

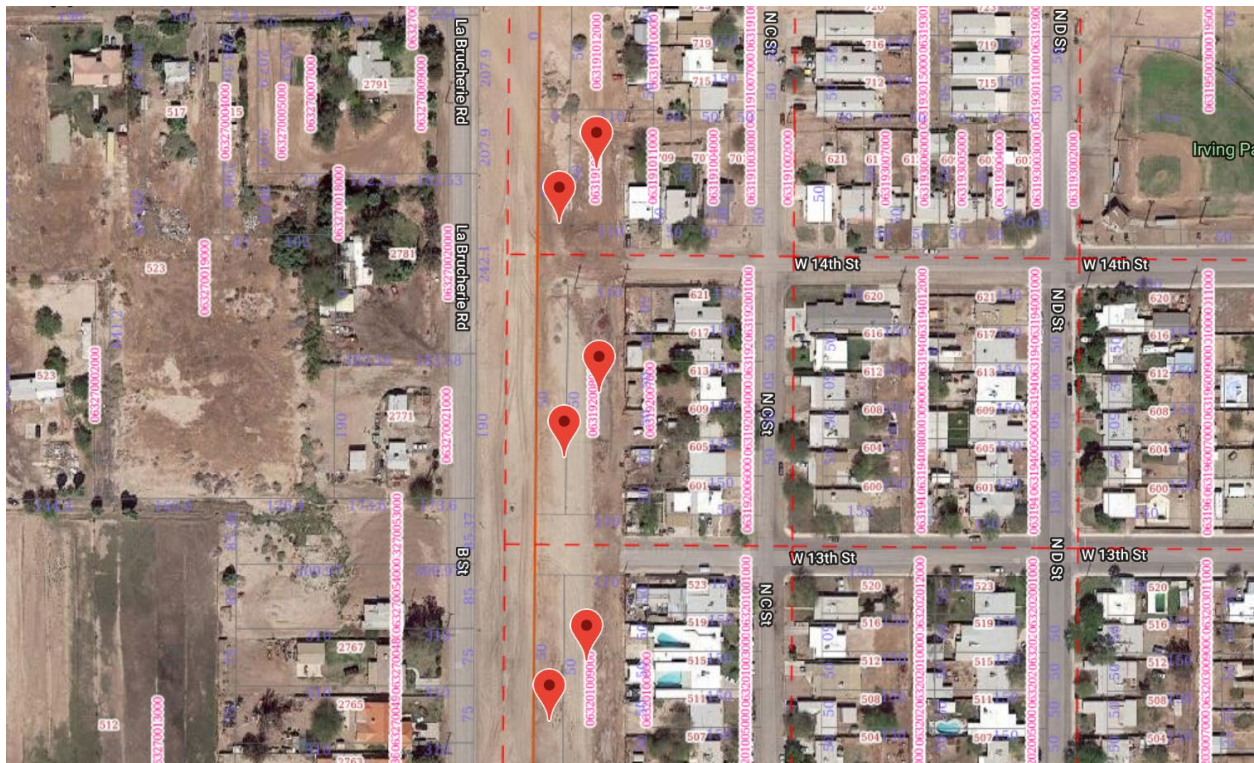


Staff Report

Agenda Item No.

To: City of Imperial Planning Commission
From: Lisa Tylanda, Planner
Date: July 17, 2019
Subject: 12th through 15th Street Apartments Zone Change and General Plan Amendment from R-1 (Residential Single Family) to R-A (Residential Apartments).

Background:



- Current Zoning: R-1 (Residential Single Family)
- Proposed Zoning: R-A (Residential Apartment)
- Current Land Use: Vacant Parcels
- Approximate Size of Properties Combined: 136940 sqft./3.14 acres

- Parcel Legal Descriptions:

1. APN:063-201-008: LOTS 1 2 3 4 5 & 6 BLK 9 PARK ADDITION OM 1 16 LESS W 40 FT
2. APN:063-201-009: W 40 FT OF LOTS 1 2 3 4 5 & 6 BLK 9 PARK ADD OM 1 16
3. APN:063-192-008: W 40 FT OF LOT 1 THRU 6 BKL 4 PARK
4. APN:063-192-007: LOTS 1 TO 6 INCL BLK 4 LESS W 40 FT TO CITY PARK ADDITION
5. APN:063-191-011: LOTS 4 5 & 6 BLK 3 PARK ADD CITY OF IMPERIAL EXC W 40 FT
6. APN:063-191-013: W 40 FT OF LOTS 4 5 & 6 BLK 3 PARK ADD CITY OF IMPERIAL
7. APN:063-191-010: LOTS 1 2 & 3 BLK 3 PARK ADD CITY OF IMPERIAL EXC W 40 FT
8. APN:063-191-012: W 40 FT OF LOTS 1 2 & 3 BLK 3 PARK ADD CITY OF IMPERIAL

- Environmental Clearance (CEQA): An Initial Study has been conducted (please refer to attachment). The initial study indicates that the proposed project will not generate foreseeable environmental impacts. A Negative Declaration is recommended.

The applicant is requesting that the zoning designation on the eight (8) parcels listed above from R-1 (Single-Family Residential) to R-A (Residential Apartment) to allow for the development of multi-family apartment complexes. This zone change and general plan amendment would allow for has been completed and is currently rented out.

General Plan Compliance and Policies Related to this Application:

- Housing Element-Regional Housing Needs Allocation Goals:

California state law recognizes that local governments play a vital role in developing affordable housing. In 1969, the state mandated that all California cities, towns and counties must plan for the housing needs of our residents—regardless of income.

This state mandate is called the Housing Element and Regional Housing Need Allocation, or RHNA. As part of RHNA, the California Department of Housing and Community Development, or HCD, determines the total number of new homes the City of Imperial needs to build—and how affordable those homes need to be—in order to meet the housing needs of people at all income levels.

Southern California Association of Governments (SCAG) then distributes a share of the region’s housing need to each city, town and county in the region. Each local government must then update the Housing Element of its general plan to show the locations where housing can be built and the policies and strategies necessary to meet the community’s housing needs.

The table below depicts the City of Imperial’s RHNA numbers:

City of Imperial 2014-2021 RHNA by Income Category

Income Category	Imperial	
	No. of Households	% of Total RHNA Allocation
Very Low	349	27%
Low	205	16%
Moderate	202	15%
Above Moderate	553	42%
TOTAL	1,309	100%

The City of Imperial has yet to meet the RHNA goal. Tenure, for the purpose of this analysis refers to whether a housing unit is owned or rented. Housing tenure is an important indicator of the supply and cost of housing. Low ownership rates suggest an inadequate supply, or high cost, of housing while high ownership rates suggest affordability. Between 2000 and 2010, approximately 71 percent of households in Imperial owned their home during the two decades. This is an increase from 64.8 percent in 1990, suggesting a positive increase in home ownership opportunities in the City of Imperial. A certain amount of vacancy allows for greater ease for households or individuals to find available housing and may lead to lower housing costs. The latest 2018 housing estimate developed by the Department of Finance estimate a vacancy rate of 9.4 percent for the City of Imperial which is comparable to the average vacancy rate 9.5 % for the incorporated cities in Imperial County.

Vacancy rates are also an important housing market indicator in that the vacancy rate often influences the cost of housing and reflects the correlation between housing demand and availability.

For rental housing, a five percent vacancy rate is considered necessary to permit ordinary rental mobility, while with for-sale housing a two-percent vacancy rate is considered the threshold to permit ordinary mobility. If vacancy rates are below these levels, residents will have a difficult time finding appropriate units and competition for units will drive up housing prices. The Table below provides a snapshot of rental unit availability in the City of Imperial for the month of March 2018.

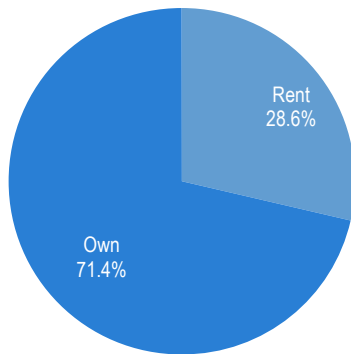
	Number of Bedrooms	Number of
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	1	2	3	4	
Market Rate Apartments	\$750	\$800-\$1145	N/A	N/A	1
Subsidized Family Apartments	\$428-\$482	\$510-\$625	\$581-\$657	N/A	0
Senior Apartments - Market Rate	\$770	\$810	N/A	N/A	0
Senior Apartments Subsidized	\$489-\$678	\$589-\$725	N/A	N/A	0
Single Family Homes	N/A	\$850-\$950	\$650-\$1350	\$1200-\$1350	3

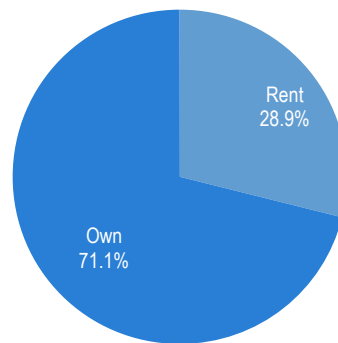
City of Imperial Rental Units- March 2019

Renters and Homeowners

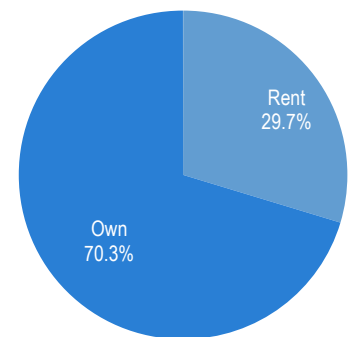
Percentage of Renters and Homeowners: 2000, 2010, and 2016



2000



2010



2016

Sources: 2000 and 2010 U.S. Decennial Census; Nielsen Co., 2016

Between 2000 and 2016, homeownership rates decreased and the share of renters increased.

Current RHNA Progress:

Enter Calendar Year starting with the first year of the RHNA allocation period. See Example.												Total Units to Date (all years)	Total Remaining RHNA by Income Level
Income Level		RHNA Allocation by Income Level	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9		
Very Low	Deed Restricted	349											349
	Non-deed restricted												
Low	Deed Restricted	205											139
	Non-deed restricted		0	56	10							66	
Moderate	Deed Restricted	202											-402
	Non-deed restricted		164	43	175	222						604	
Above Moderate		553	58	16	27	53						154	399
Total RHNA by COG. Enter allocation number:		1,309											
Total Units ▶ ▶ ▶			222	115	212	275						824	485
Remaining Need for RHNA Period ▶ ▶ ▶ ▶ ▶													

Based on the data collected from SCAG there is a need for multifamily housing. Currently, there are only 4 (four) multi-family complexes (Imperial Gardens, Villa Lara, Morningside Apartments and Villas Pacificas) within the City of Imperial.

- Objective 1 of the General Plan Land Use Element states that:

“The land use distribution should be such, that the integrity of the existing land use is maintained and/or enhanced. Also, the new land uses should be distributed to encourage the development of residential uses at appropriate densities, to implement the quantified objectives for housing construction as contained in the General Plan Housing Element.”

- Objective 7, Policy 7B of the General Plan Land Use Element states that:

“Encourages a variety of housing types and styles”- The addition of a Residential Apartments adjacent to conventional single family residential developments, existing residential apartments, and Commercial Neighborhood uses is in furtherance of this General Plan policy.

Traffic and Circulation Impacts

If the subject site were to be developed with Residential Single Family developments (homes), the parcels could generate up to 288 average daily trips (ADT's). If the zone is changed to “R-A”, the site could generate up to 480 ADT's based on a “80 unit multifamily apartment complex”, which could be less since there is not an official proposal project amount on behalf of the applicant. All ADT projections are based on San Diego Association of Governments (SANDAG) Trip Generation Rates. The developer must incorporate, provide and install traffic mitigation measures that are formulated by the City of Imperials Traffic Commission and approved by the City engineer and developer's engineer for the intersections of 13th and 14th Street before building permits are obtained and/or certificates of occupancy.

Environmental Compliance

An Initial Study that has been conducted has identified the need to proceed with recommending a Negative Declaration.

Staff Recommendation:

Staff recommends that the Planning Commission conduct a public hearing to receive testimonies for or against the project. If there are no testimonies to the contrary, Staff recommends that the Planning Commission recommend the attached Resolutions and recommend the adoption of an ordinance to City Council for this proposed zone change and general plan amendment.

Attachments:

- Location map.
- Proposed Conditions of Approval.
- Resolution 2019-14



City of Imperial
**Initial Study/
Environmental Checklist**

1. **Project Title:** 12th and 15th Street Apartments
2. **Lead Agency:** **City of Imperial**
Name, Address and Phone Number
420 South Imperial Avenue
Imperial, CA 92251
Contact: Lisa Tylenda, Planner
(760) 355-3326
3. **Project Sponsor:** Ray Roben
Name, Address and Phone Number
760-996-3469
4. **Project Location:** Parcels located between 12th and 15th Street; City of Imperial, CA
5. **Project Description:** New Multifamily Residential
6. **General Plan Designation:** **Existing:** Residential
7. **Zoning:** **Existing:** R-1 (Single-Family Residential)
8. **Surrounding Land Uses and Setting:**
North: Residential Uses
South: Residential Uses
East: Residential Uses
West: Residential Uses

Other Agencies whose approval is required: (e.g., permits, financing approval, or participation agreement)

- a) None

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” as indicated by the checklist on the following pages.

Aesthetics	Agriculture & Forestry Resources	Air Quality
Biological Resources	Cultural Resources	Energy
Geology/Soils	Greenhouse Gas Emissions	Hazards & Hazardous Materials
Hydrology/Water Quality	Land Use Planning	Mineral Resources
Noise	Population/Housing	Public Services
Recreation	Transportation	Tribal Cultural Resources
Utilities/Service System	Wildfire	Mandatory Findings of Significance

ENVIRONMENTAL ASSESSMENT COMMITTEE DETERMINATION:

On the basis of the attached Initial Study, the City of Imperial Environmental Review Committee finds that:

Categorically Exempt under section of the California Environmental Quality Act: <u>“Section 15301. Existing Facilities: (1), (2), (A) and (B)”</u> .	
The proposed project could not have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.	X
The proposed project could have a significant effect on the environment; there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A MITIGATED NEGATIVE DECLARATION will be prepared.	
The proposed project MAY have a significant effect(s) on the environment and an ENVIRONMENTAL IMPACT REPORT is required	
The proposed project MAY have a significant effect(s) on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets, if the effect is a “Potentially Significant Impact” or “Potentially Significant Unless Mitigated.” A FOCUSED ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.	
Although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because all potentially significant effects (1) have been analyzed in an earlier EIR pursuant to applicable standards and (2) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project. No further action is required.	

 Othon Mora, CBO, MCM
 Community Development Director

 Date

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e. g. the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e. g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect is significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
- 4) “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section 17, “Earlier Analysis,” may be cross-referenced).
- 5) Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the follow:
 - a. Earlier Analysis Used. Identify and state where they are available for review.
 - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures, which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

Authority: Public Resources Code Sections 21083 and 21087. Reference: Public Resources Code Sections 21080(c), 21080.1, 21080.3, 21082.1, 21083, 21083.3, 21093, 21094, 21151; *Sundstrom v. County of Mendocino*, 202 Cal. App. 3d 296 (1988); *Leonoff v. Monterey Board of Supervisors*, 222 Cal. App. 3d 1337 (1990).

- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

I. AESTHETICS – Would the project:				
	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Have a substantially adverse affect on a scenic vista or scenic highway?			X
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			X
c)	Substantially degrade the existing visual character or quality of the site and its surroundings?			X
d)	Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?			X

Background

The project will not have an impact on scenic vistas. The project will actual be an infill project on parcels that are currently vacant and located within an urbanized developed residential area.

Impact Discussion

- a) **No Impact.** The proposed project would not have an effect on scenic vista. It is to be located on a currently vacant lot.
- b) **No Impact.** The proposed Multi-Family apartment complex would not damage scenic resources. The lot is vacant and not considered to have any historic value.
- c) **No Impact.** The proposed project locations are various vacant lots and would enhance the quality and character of the surrounding residential uses/zones by “infill”.
- d) **No Impact.** The proposed project is to be a Multi-Family use. The light or glare generated will not have an adverse effect on the day or nighttime views. The increase in density will create new sources of light and glare resulting from the addition of street lights and lighting from the additional homes. The City of Imperial Standards and Specifications requires the installation of low profile exterior lighting, directed away from adjacent properties, and as such, the impact of off-site glare and adverse light intrusion will be less than significant.

II. AGRICULTURE AND FORESTRY RESOURCES – Would the project:				
	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of State-wide Importance, as shown on maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 4526). Or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?				X
d) Result in the loss of forest land or conversion of forest land to non-forest land?				X
e) Involve other changes in the existing environment which, due to their location of nature, could result in conversion of Farmland, to nonagricultural use or conversion of forest land to non-forest use?				X

Background

The proposed project is to be developed on vacant residentially zoned parcels within an already urbanized area. The project will not have any impact on agricultural uses.

Impact Discussion

- a) **No Impact.** The parcels are currently vacant and zoned R-1 (Residential Single Family). According to the Imperial County Important Farmland 2016 Map, the project site is listed as other lands, thus the proposed project will not convert any type of farmland to non-agricultural use; therefore, no impact is expected.
- b) **No Impact.** The proposed project site is in the midst of existing residences (enclave) and the rezoning and subdividing of this parcel would not appear to conflict with the existing zoning. There is no Williamson Act land contract on the project site, so the project would not conflict with the Williamson Act land contract. Therefore, no impacts are anticipated.
- c) **No Impact.** The project will have no impact on forest land. Currently a vacant lot zoned R-1 (Residential Single Family). As mentioned above, the subject property is not zoned for forest land and the General Plan Land Use Map designates this site as "Residential" and the proposed apartments will not conflict with existing zoning or cause rezoning of forest land, timberland or timberland zoned Timberland Production. Therefore, no impact is expected.
- d) **No Impact.** The proposed zone change and project will not result in the loss of forest land. The parcels are currently zoned R-1 (Single-Family Residential). As explained under item c) above, the proposed zone change and minor subdivision will not result in the loss of forest land or conversion of forest land to non-forest use. Therefore, no impact is expected.
- e) **No Impact.** The proposed project and zone change will not result or influence the conversion of farmlands, forests or agricultural uses to other uses.

III. AIR QUALITY – Would the project:				
	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?				X
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?				X
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?				X
d) Expose sensitive receptors to substantial pollutant concentrations?				X
e) Create objectionable odors affecting a substantial number of people?				X

Background

The multifamily residential project will not have a negative impact on the air quality. The proposed Project site is located within the Salton Sea Air Basin and is under the jurisdiction of the Imperial County Air Pollution Control District (ICAPCD). The Imperial Valley has been designated as a “non-attainment” area with respect to State Standards for particulate matter (PM10) and ozone (smog). The ICAPCD recommends that construction projects in the Imperial Valley follow the standard and discretionary mitigation measures outlined in Section VII of the ICAPCD CEQA Air Quality Handbook in order to minimize PM10 and emissions generation on-site. The ICAPCD also suggests that projects incorporate street tree planting and other landscaping along interior streets and project boundaries as these green spaces act as filters for dust and other pollutants.

The proposed designation will result in the creation of an additional 80 multifamily residential units and an additional 480 average daily trips (ADTs) versus 288 (ADTs) if the zoning does not change.

The proposed Project is likely to generate dust and other forms of pollutants during Project construction and long-term project emissions will result from traffic generated by the residential development. Adjacent residences are considered sensitive receptors and may be negatively affected from these short and long-term emissions. The APCD considers a project to be mitigated to a level of insignificance if the project incorporates all feasible mitigation measures listed in Section VII of the handbook and/or exhausts all CEQA options for mitigation subject to CEQA Guidelines §15370.

Impact Discussion

- a) **No Impact.** The proposed project and zone change will have no impact on any applicable air quality plan. The proposed project is for the proposed zone change and any development shall conform to the requirement of the Imperial County Air Pollution Control District (ICAPCD). Therefore, less than significant impacts are anticipated.
- b) **No Impact.** As explained in Item a) above, the proposed project is a zone change and anticipated multifamily apartment complex with no proposed changes to the existing use and will not result in a cumulative net increase of any criteria pollutant for which the project is non-attainment. The project will not violate any air quality standards or contribute substantially to an existing or projected air quality violation. Therefore, no impacts are anticipated.
- c) **No Impact.** The proposed project and zone change will not result in any increase of any criteria pollutant for which the region is in non-attainment. The project proposes a zone change and multifamily complex with no proposed change to the use and does not anticipate exposing receptors to substantial pollutants concentrations. Therefore, no impacts are anticipated.
- d) **No Impact.** The proposed project and zone change will not have an impact nor contribute to pollution. The project proposes a zone change and multifamily complex with no proposed change to current use and does not anticipate in creating more objectionable odors that already exists with the adherence of ICAPCD requirements.
- e) **No Impact.** The proposed project is a zone change and tentative multifamily apartment complex with no proposed change to the existing use and does not anticipate in creating objectionable odors affecting a substantial number of people. Therefore, no impacts are anticipated.

IV. BIOLOGICAL RESOURCES – Would the project:					
		Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				X
b)	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				X
c)	Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
d)	Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X

e)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
f)	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X

Background

The proposed project is to be located on vacant parcels within an urbanized area that are zoned for residential uses.

Impact Discussion

- a) **No Impact.** The proposed project site is located within disturbed land and does not appear to have a substantially adverse effect, either directly or through habitat modification, or any species identified as a candidate, sensitive or special status species in local or regional plan, policies, or regulation, or by the Departments of Fish and Wildlife. Therefore, no impacts are anticipated.
- b) **No Impact.** The proposed project is to be located on R-1(Residential Single-Family) parcels that are vacant. As mentioned under item a) above, the project site is located within disturbed land and does not appear to have a substantial effect on any riparian habitat or other sensitive natural community identified in local or regional plan, policies, and regulations or by the Departments of Fish and Wildlife. Therefore, no impacts are anticipated.
- c) **No Impact.** There are not any wetlands within the vicinity of the proposed projects locations. As explained in Item a) above, the project proposes a zone change and a multifamily apartment complex and will not cause a substantial adverse effect on federal protected wetlands as defined by Section 404 of the Clean Water Act (including but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means. Therefore, no impacts are anticipated.
- d) **No Impact.** Project is to be located on vacant land that is zoned R-1 and surrounded by residential uses. As mentioned under Item a) above, the proposed zone change and tentative multifamily apartment complex will not interfere substantially with the movement of any residential or migratory fish or wildlife species or with established resident or migratory wildlife, corridors or impede the use of native wildlife nursery sites. Therefore, no impacts are anticipated.
- e) **No Impact.** The project will not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. Therefore, no impact is expected.
- f) **No Impact.** The project will not Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

V. CULTURAL RESOURCES – Would the project:				
	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?				X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?				X
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X
d) Disturb any human remains, including those interred outside of formal cemeteries?				X

Background

The proposed project is to be located on vacant parcels that are not tied nor have been identified by the State of California to have any cultural value or history. The project will not have an adverse change in the significance of a historical resource as defined in §15064.5.

Impact Discussion

- a) **No Impact.** The project will not cause adverse change with historical resources. It is to be located on a vacant lot. The project will not have an adverse change in the significance of a historical resource as defined in §15064.5.
- b) **No Impact.** The project will not cause adverse change with archaeological resources. It is to be located on a vacant lot on disturbed land and is not expected to directly or indirectly destroy a unique paleontological resource or unique geologic feature. Therefore, any impacts should be less than significant.
- c) **No Impact.** The project will not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature on disturbed land and is not expected to directly or indirectly destroy a unique paleontological resource or unique geologic feature.
- d) **No Impact.** The project will not have an impact on human remains. To be located on a vacant residentially zoned site. As mentioned under Item a) above, the project site is located on disturbed land and is not expected to result in the disturbance of any human remains, including those interred outside of dedicated cemeteries. Therefore, any impact would be less than significant.

VI. ENERGY – Would the project:				
	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?				X
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?				X

Background

The project will not create unnecessary consumption of energy.

Impact Discussion

- a) **No Impact.** Will not result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation.
- b) **No Impact.** Will not conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

VII. GEOLOGY AND SOILS – Would the project:				
	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including risk of loss, injury, or death involving:				
1) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			X	
2) Strong seismic ground shaking?			X	
3) Seismic-related ground failure, including liquefaction?				X
4) Landslides?				X
b) Result in substantial soil erosion or the loss of topsoil?				X
c) Be located on a geologic unit or soil that is unstable or that would become unstable as a result of the project, and potentially result in on- or off-site landslides, lateral spreading, subsidence, liquefaction or collapse?				X
d) Be located on expansive soil, as defined of the latest in Table 18-1-B Uniform Building Code, creating substantial risk to life or property?				X
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X

Background

The parcels are currently vacant and zoned for residential uses. At the time of “Building Permitting” any soil issues that can be unforeseen will be addressed.

Impact Discussion

- a) **No Impact.** Project and zone change is to allow for a multi-family residential use, the proposed project will not cause or expose people or structures to potential substantial adverse effects, including risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault. Therefore, less than significant impacts are expected.
 - 1. According to the State of California's Alquist-Priolo Earthquake Fault Zone Maps, Revised January 1, 1980, Specials Studies Map, the proposed project site is not located in a "Special Studies Zone". The site could be affected by the occurrence of seismic activity, but no more than the surrounding properties. The project would need to comply with the California Building Code (CBC). Compliance with the CBC would reduce the risk to a level less than significant.
 - 2. Per the City of Imperial Conservation and Open Space Element, the project site is in a high seismic area. However, any potential impact would not be greater to the project site than elsewhere in the region. The main concern of ground shaking is the corresponding structure damage and the related hazards to life and safety. To ensure the structural integrity of all buildings and structures, the project must conform to the Seismic Requirements as outlined in the California Building Code. Compliance with the CBC does not eliminate the risk associated with ground shaking; however, it would reduce the risk to a level less than significant.
 - 3. The project site is on relatively flat terrain and is not within a "Landslide Susceptibility Area" as identified by the GGS Seismic Hazard Zonation's Program (SHZP) Data Access Page, and the Imperial County General Plan, Seismic and Public Safety Element, Figure 2 (Landslide Activities). Additionally, the project site is not adjacent to any shore line and, therefore is not subject to a seiche or tsunami.
- b) **No Impact.** Project and zone change is to allow for a multi-family residential use. The project site is not located within an erosion susceptible area according to the Imperial County, Seismic and Public Safety Element, Figure 3; therefore, no impact is expected.
- c) **No Impact.** Mitigation measures are incorporated at the time of "Building Permit Processing" for structure integrity and compliance with CA Building Code standards. The project site is not located on a geological unit or soil that is unstable or would become unstable due to the expansion to this existing facility; therefore, no impact is expected
- d) **No Impact.** Mitigation measures are incorporated at the time of "Building Permit Processing" for structure integrity and compliance with CA Building Code standards. The project site is not characterized by any expansive soils that would be considered environmentally significant. Potential impact deriving from expansive soils are considered negligible. Therefore, no impacts are anticipated.
- e) **No Impact.** Mitigation measures are incorporated at the time of "Building Permit Processing" for structure integrity and compliance with CA Building Code standards.

VIII. GREENHOUSE GAS EMISSIONS – Would the project:					
		Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?				X
b)	Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?				X

Background

The proposed residential project will not have an impact on greenhouse gas emissions.

Impact Discussion

- a) **No Impact.** Will not generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment however, construction impacts would short term with minimal impacts. Any future development shall comply with the Imperial County Air Pollution Control District rules and regulations. The impacts are anticipated to be less than significant.
- b) **No Impact.** Will not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

IX. HAZARDS AND HAZARDOUS MATERIALS – Would the project:				
	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				X
b) Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within a quarter-mile of an existing or proposed school?				X
d) Be located on a site, which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X

Background

The proposed project is for a multifamily residential use. The project is not going to bring nor generate any hazardous materials or uses to the area.

Impact Discussion

- a) **No Impact.** Will not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. The project area may be impacted by aerial application using pesticide spray application on the existing and surrounding farm ground. Additionally, the project area may contain hazardous material that are used for abatement of weeds and insects; however, the applicant does not intend to change the current use of the parcel and therefore, any hazardous material impacts would be maintained at a level less than significant.
- b) **No Impact.** Will not create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment
- c) **No Impact.** Will not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within a quarter-mile of an existing or proposed school.
- d) **No Impact.** Will not create a significant hazard to the public or the environment. The project site is not located on a site included on a list of hazardous material sites; therefore, no impact expected.
- e) **No Impact.** Will not result in a safety hazard for people residing or working in the project area
- f) **No Impact.** Will not result in a safety hazard for people residing or working in the project area.
- g) **No Impact.** Will not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.
- h) **No Impact.** Will not expose people or structures to a significant risk of loss, injury or death involving wildland fires including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands. The project site is not located in an area susceptible to wildland fires, therefore, no impact is expected.

X. HYDROLOGY AND WATER QUALITY – Would the project:					
		Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Violate any water quality standards or waste discharge requirements?			X	
b)	Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				X
c)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or situation on- or off-site?				X
d)	Substantially alter the existing drainage pattern of the site, including through the alteration of the course of a stream or river, in a manner which would result in flooding on- or off-site?				X
e)	Create or contribute runoff water, which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?				X

f)	Otherwise substantially degrade water quality?				X
g)	Place housing within a 100-year flood hazard area as mapped on a Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
h)	Place within a 100-year flood area structures which would impede or redirect the flood flows?				X
i)	Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X
j)	Inundation, mud flow or water run-off?				X

Background

The proposed project will not create a detrimental impact on water resources within the city. If any unforeseen issues arise, the applicant will have to mitigate them during the building permitting process. The Project site presently consists of vacant land with sparse vegetation. Therefore potential hazards for slope instability are unlikely. The increase in residential density will increase the existing rates of runoff due to increased sealed surface areas. The incorporation of an adequate drainage management plan will help minimize any substantial risk of erosion or situation on or off-site. The drainage plan is subject to review by the City Public Works and Engineering Department for consistency with City Standards.

A drainage report will be prepared to adequately assess the potential for adverse hydrological and drainage effects associated with short-term construction and longer-term operation of the proposed project. Findings and recommendations from the prepared Hydrology report will further be incorporated as mitigation measures for the project. Site development would include clearing and grubbing of vegetation, site grading, underground utility installation and construction of retention basins.

Impact Discussion

- a) **No Impact.** Will not violate any water quality standards or waste discharge requirements. No discharge of any industrial or process wastewater is proposed, but if the applicant commences to discharge any industrial or processed wastewater, the applicant will need to work the Regional Water Quality Control Board for permitting said discharge. However, less than significant impacts are anticipated. Implementation of the proposed Project may result in short term and long term changes to site drainage characteristics. Preparation of a Stormwater Pollution Prevention Plan (SWPPP) would be required for the proposed Project site to ensure consistency with all applicable water quality standards as well as implementation of Best Management Practices (BMPs).
 - a) **No Impact.** The proposed Project would rely on municipal water for both short-term and long-term operation. The proposed zone change and multifamily apartment complex will not substantial deplete groundwater; therefore, no impacts are expected.
 - b) **No Impact.** The proposed zone change and multifamily apartment complex will not substantial alter the existing drainage pattern of the site or area, resulting in substantial erosion or siltation on- or off-site, therefore, no impacts are expected. The soils at the site are subject to wind and water erosion, especially during Project construction. However, implementation of the SWPPP and BMPs would reduce impacts to less than significant. Areas not paved or constructed would be landscaped in accordance with City of Imperial requirements. Therefore, the likelihood of soil erosion or loss of topsoil would be minimized.
 - b)
 - c) **No Impact.** The proposed zone change and multifamily apartment complex will not substantially alter the existing drainage patterns or increase the rate or amount of surface runoff, resulting in flooding on- or off-site; therefore, no impact are expected. Additionally, Imperial County Public Works will require that a

drainage and grading plan/study/letter be submitted at the time of development. Therefore, any impacts are expected to be less than significant.

- d) **No Impact.** The proposed zone change and multifamily apartment complex will not create or contribute runoff water, which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff. The proposed on-site detention basin and landscaped areas will accommodate the water run-off from the Project site. Construction activities on the project site would be subject to Best Management Practices (BMP’s) and a Storm Water Pollution Prevention Plan (SWPPP) to minimize pollution on and off-site
- e) **No Impact.** The proposed zone change and multifamily apartment complex will not otherwise substantially degrade water quality, and; therefore, no impact is expected.
- f) **No Impact.** Will not place housing within a 100-year flood hazard area as mapped on a Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map. Per FEMA Flood Map #06025C1700C the project site is not located with a flood area. Therefore, no impact is expected.
- g) **No Impact.** Will not place within a 100-year flood area structures which would impede or redirect the flood flows and would not require the placement of structures within 100-year flood hazard area, which would impede or redirect flood flow, therefore, no impact is expected.
- h) **No Impact.** Will not expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam.
- i) **No Impact.** The proposed zone change and multifamily complex would not expose people or structures to a significant risk or lost, injury or death involving inundation by seiche, tsunami, or mudflow, therefore, no impact is expected.

XI. LAND USE AND PLANNING – Would the proposal:					
		Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Physically divide an established community?				X
b)	Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			X	
c)	Conflict with any applicable habitat conservation plan or natural community conservation plan?				X

Background

The proposed project will serve as infill in the community and the City of Imperial because it is to be located on Vacant residentially zoned parcels. Land Use Designation

This General Plan Amendment is consistent with the goals, objectives, and policies of the various Elements of the General Plan.

Impact Discussion

- a) **No Impact.** The proposed project will not physically divide an established community.
- b) **No Impact.** Will not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.
- c) **No Impact.** The proposed Project would not conflict with any applicable habitat conservation plan or natural community conservation plan because the site is currently used as a residential property and is not identified as suitable habitat for plan and/or animal species.

<i>XII. MINERAL RESOURCES</i> – Would the project:					
		Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b)	Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X

Background

The project is not located in an area that is considered by the State of California a “mineral resource” source, thus it will not impact this item.

Impact Discussion

- a) **No Impact.** Will not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state. The proposed zone change and tentative multifamily complex will not remove mineral resources on-site; therefore, no impact expected.
- b) **No Impact.** The proposed zone change and multifamily apartment complex not result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan.

<i>XIII. NOISE</i> – Would the project result in:
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	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?				X
b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?				X
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?				X
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?				X
e) For a project located within an airport land use plan or where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X

Background

The proposed project will comply with the noise element for that zone.

Impact Discussion

- a) **No impact.** The proposed project will not expose persons to or generate noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies The proposed project is not expected to create substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project. Therefore, less than significant impacts are expected.
- b) **No Impact.** The proposed project will not expose persons to or generate excessive ground borne vibration or ground borne noise levels.
- c) **No impact.** The zone change will not create a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project. The project is not expected to create substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project. Therefore, less than significant impacts are expected.
- d) **No impact.** Will not create a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project. The proposed zone change, is not expected to create a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project. Therefore less than significant impacts are expected. Construction of the proposed Project could result in an increase in the existing ambient noise environment. Construction levels at the nearest noise sensitive locations would be approximately 89 dBA. Additionally, phased development of the proposed Project would result in increased noise levels compared to pre-construction phases. Mitigation would be required to minimize construction noise in these areas. These measures include, but are not limited to: limiting the hours of construction and use of mufflers on construction equipment

- e) **No impact.** Will not expose people residing or working in the project area to excessive noise levels. According to the Imperial County Airport Land Use Compatibility Plan, the Project site is located within the **“D”** Zone which is within the “Other Airport Environs” location. According to the Plan, there is negligible risk to residents in this Zone, but there is potential for annoyance from overflights. There are no limits within this Zone in regard to density and no requirements for open land. An aviation easement exists on the project site and would be continued with the resubdivision.
- f) **No impact.** The project is not located near a private airstrip. The proposed project site is not within the vicinity of a private airport nor is it within the close vicinity of a private airstrip. Therefore, the proposed water well will not result in any

XIV. POPULATION AND HOUSING – Would the project:					
		Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Induce substantial population growth in an area either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X
b)	Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c)	Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X

Background

The multifamily apartment project is proposed to be on parcels that are already zoned for residential uses.

Impact Discussion

- a) **No Impact.** The project will not create substantial population growth in the area. The zone change would not induce substantial population growth in the area either directly or indirectly. While there would be impacts, the impacts would appear to be less than significant.
- b) **No Impact.** The project is proposed to be developed on currently vacant land and would not displace substantial numbers of exiting housing, necessitating the construction of replacement housing elsewhere; therefore, no impact is expected.
- c) **No Impact.** The land that the project is proposed to be developed on is currently vacant. The proposed development will not displace substantial numbers of people necessitating the construction or replacement housing elsewhere; therefore, no impact is expected.

XV. PUBLIC SERVICES:				
	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
1) Fire protection?			X	
2) Police protection?			X	
3) Schools?			X	
4) Parks?			X	
5) Other public facilities?			X	

Background

The project will not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services.

Impact Discussion

- 1) **No Impact.** At the time of building permit processing the applicant will comply with any requirements needed by the fire department. The proposed zone change is not expected to result in substantial impacts on fire protection; however, any new impacts would be less than significant. The installation of fire hydrants within the Project site with offer increased fire protection to the Project area and therefore the impact should be less than significant.
 - a)
 - b) **No Impact.** The police department did not impose nor express any safety concern issues regarding the proposed development. The proposed zone change is not expected to have result in substantial impacts on police protection; any new impacts would be less than significant.
 - c) **No Impact.** The developer is required to pay “school fees” to help mitigate any potential increase in service the project may create. The proposed zone change is not expected to have an impact on schools; therefore, any new impacts would be less than significant.
 - d) **No Impact.** The developer is requires to pay development impact fees for “parks” to the City of Imperial as well as provide recreational areas onsite of the development for the residents. The proposed zone change is not expected to create a substantial impact on parks; therefore, less than significant impact would be expected.
 - e) **No Impact.** There are no foreseeable impacts to other public facilities at the time of this evaluation based on the proposed use. The proposed zone change is not expected to create a substantial impact on other public facilities; therefore, less than significant impacts would be expected.

XVI. RECREATION:				
	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project increase the use of the existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			X	
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse effect on the environment?				X

Background

The proposed multifamily development will have onsite outdoor picnic areas for the residents. The developer is also required to pay development impact fees to help offset potential recreational needs due to the development.

Impact Discussion

- a) **No Impact.** The proposed zone change could increase the use of the existing neighborhood and regional parks or other recreational facilities; however, the increase would be minor; therefore, less than significant impact would be expected.
- b) **No Impact.** The Developers are required to pay “Development Impact Fees” and provide recreational areas as per the Cities ordinance for residential developments. The proposed zone change does not include or require the construction of recreational facilities; therefore, no impact is expected.

XVII. TRANSPORTATION – Would the project:				
	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads or congestion at intersections)?				X
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion/management agency for designated roads or highways?				X
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks?				X
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X

e)	Result in inadequate emergency access?				X
f)	Result in insufficient parking capacity?				X
g)	Conflicts with adopted policies, plans, programs, supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				X
h)	Conflicts or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?				X

Background

The project is a proposed multifamily development to be constructed on vacant land that is zoned residential for single-family developments. The project will have to comply with all development requirements the City of Imperial formulates to mitigate potential traffic congestion.

Impact Discussion

- a) **No Impact.** The project is proposed to be in a zoning district that can with stand the potential generation of traffic. Measures will be implemented at the time of construction to prevent any type of potentially adverse effects in regards to traffic. The proposed zone change is not expected to create a substantial impact to surrounding roads; however any new impacts would appear to be less than significant.
- b) **No Impact.** The project will not exceed, either individually or cumulatively, a level of service standard established by the county congestion/management agency for designated roads or highways.
- c) **No Impact.** Will not result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks.
- d) **No Impact.** The proposed project will not create any exposure to hazardous materials.
- e) **No Impact.** The project will not result in inadequate emergency access.
- f) **No Impact.** The proposed development will have to comply with the City of Imperial’s development standards in all aspects. The development must have enough parking for the proposed use and it will not result in insufficient parking.
- g) **No Impact.** The proposed project will not conflicts with adopted policies, plans, programs, supporting alternative transportation
- h) **No Impact.** The project will not have an adverse effect nor be inconsistent with CEQA Guidelines section 15064.3, subdivision (b).

XVIII. TRIBAL CULTURAL RESOURCES – Would the project:				
	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				X
b) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1 (k), or				X
c) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe				X

Background

The project is proposed to be on vacant land located within a urbanized area. The parcels are zoned for residential uses. There have not been reports of the parcels nor the area to have any ties to tribal culture or resources.

Impact Discussion

- a) **No Impact.** The project is proposed to be on vacant land. Based on Figure 6 Known Areas of Native American Sensitivity of the Conservation and Open Space Element of the Imperial County General Plan, the project site is not located with any sensitive area.
- b) **No Impact.** The land is vacant and not listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1 (k). The proposed project would not cause a substantial change in the significance of a tribal cultural resource and no historical resources have been identified as significant in the project area.
- c) **No Impact.** The project has not been determined to be significant pursuant to criteria set forth in subdivision of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

XIX. UTILITIES AND SERVICE SYSTEMS – Would the project:				
	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X
b) Require or result in the construction of new storm water or water treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project’s projected demand in addition to the provider’s existing commitments?				X
f) Be served by a landfill with sufficient permitted capacity to accommodate the project’s solid waste disposal needs?				X
g) Comply with federal, state, and local statutes and regulations related to solid waste?				X

Background

The project is a proposed multifamily development to be constructed on vacant land that is zoned residential for single-family developments. The applicant is aware and subject to conditions of approval to ensure that the project and city are provided and served with all the necessary utilities to properly function and meet all local and state regulation requirements when it comes to water and sewer. The Project will require water and sewer line extensions connecting to the existing water and wastewater infrastructure, as well as the construction of new infrastructure

Impact Discussion

- a) **No Impact.** The project will not exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board. The proposed zone change will not exceed wastewater treatment requirements of the Regional Water Quality Control Board; therefore, no impacts are expected.
- b) **No Impact.** The project will not require new facilities to be constructed because of the use. The proposed zone change will not result in the construction of new water or water treatment facilities or expansion of existing facilities. Therefore, no impact is expected.
- c) **No Impact.** None of the proposed construction will cause environmental constraints. The proposed zone change will not result in the construction of a new storm water drainage facilities or expansion of existing facilities; therefore, no impact is expected.
- d) **No Impact.** The proposed project will have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed.

- e) **No Impact.** The proposed zone change will not result in a determination by a wastewater treatment provider that services or may service the project that it does not have adequate capacity to the project's projected demands in additions to the provider's existing commitments. At the time of the Building Permit application process, the developer will supply the city with a Hydrology flow test, to ensure the use will have adequate water supply and if not the developer will mitigate the issue.
- f) **No Impact.** The project will be served by a landfill with sufficient capacity to accommodate the project's solid waste disposal needs.
- g) **No Impact.** The project will comply with federal, state, and local statutes and regulations related to solid waste.

XX. WILDFIRE – If located near or near state responsibility areas or lands classified as very high fire hazard severity zones, Would the project:				
	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?				X
b) Due, to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?				X
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?				X

Background

The City of Imperial is part of the Imperial County, which is within the State of California. We are the only county, that has not been assessed by the state of California for “WILDFIRE” threats.

Impact Discussion

- a) **No Impact.** No risk of wildfire at the proposed projects location.
- b) **No Impact.** No risk of wildfire at the proposed projects location.
- c) **No Impact.** No risk of wildfire at the proposed projects location.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE					
a)	Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?				X
b)	Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)				X
c)	Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?				X

Background

The project is a proposed multifamily development to be constructed on vacant land that is zoned residential for single-family developments.

Impact Discussion

- a) **No Impact.** The project is proposed to be on parcels that are currently vacant and zoned residential for single-family developments.
- b) **No Impact.** The does not have impacts that are individually limited, but cumulatively considerable.
- c) **No Impact.** The project does not have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly.

SOURCE REFERENCES	
The following documents were used as sources of factual data and are hereby incorporated as part of this Environmental Checklist. Because of the voluminous nature of the documents, copies of the following documents are not distributed with this document but may be obtained from the City of Imperial.	
A	City of Imperial Zoning Ordinance
B	City of Imperial General Plan
C	City of Imperial Service Area Plan
D	Air Pollution Control District CEQA Air Quality Handbook
E	County of Imperial Airport Land Use Compatibility Plan

WORKING DRAFT- CONDITIONS OF APPROVAL

**ZONE CHANGE AND GENERAL PLAN AMENDMENT
R-1 (Residential Single Family) to R-A (Residential Apartment)**

Ray Roben, 12th & 15th Street Apartments

1. This Zone Change and General Plan amendment is to approve the change from R-1(Single Family Residential) to R-A (Residential Apartment).
2. Developer to install a four-way stop at Fifteenth Street and La Brucherie Road intersection and/or an approved form of traffic mitigation measures as approved by the County of Imperial for the future “Fifteenth and La Brucherie intersection”, prior to the issuance of Certificates of Occupancy.
3. Prior to construction and issuance of building permits approved there must be approval of water supply capable of supplying fire flow demands as determined by the Imperial County Fire Department.
4. A “water main line” study of 13th street must be conducted prior to application of building permits by the developer to verify that there is enough capability for the waterlines to handle that type of development.
5. Prior to construction the waterloop must be provided and installed by the developer.
6. The developer must incorporate, provide and install whichever traffic mitigation measures that are formulated by the City of Imperials Traffic Commission for the intersections of 13th and 14th Street.
7. Developer must pave the full width of Fifteenth Street all the way to C Street.
8. Ordinance section: 24.03.130-A minimum of two hundred (200) square feet of private open area per ground floor unit shall be provided and a minimum of one hundred fifty (150) square feet of private open space for units contained wholly on the second story shall be provided.
9. Per Section 24.03.130 of the City of Imperial’s zoning ordinance, a 6’ Block wall is required to be installed around the perimeter of the apartment complex.
10. Where a lot fronts on more than one street it shall be considered to have multiple frontages and be required to meet the front yard setback requirement on all street frontages.

11. A minimum of two hundred fifty (250) cubic feet of lockable, enclosed storage per unit shall be provided in the garage or carport area; substitutions may be approved by the Planning Director.
12. As per section 24.03.IIO, The following recreation facilities shall be provided at a minimum unless waived by the Planning Director:
 - a. Landscaped park like quiet area;
 - b. Childrens play area;
 - c. Family picnic area; and
 - d. Swimming pool with cabana or patio cover.
13. A minimum of two (2) clothes washers and one (I) clothes dryer per eight dwelling units located conveniently throughout the development.
14. A trash enclosure, per City standards, shall be provided for dwelling units in the RA Zone. A form of organic waste separation measures must be incorporated into the trash disposal measures. Plan must be reviewed and approved by the City of Imperial's Public Works Department Director during the Building Permit Process.
15. These conditions of approval only cover the zone change and general plan amendment. Applicant must still apply for Site Plan Review and Building Permit Process prior to any work and can be bound by future conditions of approval for projects.
16. The 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.
17. The Developer/Applicant shall pay all applicable impact and capacity fees.
18. The Applicant shall agree to defend, indemnify and hold harmless the City of Imperial and its agents, including consultants, officers and employees from any claim, action or proceeding against the City or its agents, including consultants, officers and employees to attack, set aside, void, or annul the approval of this zone change and general plan amendment. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorney's fees, or expert witness costs that may be asserted by any person or entity, including the Property Owner/Applicant arising out of or in connection with the approval of the zone change and general plan amendment including any claim for private attorney general fees claimed by, or awarded to any party from the City.
19. All conditions of approval for this zone change and general plan amendment 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. 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.

20. The provisions of the permit are to run with the land/project and shall bind the current and future owner(s) successor(s) in interest, assignee(s) and/or transferor(s) of said project.
21. If the Community Development Department finds and determines that the Permittee or successor-in-interest has not complied or cannot comply with the terms and conditions of the zone change and general plan amendment, or the Planning/Building Department determines that the permitted activities constitute a nuisance, the City shall provide Permittee with notice and opportunity to comply with the enforcement or abatement order. If after receipt of the order (1) Permittee fails to comply, and/or (2) Permittee cannot comply with the conditions set forth in the then the matter shall be referred to the Planning Commission for modification to conditions of approval, suspension, or termination, or to the appropriate enforcement authority.
22. As between the City and the Permittee, any violation of the conditions of approval may be a "nuisance per se". The City may enforce the terms and conditions of this permit in accordance with its Codified Ordinances and/or State law. The provisions of this paragraph shall not apply to any claim of nuisance per se brought by a third party.
23. Permittee shall not be permitted to maintain a "nuisance", which is anything which: (1) is injurious to health, or is indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property, and/or (2) affects at the same time an entire community or neighborhood, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal, and/or (3) occurs during or as a result of the project.

CONDITIONS OF APPROVAL

ZONE CHANGE AND GENERAL PLAN AMENDMENT R-1 (Residential Single Family) to R-A (Residential Apartment)

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12th and 15th Street Apartments

Imperial, CA

3R1Builders

Logan Carter

Logan@3R1Builders.com



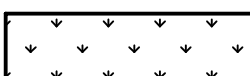


CONDITIONS OF APPROVAL - R-1 (Residential Single Family) to R-A (Residential Apartments)

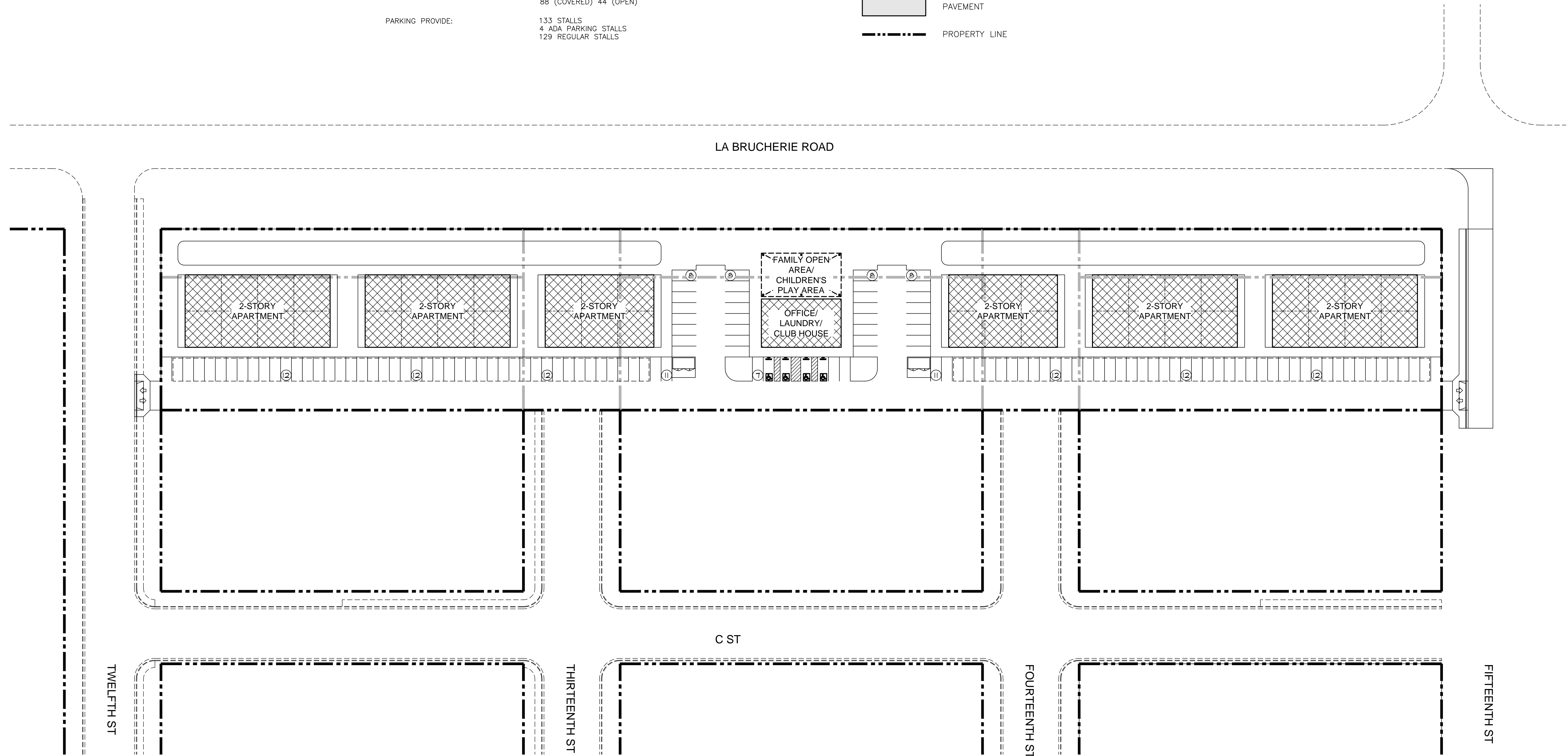
Date	Item	Question or Note	Q. Date	Response	R. Date
5/12/19	1	No comment	5/21/19		
5/12/19	2	No comment	5/21/19		
5/12/19	3	No comment	5/21/19		
5/12/19	4	Where is the existing water main?	5/21/19		
5/12/19	5a	Prior to 'Vertical Building Permits'	6/13/19		
	5b	Please provide the exact scope of 'waterline' implied here.			
	5c	The Developer will provide water studies for this site as a 'stand alone project'			
5/12/19	6	The developer must incorporate, provide and install "-" traffic mitigation measures that are formulated by the City of Imperials Traffic Commission "and approved by the developer's engineer" for the intersections of 13th and 14th Street.	5/21/19		
5/12/19	7	The Developer will provide Curb & Gutter to the south side of 15th St. only	5/21/19		
5/12/19	8	The Developer would like to remove the 2nd floor	5/21/19		
5/12/19	9a	Does this have to be 'block', or can the developer propose an alternate?	5/21/19		
	9b	Does this have to be around the entire property, or just separate from R-1?			
5/12/19	10	No comment	5/21/19		
5/12/19	11a	Please provide approved examples in the City of Imperial with alternatives	5/21/19		
	11b	We don't see this in any other development in Imperial (Marty)			
5/12/19	12a	We would like a decision from Planning Director prior to moving forward	5/21/19		
	12b	X - no pool for sure. Will do family picnic area so on.			
5/12/19	13	No comment	5/21/19		
5/12/19	14	No comment	5/21/19		
5/12/19	15	No comment	5/21/19		
5/12/19	16	No comment	5/21/19		
5/12/19	17	We would like a projected budget for all applicable impact & capacity fees	5/21/19		
5/12/19	18	No comment	5/21/19		
5/12/19	19	No comment	5/21/19		
5/12/19	20	No comment	5/21/19		
5/12/19	21	No comment	5/21/19		
5/12/19	22	No comment	5/21/19		
5/12/19	23	No comment	5/21/19		

BUILDING DATA:

BUILDING USE: APARTMENT COMPLEX
 ZONE: EXIST. R-1 (RESIDENTIAL SINGLE FAMILY)
 CHANGE ZONE: RA (RESIDENTIAL APARTMENT ZONE)
 STORIES: TWO STORY
 LANDSCAPE REQUIRED: -
 LANDSCAPE PROVIDE: -
 PARKING REQUIRED (2 BEDROOMS): 1.5 SPACES (1 COVERED)
 88x1.5 = 132 PARKING STALLS
 88 (COVERED) 44 (OPEN)
 PARKING PROVIDE: 133 STALLS
 4 ADA PARKING STALLS
 129 REGULAR STALLS

HATCH LEGEND

-  NEW CONCRETE AREAS
-  PROPOSED BUILDING
-  NEW LANDSCAPE AREAS
-  PAVEMENT
-  PROPERTY LINE



CONCEPT SITE PLAN #2

SCALE: 1"=40'-0"



PROPERTY BOUNDARY NOTE:
 THE PROPERTY OR BOUNDARY LINES SHOWN ON THIS PLAN ARE AN APPROXIMATE AND ASSUMED LOCATION. THIS PLAN SHALL NOT BE USED AS A LEGAL DOCUMENT FOR LOCATING, ESTABLISHING OR DEPICTING PROPERTY LINES. IF PROPERTY LINES NEED TO BE ESTABLISHED OR IDENTIFIED, A REGISTERED LAND SURVEYOR WILL PREPARE THE NECESSARY SURVEY

PROJECT: 12TH STREET APARTMENTS
 SCALE: AS SHOWN
 DATE: 03/13/2019
 DRAWN BY: IMPERIAL, CA

SHEET CONTENTS:
 CONCEPT SITE PLAN #2

JOB No. 2019-24
 DRAWING No. 2 / -