DEVELOPMENT DEPARTMENT	
BACKGROUND/SUMMARY: <p style="text-align: center;">See Attached Staff Report.</p>	
FISCAL IMPACT: N/A	ADMIN SERVICES SIGN INITIALS <u>DP</u>
STAFF RECOMMENDATION: Staff recommends approval of the Victoria Ranch Specific Plan Amendment	DEPT. INITIALS <u>OW</u>
CITY MANAGER'S RECOMMENDATION: <p style="text-align: center;"><i>approve</i></p>	CITY MANAGER'S INITIALS <u>DTM</u>
MOTION:	
SECONDED: AYES: NAYES: ABSENT:	APPROVED () DISAPPROVED () REJECTED () DEFERRED () REFERRED TO:



staff report

To: City of Imperial City Council

From: Community Development Director

Date: October 25, 2023

Subject: **Victoria Ranch Specific Plan Amendment, to reflect land use changes, current information and conditions.**

Summary:

Applicant:	Tory Lessley 179 Sylvia Ct. Imperial Ca, 92251
Location:	Victoria Ranch
Request	Victoria Ranch Specific Plan Amendment, which updates the Victoria Ranch Specific Plan to reflect land use changes, current information and conditions.
Zoning:	Victoria Ranch-Specific Plan
General Plan:	Specific Plan
Environmental:	Mitigated Negative Declaration (certified December 17, 2003)
Staff Recommendation:	Approve, Subject to Conditions

Background

The Developer submitted a Specific Plan and Annexation Application in 2003 for a proposed 320-acre mixed use development project to include residential, commercial, and community facility land uses. The Specific Plan was adopted by the City of Imperial on December 17, 2003 with a subsequent conditional approval of a Subdivision Map for the project site on June 2, 2004. Final annexation was approved by LAFCo on July 22, 2004. The original Specific Plan and Subdivision proposal included 894 single family units, 405 multi-family units, 20± acres of commercial development and 42± acres of community facilities including the dedication of 12.84 acres for school facilities and 21± acres for recreational parks and open space areas.

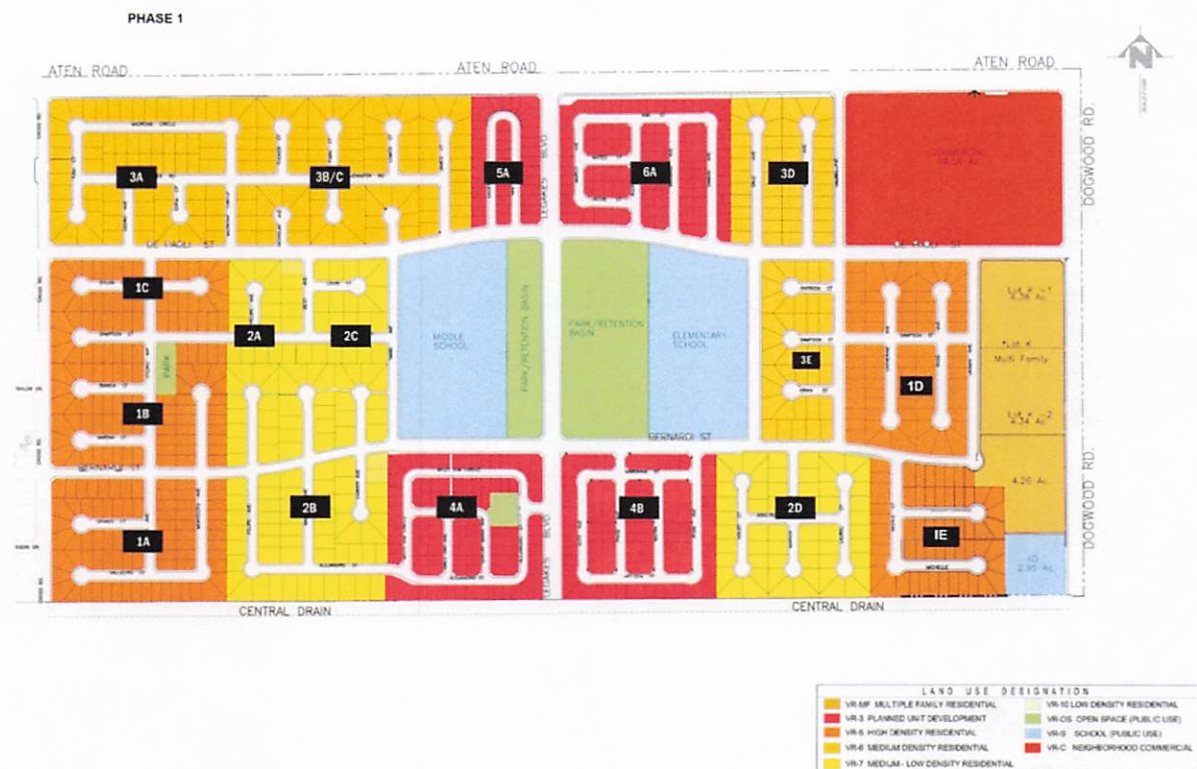
In 2008 the Victoria Ranch Specific Plan was amended primarily as it related to a change in zoning designation for the original Unit 4A development. This 2023 update is based on the proposed amendments to the originally adopted and the previous amendments, as it relates to a change in zoning designation for Unit 4B from VR-10 to VR-3 as well as re-zone of Multi-family housing to VR-3 creating Unit 5A and Unit 6A. The multifamily which was lost to create Unit 5A and Unit 6A housing was swapped out for land in Unit 1E to compensate for the reduction in multi-family housing so that the land diversity would remain. Minor Zone Open Space Changes are included in the 2023 update to Units 1B, 1C, 4A which have been created to increase park space around the Victoria Ranch Specific Plan to provide the consumer with more recreational space. This Specific Plan amendment updates the Victoria Ranch Specific Plan to reflect land use changes and current information and conditions.

The overall footprint of the project site remains the same (Aten Road to the north, Cross Road to the west, Dogwood Road to the east, and the Central Drain Canal to the south). There are no material changes as it relates to the project site’s overall land use assignment and land use densities, which are the primary determining factors in assessing environmental impacts (see table below).

On Wednesday October 11, 2023 the Planning Commission reviewed and recommended approval to City Council.

Land Use	Adopted 2003 Victoria Specific Plan*	2005 Minor Revision	2008 Modifications	2023 Modifications	Net Change
Residential Land Use	1,299 DU	1,233 DU	1,298 DU	1,358 DU	60 SF
Single Family	894 SF	877 SF	942 SF	1,118 SF	+176 SF
Multi-Family	405 MF	356 MF	356 MF	240 MF	-116 MF
Neighborhood Commercial	19.58 acres	19.58 acres	19.58 acres	19.58	No Change
School Facilities	13.89 acres	13.89 acres	13.89 acres	30.45	+16.56 acres
Total Park/Open Space Areas	28.39 acres	28.39 acres	28.39 acres	11.83	-16.56 acres
Joint Use Parkland	9.1 acres	9.1 acres	9.1 acres	9.1 acres	No Change
Neighborhood Parkland	8.48 acres	8.48 acres	5.23 acres	5.23 acres	No Change
Park/Retention Basin	19.91 acres	19.91 acres	14.08 acres	14.08 acres	No Change
Electrical Power Substation	0 acres	2.06 acres	2.06 acres	2.06 acres	No Change

Project Location



General Plan Consistency and Compatibility with Surrounding Land Uses.

The current Land Use designation for the entire Victoria Ranch Subdivision is regulated by the adopted Victoria Ranch Specific Plan of 2003 and 2008. The specific plan provides for unique projects that require special development standards, involve development of uses in a comprehensive matter, and/or necessitate development regulations that are not currently allowed under the City's current policies and regulations. The project site is located in an active agricultural field, and is surrounded by agricultural uses to the north, south and to the east. The area to the west of the Victoria Ranch Subdivision is the Border Patrol Headquarters and currently zoned R-1 Residential Single Family.

The specific plan Land use patterns and development densities are consistent with the capabilities of existing and planned public services and facilities, maintains a high standard of appearance of land and buildings consistent with the community character and offsets by high quality design, amenities, and mix of land uses. The Specific Plan accommodates the Housing Element goals and objectives for an adequate housing balance that meets the regional housing needs assessments.

Environmental Discussion/Analysis

The Environmental Evaluation Committee (EEC) reviewed the Victoria Ranch Specific Plan and Subdivision Map in 2003 and found that the project, as proposed, would create potentially significant impacts to agricultural resources, air quality, biological resources, geology and soils, noise, public services, parks and recreation, transportation and traffic, utility and service systems. Mitigation measures were incorporated and the EEC determined that adoption of a Mitigated Negative Declaration (MND) would be appropriate. The environmental documents were circulated through the State Clearinghouse (SCH#2003111004) and a final Notice of Determination was officially filed with the County Clerk in December 2003.

Public Notification

The public hearing scheduled for November 1, 2023 was duly noticed in the Holtville Tribune and Calexico Chronicle newspaper of general circulation on October 19, 2023 and a Notice of Public Hearing was sent to all property owners within 300-feet of the property.

Recommendation

Staff recommends 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 approves the Victoria Ranch Specific Plan Amendment.

Attachments

- Victoria Ranch Specific Plan 2023 Update
- Resolution 2023-56
- Resolution PC2023-09
- Conditions of Approval

RESOLUTION NO. 2023-56

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL,
CALIFORNIA, APPROVING THE VICTORIA RANCH SUBDIVISION
SPECIFIC PLAN AMENDMENT, WHICH UPDATES THE VICTORIA RANCH
SPECIFIC PLAN TO REFLECT LAND USE CHANGES, CURRENT
INFORMATION AND CONDITIONS**

WHEREAS, Tory Lessley, has submitted an application for approval Specific Plan Amendment, which updates the Victoria Ranch Specific Plan to reflect land use changes, current information and conditions; and

WHEREAS, a duly notified public hearing was held by the Planning Commission on October 11, 2023; and

WHEREAS, a duly notified public hearing was held by the City Council on November 1, 2023; and

WHEREAS, upon hearing and considering all testimony and arguments, examining and analyzing the information submitted by staff and considering any written and oral comments received, the City Council considered all facts relating to the proposed Victoria Ranch Specific Plan Amendment

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 recommends APPROVAL of the Victoria Ranch Specific Plan Amendment subject to Conditions of Approval outlined in Exhibit A; and
- C) All recommendations made by the City Council are 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 proposed Victoria Ranch Specific Plan Amendment, may have a significant impact on the environment.

4. That any sensitive resources located within the area of the project or adjacent to the area of the project will be protected and not be significantly impacted by the project.
 5. The proposed Victoria Ranch Specific Plan Amendment, are consistent with the intent of the City of Imperial's General Plan to maintain land use designation consistency within the incorporated area of the City and its sphere of influence.
 6. The proposed Victoria Ranch Specific Plan Amendment, are consistent with the policies and the land uses of the existing City of Imperial General Plan.
 7. The proposed Victoria Ranch Specific Plan Amendment, are consistent with the objective of the City of Imperial's Zoning Ordinance.
- D) The City Attorney is authorized to make minor typographical changes to this Resolution that does not change the substance of this Resolution;

PASSED, ADOPTED AND APPROVED by the City Council of the City of Imperial, this 1st day of November, 2023.

Mayor City Council

ATTEST:

City Clerk

EXHIBIT A

CONDITIONS OF APPROVAL FOR VICTORIA RANCH SPECIFIC PLAN AMENDMENTS

1. The project shall be subject to the use standards outlined in the updated Victoria Ranch Specific Plan 2023 and the City of Imperial development standards.
2. 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.
3. 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.
4. The Developer/Applicant shall pay all impact and capacity fees.
5. 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 Final Tract Map shall record until such costs have been paid to the City.
6. 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 Services and Department of Community Development prior to submittal for approval to record the Final Tract Map.
7. All infrastructure improvements shall be constructed, or in lieu thereof, security provided to ensure construction, prior to the recordation of a Final Tract Map.
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, including, but not limited to, the established Development Impact Fees.
9. The Developer/Applicant shall set aside two (2) public school sites for the El Centro Elementary School District. The subject school sites shall be of adequate size, configuration and location and shall be approved by the El Centro Elementary School District prior to recordation of any Final Maps. In the event that adequate school sites are not available within the project site due to conflicts with State Department

of Education requirements, the Developer shall pay the appropriate school fees as determined by the El Centro Elementary School District.

10. The Developer shall comply with the City's Water Master Plan to ensure sufficient volume and flow of water. A hydraulic study must be submitted to the City to demonstrate that all water pipelines are adequately sized to serve domestic and fire protection demands. The Developer shall construct new water mains and storage facilities in the project area as necessary and build according to City development standards.
11. 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.
12. 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 the recordation of a Final Map. In order to address a shortage in wastewater capacity, the parties may agree upon the payment of the project's pro rata share for the construction of a new wastewater treatment plant to respond to this project's wastewater demand.
13. 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 all improved roadways, all interior streets, at all intersections, at bus stops, pedestrian linkages, and at mail kiosks. The lighting plan shall be reviewed and approved by the City of Imperial Planning and Building Departments.
14. A Landscaping Plan shall be submitted to the City of Imperial for review and approval prior to the recordation of a Final Tract Map. Landscaping shall be provided in all parks and pedestrian linkages. Where perimeter walls are installed, landscaping shall also be provided. All landscaped areas shall be irrigated with automatic sprinkler systems.
15. All residential lots and common areas shall be landscaped as follows:
 - a. Each front yard shall have a minimum of one (1) tree and five (5) shrubs planted by the Developer.
 - b. All trees used in landscaping, shall be a minimum of fifteen (15) gallons in size and all shrubs shall be a minimum of five (5) gallons.
 - c. In compliance with SB 1383 State of California regulation and the City of Imperial's procurement requirement, compost and mulch from a CalRecycle Certified Composter shall be integrated in all landscaped areas. Proof of eligible

compost supplier must be submitted to the City prior to the issuance of Certificate of Occupancy.

16. All mechanical equipment and air conditioning equipment shall be installed a minimum of three (3') from any property line.
17. The applicant shall effectively screen from view all ducts, vents, meters, air conditioning equipment, and any other mechanical equipment, whether on the structure, on the ground, or on the roof, with materials architecturally compatible with the main structure. Screening details shall be shown on the plans submitted for issuance of building permits, the adequacy of which shall be determined by the Planning Director. All required screening shall be provided prior to occupancy.
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. Storm drainage shall be designed to utilize catch basins at street intersections. Storm drain pipe lines, retention ponds with flow through systems shall be utilized if possible and the system shall pump out to the public drains. Temporary drainage systems shall utilize the same criteria. Facilities must be capable of primary treatment such as desiltation prior to discharge to public drain. For each phase, storm water basins(s) must be constructed to retain 110 percent of the required volume for that particular phase. The full build out of all retention basins must be completed prior to issuance of any building permit for the last phase for the project, unless required earlier by the City Engineer.
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. The Development Impact Fees for Air Quality shall be paid prior to issuance of any building permit. The City and the Imperial County Air Pollution Control District will jointly confirm that the fees have been fulfilled.
21. The Developer shall install a minimum six (6) foot decorative solid masonry wall along the perimeter boundaries. The material and color of all walls shall be decorative masonry units. The Planning Director may approve other decorative materials provided that decorative pilasters are installed and that no wood materials are used. Landscaping shall be provided along perimeter walls and along fences adjacent to any private or public streets.

22. 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.
23. 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.
24. The conditional approval of the Tentative Tract 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 Victoria Ranch Mitigated Negative Declaration are hereby incorporated and made conditions of approval whether restated herein or not.
25. 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.
26. All Final Tract Maps shall provide for public utility easements adjacent to all street rights of way for underground power, communications and cable television systems. The actual width of all public utility easements shall be subject to the approval of affected utility agencies. All public utility easements shall be landscaped in a manner consistent with adjacent front yards and easements shall be maintained by the Home Owner's Association.
27. 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.
28. 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. All residential water pipelines shall be adequately sized to sustain 1,500 gallons per minute (gpm) for two hours plus peak demand in accordance with the latest edition of the National Fire Protection Association (NFPA) Codes and Standards. Pipeline sizes shall be the next largest standard size with readily available replacement parts (i.e., 12" pipelines for those identified as 10").
29. The Tentative Subdivision Map shall be valid for a period of two years following the City Council approval and the appeal period. The Developer may request time extensions in accordance with the Subdivision Map Act, but the granting of such time extensions is not automatic and is at the discretion of the City Council.

30. 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.
31. The Final 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.
32. 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 Victoria Ranch Specific Plan and associated Subdivision Map. 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 Victoria Ranch Specific Plan and associated Subdivision Map, including any claim for private attorney general fees claimed by or awarded to any party from the City, County Airport or Naval Air Facility.
33. All conditions of approval for this Tentative Map shall be reprinted and included as a plan sheet(s) with the building permit plan check sets submitted for review and approval. These conditions of approval shall be on, at all times, all grading, landscaping, and construction plans kept on the project site. It is the responsibility of the applicant to ensure that the project contractor is aware of, and abides by, all conditions of approval. It is the responsibility of the applicant to ensure that the project landscape contractor is aware of, and adheres to, the approved landscape and irrigation plans. Prior approval from the Planning Department must be received before any changes are constituted in site design, grading, building design, building colors or materials, landscape material, etc.
34. The city reserves the right to require additional traffic mitigation measures for any future traffic concerns within the development such as stop signs, sight distance enhancements, pedestrian crossing, roadway design and/or additional traffic impact analysis.

Affidavit of Publication

State of California
County of Imperial
City of El Centro

Rosa E Noguera

being first duly sworn, deposes and says:

That he/she is a citizen of the United States, over twenty-one years of age; that he/she is and was, at all times herein mentioned, the business manager of the Holtville Tribune, Imperial Valley Weekly/Calexico Chronicle, a newspaper of general circulation published in the City of El Centro and circulated at least once a week in Imperial County, State of California,

*And That The
Notice of Public Hearing*

City of Imperial City Council

Victoria Ranch Specific Plan Amendment

Of which the annexed is a true printed copy, was published in said newspaper according to Gov't Code publication section 6062

*_____ 1 _____
issues, and on the following days, to wit:*

October 19, 2023

and in the regular and entire issue of said newspaper, and not in any supplement.

Rosa E. Noguera

OFFICE MANAGER

**HOLTVILLE TRIBUNE
IMPERIAL VALLEY WEEKLY/
CALEXICO CHRONICLE
1122 W. State St. Ste E
EL CENTRO, CALIFORNIA 92243**

PUBLIC NOTICE



Notice of Public Hearing
City of Imperial City Council

Notice is hereby given that a public hearing will be conducted by the City of Imperial City Council on **Wednesday, November 1, 2023 at 7:00 P.M** at the City of Imperial Council Chambers located at **200 W. 9th Street, Imperial, CA 92251**. The purpose of the public hearing is to hear comments from the public regarding the Victoria Ranch Specific Plan Amendment, which updates the Victoria Ranch Specific Plan to reflect current information and conditions. The request is consistent with the previously certified Negative Declaration in accordance with the requirements of the California Environmental Quality Act (CEQA).

Copies of the applications and other pertinent information are available for review at the Community Development Department at Imperial City Hall during regular business hours. If you would like to know more about the proposed project prior to the public hearing, please contact Othon Mora at the Community Development Department (760) 355-1152 or via email at omora@cityofimperial.org.

Any person desiring to comment on the above project may do so in writing or may appear in person at the public hearing. Written comments should be directed to Kristina Shields, City Clerk, City of Imperial, 420 South Imperial Avenue; Imperial, CA 92251. Please reference the project name in all written correspondence.

Kristina Shields
City Clerk

Legal 9050

Publish: Oct. 19, 2023