



PLANNING AND TRAFFIC COMMISSION
Ruben Rivera –Chairperson
Lisa Winkler – Vice-Chairperson
Alice Abatti – Commissioner
Francisco Curiel – Commissioner
Rebecca Terrazas-Baxter-Commissioner

AGENDA

PLANNING COMMISSION

**220 West 9th Street
IMPERIAL, CA 92251**

**WEDNESDAY, APRIL 23, 2025
6:30 P.M.**

The Imperial Planning Commission Meetings, including public comments, are being Livestreamed on the City's social media pages. If attending in person, by remaining in the room, you are giving your permission to be recorded.

1. You are encouraged to observe the City Council meetings via Livestream at the City of Imperial's Facebook page.
2. If you are unable to participate in person, and wish to address the City Council on matters within their jurisdiction, please email public comments to cityclerk@imperial.ca.gov
3. All documents containing an executive summary and staff recommendation associated with open session action items are made available for public inspection on the City's website, www.cityofimperial.org seventy-two (72) hours prior to the posted meeting time. Government Code Section 54957.5(b)(2)(B).

In compliance with the Americans With Disabilities Act, if you need special assistance to participate in this meeting, please contact (760) 355-4373. Notification 48 hours prior to the meeting will enable the city to make reasonable arrangements to ensure accessibility to this meeting [28cfr 35.102-35.104 ADA title ii]

A. PLANNING COMMISSION CONVENES TO OPEN SESSION AT 6:30 PM:

ROLL CALL
PLEDGE OF ALLEGIANCE
ADJUSTMENTS TO THE AGENDA

B. PUBLIC APPEARANCES

B-1: Matters not appearing on the agenda.

If you wish to address the Planning Commission concerning any item not appearing on the agenda and within the Commission's jurisdiction, please raise your hand and be acknowledged by the Chairperson, and at that time state your name and address for the record. The Chairperson reserves the right to place a time limit on each person's presentation of three (3) minutes. It is requested that longer presentations be submitted to the Commission in writing.

C. CONSENT CALENDAR

C-1: Approve Planning Commission Meeting Minutes for March 26, 2025.

D. PLANNING COMMISSION NEW BUSINESS: (DISCUSSION/ACTION – RECOMMEND/DENY)

D-1. Appointment of a non-voting Planning Commissioner and an alternate to the Friends of Imperial Parks Committee for the 2025 calendar year.

D-2. Subject: Public Hearing, Discussion/Action: Public hearing to consider approval of Tentative Tract Map 24-02 for Monterrey Park (APN 064-295-084 and APN 064-281-068). The request is consistent with the previously certified Negative Declaration in accordance with the requirements of the California Environmental Quality Act (CEQA).

- 1. Public Hearing**
- 2. Staff Report – Public Comment**
- 3. Commission Discussion**
- 4. Close Public Hearing**
- 5. Recommended Actions:**

Approve/Deny Resolution No. PC2025-08: A RESOLUTION OF THE PLANNING COMMISSION, OF THE CITY OF IMPERIAL, APPROVING TENTATIVE TRACT MAP 24-02 FOR MONTERREY PARK SUB #2 UNIT 3D (APNs 064-295-084 & 064-281-068)

D-3. Subject: Public Hearing, Discussion/Action: Conditional Use Permit 25-03 for Steven Schneider to allow the operation of a drive-thru at a Jack in the Box restaurant located at 304 S. Imperial Avenue (APN 064-106-006). The project is categorically exempt from the California Environmental Quality Act (CEQA) under Section 15332, In-fill Development Projects.

- 1. Public Hearing**
- 2. Staff Report – Public Comment**
- 3. Commission Discussion**
- 4. Close Public Hearing**
- 5. Recommended Actions:**

Approve/Deny Resolution No. PC2025-07: A RESOLUTION OF THE PLANNING COMMISSION, OF THE CITY OF IMPERIAL, APPROVING CONDITIONAL USE PERMIT 25-03 FOR THE OPERATION OF A DRIVE-THRU AT A JACK IN THE BOX RESTAURANT LOCATED AT 304 S. IMPERIAL AVENUE (APN 064-106-006).

E. REPORTS

E-1: Commissioners' Reports

E-2 Staff Reports

F. ADJOURNMENT

F-1. Subject: Adjourn the Planning Commission meeting until the next regularly scheduled meeting on May 14, 2025 at 6:30 pm.

NOTE: Any documents produced by the City and distributed to a majority of the Planning Commission regarding any item on this agenda will be made available at the front counter at City Hall, located at 420 South Imperial Avenue, during normal business hours.



PLANNING AND TRAFFIC COMMISSION
Ruben Rivera – Chairperson
Lisa Winkler – Vice Chairperson
Alice Abatti – Commissioner
Francisco Curiel – Commissioner
Rebecca Terrazas-Baxter – Commissioner

MINUTES

PLANNING COMMISSION

220 West 9th Street
IMPERIAL, CA 92251

WEDNESDAY, MARCH 26, 2025
6:30 P.M.

A. PLANNING COMMISSION CONVENES TO OPEN SESSION AT 6:30 PM:

ROLL CALL: Commissioner Curiel, Terrazas-Baxter, and Chairperson Rivera
Commissioner Abatti arrived at 6:35

ABSENT: Commissioner Winkler

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was led by Francisco Curiel.

ADJUSTMENTS TO THE AGENDA: None

B. PUBLIC APPEARANCES: None

C. CONSENT CALENDAR

C-1: Approve Planning Commission Meeting Minutes for March 12, 2025.

Moved by Curiel, seconded by Rivera to approve Resolution No. PC2025-05 and Approving Conditional Use Permit 25-01.

AYES: Curiel, Terrazas-Baxter, and Rivera

NOES: None

ABSTAIN: None

ABSENT: Abatti and Winkler

MOTION CARRIES: 3-0

D. PLANNING COMMISSION NEW BUSINESS: (DISCUSSION/ACTION – RECOMMEND/DENY)

D-1. Subject: Public Hearing, Discussion/Action: Conditional Use Permit 25-01 for Joshua Quintero to allow the operation of a storage facility located at 611 E. 12th Street (APN 063-12-003). The project is categorically exempt from the California Environmental Quality Act (CEQA) under Section 15332, In-fill Development Projects.

The public hearing was opened at 6:36 p.m.

Yvonne Cordero, City Planner, Presented the staff report.

The public hearing was closed at 6:51 p.m.

Approve/Deny Resolution No. PC2025-05: A RESOLUTION OF THE PLANNING COMMISSION, OF THE CITY OF IMPERIAL, APPROVING CONDITIONAL USE PERMIT 25-01 FOR JOSHUA QUINTERO TO ALLOW THE OPERATION OF A STORAGE FACILITY LOCATED AT 611 E. 12TH STREET (APN 063-123-001).

Moved by Terrazas-Baxter, seconded by Curiel to approve Resolution No. PC2025-05 and Approving Conditional Use Permit 25-01.

AYES: Abatti, Curiel, Terrazas-Baxter, and Rivera

NOES: None

ABSTAIN: None

ABSENT: Winkler

MOTION CARRIES: 4-0

E. REPORTS

E-1: Commissioners reported on their activities and concerns since the last Planning Commission meeting.

E-2 Staff reported on their upcoming activities since the last Planning Commission meeting.

ADJOURNMENT

Chairperson Rivera adjourned the meeting at 6:54 p.m., seeing no further business before the commission.

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

KRISTINA SHIELDS
City Clerk



Staff Report

Agenda Item No. D-1

To: City of Imperial Planning Commission

From: Tony Lopez, Community Services Director

Date: April 14, 2025

Discussion / Action

The Friends of Imperial Parks committee was established in 2022 as a non-profit 501C3 and is made up of eight (8) voting board members and two (2) non-voting members.

To align the committee's initiatives with the City of Imperial, one member of the City Council and one member of the Planning Commission are requested to be appointed as non-voting members. An alternate Planning Commission member may also be appointed to attend in the event the Primary is not available.

Staff Recommendation:

Appoint a Non-Voting Planning Commissioner and an alternate to the Friends of Imperial Parks committee for the 2025 calendar year.



Staff Report

Agenda Item No. D-2

To: City of Imperial Planning Commission

From: Yvonne Cordero, Planner

Date: April 15, 2025

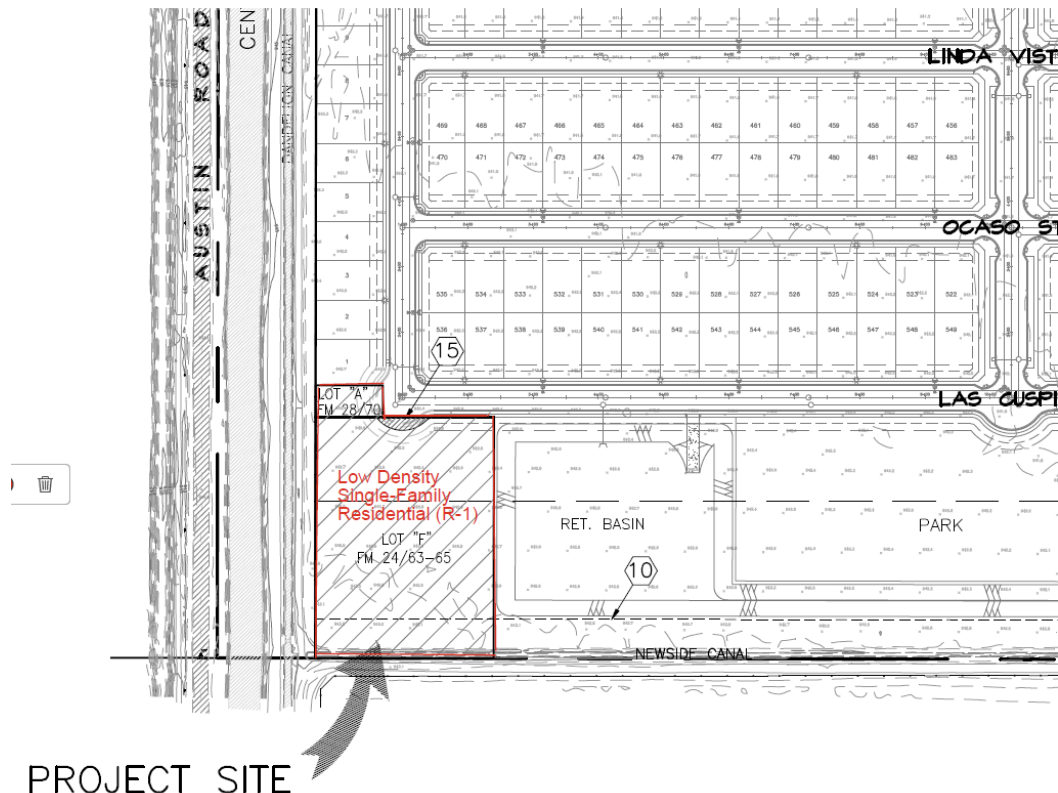
Applicant:	Daniel Dobron, Jupiter Ventures/Pacific West
Project Location:	304 S. Imperial Avenue
Project Description:	Tentative Tract Map TM 24-02 Subdivision of eleven (11), 6,000 single-family residential lots
Zoning:	Single-Family Residential (R-1)
Environmental:	Mitigated Negative Declaration (certified June 20, 2005)
Recommendation:	Approve, subject to Conditions of Approval

Background

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

Project Site Description

The project site consists of two parcels identified as Assessor's Parcel Number (APN) 064-281-068 (Lot F) and APN 064-295-084 (Lot A) in Tentative Map Monterrey Park Sub #2 Unit 3D provided in Attachment B. The adjacent parcels encompass a total net area of approximately 2.43 acres and are located on the Southwest corner of the Monterrey Park Subdivision, located at the Southeast corner of Austin and Brewer Roads.



Environmental Discussion/CEQA Analysis

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

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

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

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

Public Notification

The public hearing scheduled for April 23, 2025, was duly noticed in the Holtville Tribune and Calexico Chronicle, newspapers of general circulation, on April 10, 2025. A Notice of Public Hearing was mailed to all property owners within 300 feet of the property. The City of Imperial has not received any public comments for or against this project as of the date of this report's publication.

Recommendation

Staff recommends that the Planning Commission 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 Planning Commission forward a recommendation for approval of Tentative Tract Map TM 24-02 for Monterrey Park to the City Council.

Attachments

- Attachment A – Draft Resolution PC2025-08 with Conditions of Approval
- Attachment B – Tentative Map Monterrey Park Sub #2 Unit 3D
- Attachment C – Resolution 2005-24 Approving the Monterrey Park Tentative Tract Map and Certifying a Mitigated Negative Declaration
- Attachment D – Resolution 2005-33 Approving and Adopting the Environmental Documents for the Monterrey Park Subdivision

Respectfully submitted,



Othon Mora, MCM, CBO
Community Development Director

RESOLUTION NO. 2005-24

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

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

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

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

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

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

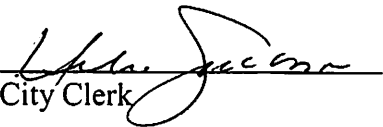
4. There are no sensitive resources located within the area of the project or adjacent to the area of the project so as to be significantly impacted by the project.
5. The proposed Tentative Tract Map is consistent with the intent of the Imperial General Plan to maintain land use designation consistency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

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



Mayor of the City of Imperial

ATTEST:



City Clerk

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

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

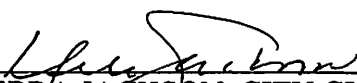
AYES: COX, SAMPSON, AND MAZEROLL

NAYES: NONE

ABSENT: DALE

ABSTAIN: GRAN

MOTION CARRIED 3-0-1



DEBRA JACKSON, CITY CLERK
CITY OF IMPERIAL, CALIFORNIA

RESOLUTION 2005-24

EXHIBIT A

CONDITIONS OF APPROVAL

for

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

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

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

recycling receptacles. Both pocket parks shall be dedicated to the City and developed prior to the occupancy of Phase III.

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

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

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

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

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

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

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

RESOLUTION NO. 2005-33

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

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

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

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

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

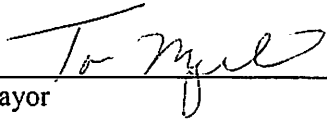
WHEREAS, the Council of the City of Imperial has reviewed and considered the environmental study, the findings and determination of the Environmental Evaluation Committee and the Planning Commission, the proposed Mitigated Negative Declaration, the proposed Mitigation Monitoring Program, the staff reports,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

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

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

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

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



Mayor

ATTEST:



City Clerk

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

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

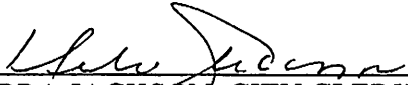
AYES: COX, SAMPSON, AND MAZEROLL

NAYES: NONE

ABSENT: DALE

ABSTAIN: GRAN

MOTION CARRIED 3-0-1



DEBRA JACKSON, CITY CLERK
CITY OF IMPERIAL, CALIFORNIA

TENTATIVE MAP MONTERREY PARK SUB #2 UNIT 3D
IN THE CITY OF IMPERIAL, COUNTY OF IMPERIAL, STATE OF CALIFORNIA

GENERAL NOTES:

- (1) WATER AND SEWER FACILITIES PER THE CITY OF IMPERIAL
(2) A GRADING AND DRAINAGE PLAN TO BE APPROVED BY THE CITY OF IMPERIAL CITY ENGINEER PRIOR TO THE ISSUANCE OF ANY BUILDING PERMIT
(3) IMPROVEMENTS MUST COMPLY WITH ALL STANDARDS, CODES AND ORDINANCES OF THE CITY OF IMPERIAL
(4) SEWER LINES SLOPE A MINIMUM OF 0.002 FT/FT.
(5) GUTTER FLOWLINE GRADES SLOPE A MINIMUM OF 0.002 FT / FT.
(6) STREET NAMES ARE TO BE APPROVED BY THE CITY OF IMPERIAL
(7) UNDERGROUND CONDUITS FOR ELECTRICAL POWER, CABLE, TELEVISION AND TELEPHONE TO BE LOCATED IN PARKWAYS BETWEEN SIDEWALKS AND PROPERTY LINE.
(8) ESTIMATED POPULATION EQUIVALENTS:
SINGLE FAMILY 4 PERSONS/LOT
ESTIMATED POPULATION AT FULL DEV. 44 PERSONS
ESTIMATED AVERAGE DAY WATER DEMANDS:
SINGLE FAMILY 250 GAL/PER/DAY
ESTIMATED DEMAND AT FULL DEV. 11,000 GAL/ DAY
PEAK FLOW AT FULL DEV. 19.10 GPM
FIRE DEMAND AT PEAK FLOW AND 1500 GPM AT ONE HYDRANT
AND 1000 GPM AT TWO SIMULTANEOUS HYDRANT.
(10) ESTIMATED AVERAGE DAY SEWAGE DEMANDS:
SINGLE FAMILY 100 GAL/PER/DAY
ESTIMATED DEMAND AT FULL DEV. 1100 GAL/DAY
PEAK FLOW AT FULL DEV. 2750 GAL/ DAY
(11) FOR STORM WATER RETENTION BASIN SEE VICTORIA RANCH SUBDIVISION MASTER DRAINAGE DRAINAGE STUDY. RETENTION BASIN IS SIZED TO STORE THE 100-YEAR FREQUENCY STORM (3" OF RAIN). CONVEYANCE SYSTEM IS DESIGNED FOR A 25 YEAR STORM.
(12) BUILDING SETBACKS:
FRONT YARD SETBACK: (TO GARAGE) 20'
SIDE YARD SETBACK: 5'
REAR YARD SETBACK: 10'
(13) STREET PAVING, CURBS AND GUTTERS, SIDEWALKS, STORM WATER DITCHES AND INLETS AND STORM WATER PIPELINES, LYING WITHIN STREET RIGHT- OF- WAY, TO BE OWNED, OPERATED AND MAINTAINED BY THE CITY OF IMPERIAL
(14) IMPROVEMENTS CALLED FOR OUTSIDE OF THE BOUNDARIES OF THIS SUBDIVISION SHALL BE SUBJECT TO ACQUISITION OF RIGHTS-OF-WAY AS PROVIDED BY SECTION 66456.1 OF THE SUBDIVISION MAP ACT
(15) THE EXACT DESIGN AND LOCATION OF IMPROVEMENTS INDICATED ON THIS MAP SHALL BE DETERMINED BY THE DESIGN PROCESS AND APPROVED BY THE CITY ENGINEER
(16) FINAL DESIGN OF THE STRUCTURAL PAVEMENT SECTION WILL BE DETERMINED BY THE SOILS ENGINEER
(17) STREET SIGNAGE TO BE LOCATED PER THE CITY'S STANDARDS AND PAID BY THE DEVELOPER
(18) THE FINAL LOCATION AND NUMBER OF STORM DRAIN LINES AND INLETS/OUTLETS SHALL BE DETERMINED IN FINAL ENGINEERING AND APPROVED BY THE CITY ENGINEER
(19) 1" WATER SERVICE & 4" SEWER LATERAL WILL BE PROVIDED PER LOT
(20) GROSS AREA: 2.03 ACRES
(21) NET LOT AREA: +/- 2.43 ACRES
(22) TOTAL NUMBER OF LOTS: 11
(23) MINIMUM LOT SIZE: 6001.57 SQ FT
(24) AVERAGE LOT SIZE: 6460.46 SQ FT
(25) MINIMUM LOT WIDTH: 55.65 FT
(26) MINIMUM LOT LENGTH: 96.85 FT

RECORDED EASEMENTS:

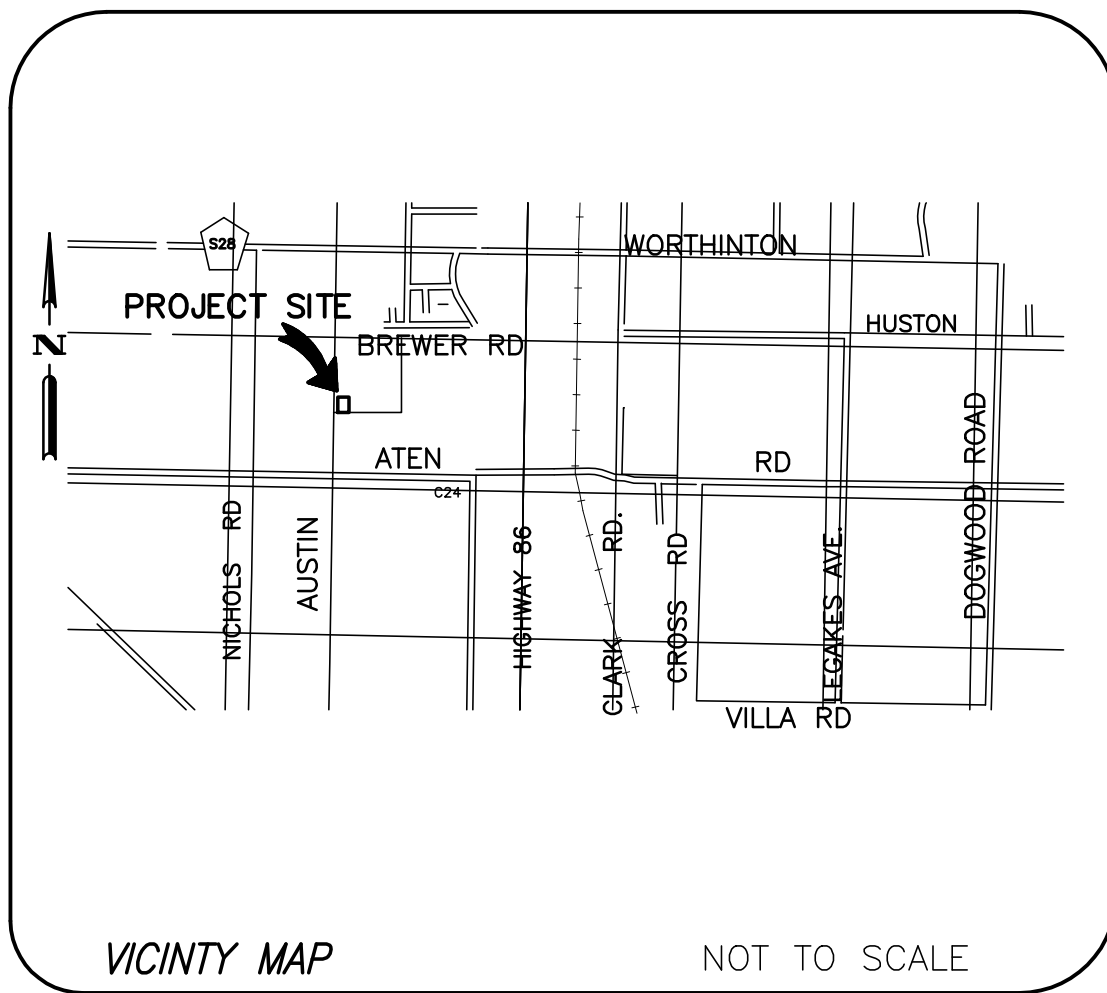
- 10 AN EASEMENT FOR CONSTRUCTION, OPERATION, MAINTENANCE AND/OR USE OF A NEWSIDE CANAL OR CANALS, OPEN AND/OR UNDERGROUND OR AS MAY HEREAFTER BE CONSTRUCTED, ENLARGED OR OTHERWISE CHANGED AND INCIDENTAL PURPOSES, RECORDED SEPTEMBER 19, 2005 AS INSTRUMENT NO. 2005-037706 OF OFFICIAL RECORDS.
IN FAVOR OF: IMPERIAL IRRIGATION DISTRICT
AFFECTS: AS DESCRIBED THEREIN
13 AN EASEMENT FOR AVIGATION AND INCIDENTAL PURPOSES, RECORDED MAY 5, 2006 AS INSTRUMENT NO. 2006-022403 OF OFFICIAL RECORDS.
IN FAVOR OF: COUNTY OF IMPERIAL, CALIFORNIA
AFFECTS: AS DESCRIBED THEREIN
TERMS AND PROVISIONS CONTAINED IN THE ABOVE DOCUMENT.
15 AN EASEMENT FOR RIGHT OF WAY AND UTILITY AND INCIDENTAL PURPOSES, RECORDED APRIL 11, 2024 AS INSTRUMENT NO. 2024005795 OF OFFICIAL RECORDS.
IN FAVOR OF: CITY OF IMPERIAL
AFFECTS: AS DESCRIBED THEREIN

LEGEND

	EXISTING	PROPOSED
CURB AND GUTTER AND SIDEWALK		
STREET LIGHT		
CATCH BASIN		
PAVEMENT		
DRAIN PIPE		
WATER LINE		
SEWER LINE		
LOT NUMBER	49	
PUBLIC UTILITY EASEMENT		
BUILDING SETBACK LINE		
RIGHT OF WAY		
B.M.		

PROJECT SITE

SITE MAP



LEGAL DESCRIPTION

REAL PROPERTY IN THE CITY OF IMPERIAL, COUNTY OF IMPERIAL, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

PARCEL 1: (APN: 064-295-022-000)

LOT F OF MONTERREY PARK SUBDIVISION NO. 1, IN THE CITY OF IMPERIAL, AS PER MAP RECORDED IN BOOK 24, PAGE(S) 63 OF FINAL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF IMPERIAL COUNTY, CALIFORNIA.

PARCEL 2: (APN: PORTION OF 064-281-061-000 (UNDERLYING), 064-281-068-000 (NEW APN, NOT YET ASSESSED))

LOT A OF MONTERREY PARK SUBDIVISION NO. 2 - UNIT 3C, IN THE CITY OF IMPERIAL, AS PER MAP RECORDED IN BOOK 28, PAGE(S) 70 THROUGH 72 OF FINAL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF IMPERIAL COUNTY, CALIFORNIA.

OWNER/DEVELOPER

JUPITER VENTURES I, A CALIFORNIA LIMITED PARTNERSHIP
32823 TEMECULA PKWY.
TEMECULA, CA 92592

ENGINEER

L C ENGINEERING CONSULTANTS INC.
1065 STATE STREET
EL CENTRO, CA 92243
(760) 353-8110

SOILS ENGINEER

LANDMARK CONSULTANTS, INC.
780 N 4TH STREET
EL CENTRO, CA 92243
(760) 320-3000

ASSESSORS PARCEL NUMBER

A.P.N. 064-295-022-000 AREA: 1.93 AC.
A.P.N.(PORT)064-281-061-000 AREA: 0.096 AC.

FLOOD ZONE

ACCORDING TO FEMA FLOOD INSURANCE RATE MAP PANEL 0625C1725C OF SEPTEMBER 26, 2008, THE SITE IS LOCATED IN FLOOD ZONE "X"

LAND USE DATA

PRESENT ZONING: SINGLE FAMILY DWELLINGS
PRESENT LAND USE: VACANT

ENGINEER OF RECORD PLANS PREPARED UNDER THE SUPERVISION OF	
BY: CARLOS CORRALES, P.E.	DATE: _____
R.C.E. NO.: 55432	



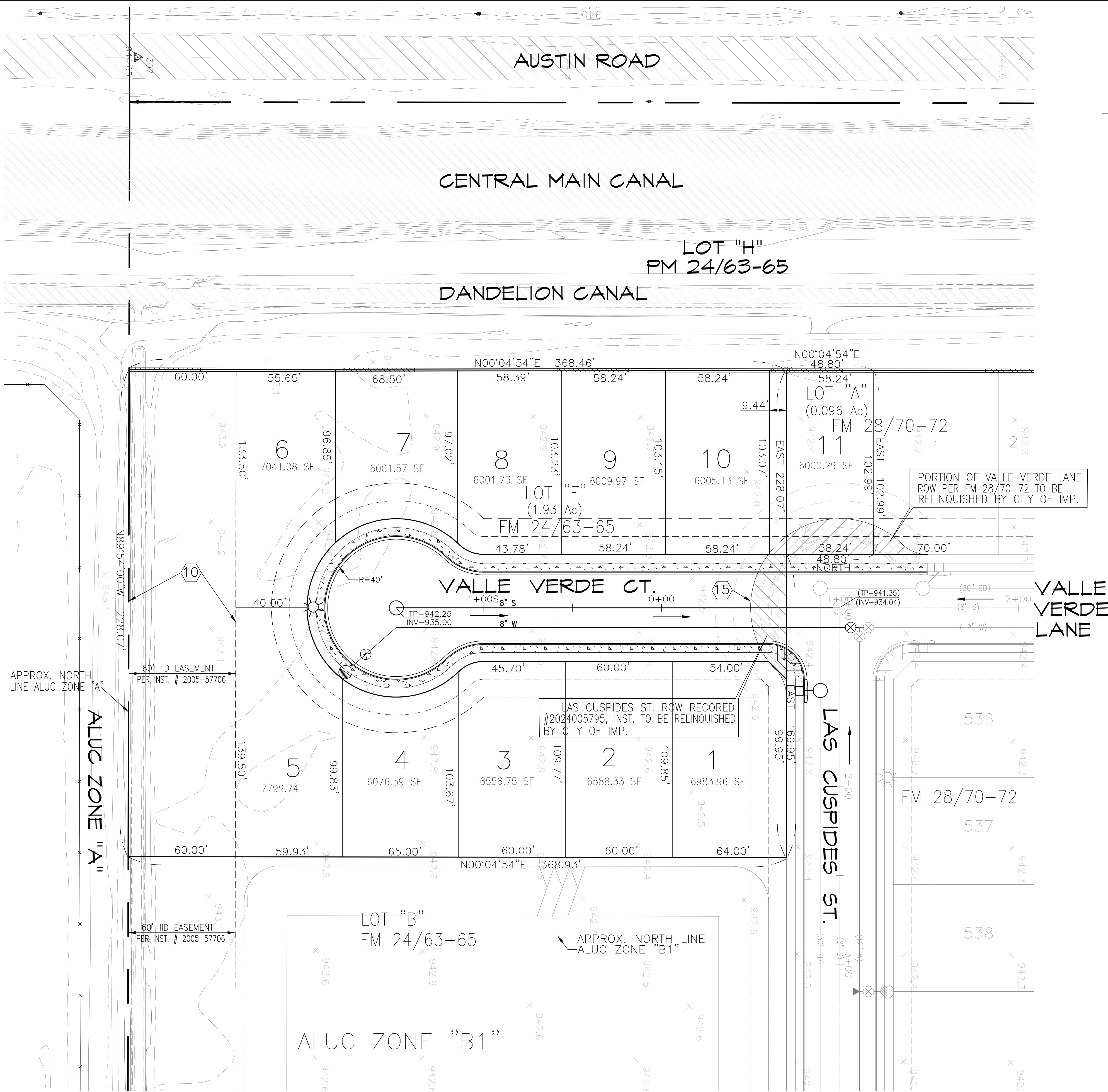
BENCH MARK	
BM #1 TBM BRASS CAT WEST UPSTREAM WINGWALL OF CHECK @ DELIVERY 4&5 OF THE NEWSIDE CANAL. ELEVATION: 945.31	

LC ENGINEERING CONSULTANTS INC. 1065 State Street El Centro CA 92243 www.lce-inc.com tel 760.353.8110	
BENCHMARK:	

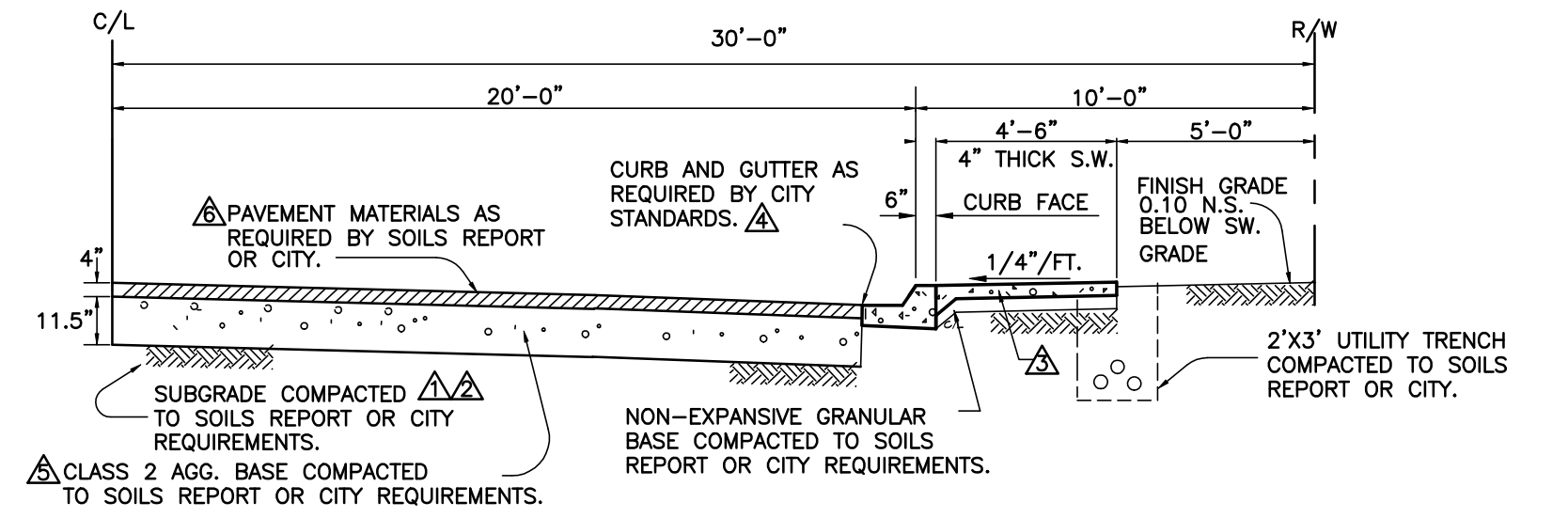
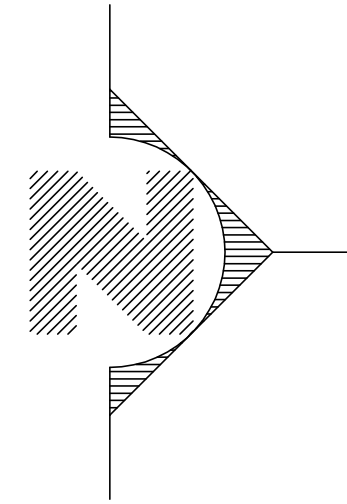
TENTATIVE MAP MONTERREY PARK SUBD #2 UNIT 3D	
IMPERIAL, CALIFORNIA	
DATE: 01/27/25	BY: STAFF
CLIENT: JUPITER VENTURES I, LP	JOB NUMBER: C24035-00TV

SHEET	1
	2

L:\Projects\2024\C24035-00 (PWD-TM Monterey Park-Parc F)\TM\C24035-00TM.dwg 01/27/2025 14:00



SCALE: 1" = 30'



TYPICAL STREET 1/2 SECTION - 60' R/W

T.I.=6 NO SCALE

NOTES:

- REMOVE NATIVE MATERIAL TO 12-INCHES BELOW SUBGRADE DESIGN ELEVATION. IF DRY SOILS ARE ENCOUNTERED AT 12-INCHES BELOW SUBGRADE OF DESIGN ELEVATION, AN ADDITIONAL 12-INCHES OF SOIL SHALL BE UNIFORMLY MOISTURE CONDITIONED TO 4% TO 8% ABOVE OPTIMUM MOISTURE CONTENT.
- COMPACT SUBGRADE TO 90% OF MAXIMUM DENSITY PER ASTM D-1557. PRE WETTING OF SOILS SUBGRADE TO 3.5 FEET MAY BE REQUIRED DEPENDING ON MOISTURE OF SUBGRADE AT THE TIME OF AGGREGATE BASE PLACEMENT. MAXIMUM LISTS OF SUBGRADE SHALL BE 8-INCHES LOOSE MATERIAL.
- SIDEWALK PER CITY STANDARDS.
- PCC CURB AND GUTTER PER DETAIL CITY STANDARDS.
- CLASS 2 AGGREGATE BASE COMPACTED TO 95% MAXIMUM DENSITY PER ASTM D-1557. SEE SPECIFICATION 4.04 ON SHEET 12.
- ASPHALTIC CONCRETE SHALL BE CALTRANS TYPE A HMA WITH PG-70-10 AC, COMPACTED TO A MIN. OF 95% OF HVEEM DENSITY OR A MINIMUM OF 92% OF MAXIMUM THEORETICAL DENSITY (ASTM D2041). SEE SPECIFICATION 4.05 ON SHEET 12.

LEGEND

	EXISTING	PROPOSED
CURB AND GUTTER AND SIDEWALK		
STREET LIGHT		
CATCH BASIN		
PAVEMENT		
DRAIN PIPE		
WATER LINE		
SEWER LINE		
LOT NUMBER	49	
PUBLIC UTILITY EASEMENT		
BUILDING SETBACK LINE		
RIGHT OF WAY		

ENGINEER OF RECORD PLANS PREPARED UNDER THE SUPERVISION OF		SEAL 	TENTATIVE MAP MONTERREY PARK SUBD #2 UNIT 3D		SHEET 2 2
BY: CARLOS CORRALES, P.E.	DATE:		IMPERIAL, CALIFORNIA		DATE: 01/27/25
R.C.E. NO.: 55432			JUPITER VENTURES I, LP		FILE NAME: C24035-00TM JOB NUMBER: C24035-00
			BENCHMARK:		BY: STAFF



Staff Report

Agenda Item No. D-3

To: City of Imperial Planning Commission

From: Yvonne Cordero, Planner

Date: April 14, 2025

Applicant:	Steve Schneider
Project Location:	304 S. Imperial Avenue
Project Description:	Conditional Use Permit 25-03 to allow a drive-thru at a proposed Jack in the Box Restaurant
Zoning:	Village Commercial (VC)
Environmental:	Categorically Exempt
Recommendation:	Approve, subject to Conditions of Approval

Background

Steve Schneider from Lyons Warren Engineers & Architects submitted a Conditional Use Permit application for a Jack in the Box Restaurant to be located at 304 S. Imperial Avenue. The proposed project consists of the development of a 2,000-square-foot fast-food restaurant with a drive-thru, thirty-three parking spaces, five dedicated waiting parking stalls, and landscaping along the perimeter of the project site.

The proposed Jack in the Box is anticipated to bring significant community benefits to the City of Imperial. Job creation is a primary advantage, as the new establishment will offer employment opportunities during the construction and operational periods. The restaurant will also contribute to increased tax revenue through sales and property taxes. This additional revenue can support vital public services, infrastructure improvements, and community programs, enhancing the quality of life for Imperial residents. Furthermore, the restaurant will offer enhanced services for residents by providing a convenient and accessible location for food and beverages. The inclusion of a drive-thru facility caters to the needs of busy community members seeking quick and efficient service without leaving their vehicles. The convenience and accessibility align with Jack in the Box's history of developing popular establishments that serve local patrons and attract regional travelers intersecting the City via Highway 86 - designated as the City's main arterial roadway and primary path, thus promoting economic growth and elevating the City's financial profile.

Project Location



Discussion/CEQA Analysis

Land Use - The subject site is zoned within the Village Commercial (VC) Zone, which is intended as the social and civic heart of the City of Imperial. It features attractive housing, small retail shops, outdoor dining, parks, and civic facilities in a vibrant, pedestrian-friendly, and family-oriented atmosphere. The surrounding designated land uses are as follows:

Direction	Land Use	Zoning
North	Raspalandia and Together for Children Preschool	Village Commercial (VC)
South	City of Imperial City Hall	Residential Apartment (RA)
East	Faith Assembly Church and School	Neighborhood Commercial (C-1)
West	Residences and Melissa Michael's Spa	Village Commercial (VC)

The relationship between land use and zoning compatibility within the Imperial General Plan is important for orderly development. Land uses must be arranged for compatibility with abutting land uses and properties should be consistent with the land use policy map. Using the General Plan's Land Use Compatibility Matrix, the adjacent land uses of Village and Neighborhood Commercial are compatible land uses. Although City Hall is located within a Residential Apartment Zone, public facilities are compatible land uses within all zoning designations throughout the City.

Traffic and Circulation - The project site is fronting and accessed directly from Highway 86. Highway 86 is designated as one of the City's major arterials that move traffic through a City from one point to another. Mitigating the potential for excessive drive-thru queues extending out to Imperial Avenue was a significant concern for this project.

Traffic mitigation measures include:

- 1) Placing the ordering boards forward to allow additional queue space.
- 2) Imperial Avenue traffic is routed to the 6th Street entrance with directional signage.
- 3) Installation of five waiting stalls for patrons waiting for their orders.
- 4) Option to close Imperial Avenue entrance and install future traffic control devices and directional signage.
- 5) Option to install a future secondary ordering lane.

Parking – Parking requirements were reviewed during the Site Plan Review process and determined to have met the requirements.

Vehicle Miles Traveled (VMT) Analysis - Due to the retail nature of the project being a restaurant less than 50,000 square feet and the project site being within the low VMT Traffic Analysis Zone, no VMT Analysis is required.

Environmental Compliance

The proposed drive-thru restaurant qualifies for a Categorical Exemption pursuant to the California Environmental Quality Act (CEQA) per Section 15332 – Infill Development Projects. Projects that qualify for this exemption are those that are consistent with the General Plan, are within city limits, are no more than five (5) acres, and are generally surrounded by urban uses without significant environmental effects on environmental resources. The project does not significantly impact air quality and will not result in an increase in population or demand for public services that exceed the public utilities' capacity. Mitigation measures such as a landscaped perimeter for noise level reduction and the implementation of directional signage to eliminate traffic concerns are conditionally imposed on the proposed project.

Evaluation

The Zoning Ordinance provides flexibility in the regulation of uses to ensure that unusual characteristics of certain uses are properly addressed in furtherance of the Imperial Zoning Ordinance. Section 24.19.340 of the City of Imperial Zoning Ordinance requires that the Commission make specific findings when reviewing a Conditional Use Permit. The required findings are listed below in ***bold italics***, followed by an evaluation:

1. ***That the proposed location, size, design, and operating characteristics of the proposed use is in accord with the Title and Purpose of this Ordinance, the purpose of the zone in which the site is located, the Imperial General Plan, and the development policies and standard of the City.***

The subject site is within the Village Commercial (VC) Zone, intended as the social and civic heart of the City compatible with commercial and residential environments. The proposed restaurant will provide patrons of the surrounding commercial businesses and residents in proximity to the project site with an enjoyable meeting place. Its operation is consistent with the objectives of the Village Commercial Zone and the City's development goals.

2. ***That the location, size, design, and operating characteristics of the proposed use will be compatible with and will not adversely affect or be materially detrimental to adjacent uses, residents, buildings, structures, or natural resources with***

consideration given to those items listed in Section 24.19.340.B of the Imperial Zoning Ordinance.

The location is ideal for a Jack in the Box restaurant. Its use would be consistent with the General Plan and would offer an additional eating establishment for Downtown Imperial and neighboring communities. The restaurant does not appear to be detrimental to adjacent uses, residents, or buildings.

- 3. That the proposed location, size, design, and operating characteristics of the proposed use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.***

With the established Conditions of Approval and traffic mitigation measures, the proposed project will not negatively impact public health, safety, or welfare, or be materially injurious to properties in the vicinity.

- 4. That the proposed Conditional Use will comply with each of the applicable provisions of the Zoning Ordinance, except for any approved Variance.***

The proposed project complies with all applicable provisions of the City of Imperial's Zoning Ordinance. There are no variances requested or required for this project, and all zoning regulations and requirements will be fully adhered to. By meeting these conditions, the project ensures alignment with the City's zoning standards and regulations.

Public Notification

The public hearing scheduled for April 23, 2025, was duly noticed in the Holtville Tribune and Calexico Chronicle, newspapers of general circulation, on April 10, 2025. A Notice of Public Hearing was mailed to all property owners within 300 feet of the property. The City of Imperial has not received any public comments for or against this project as of the date of this report's publication.

Recommendation

Staff recommends the Planning Commission 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 Planning Commission approve Conditional Use Permit 25-03 to allow a drive-thru at the proposed Jack in the Box restaurant.

Attachments

- Attachment A – Resolution PC2025-07 with Conditions of Approval
- Attachment B – Submitted Project Plans

Respectfully submitted,

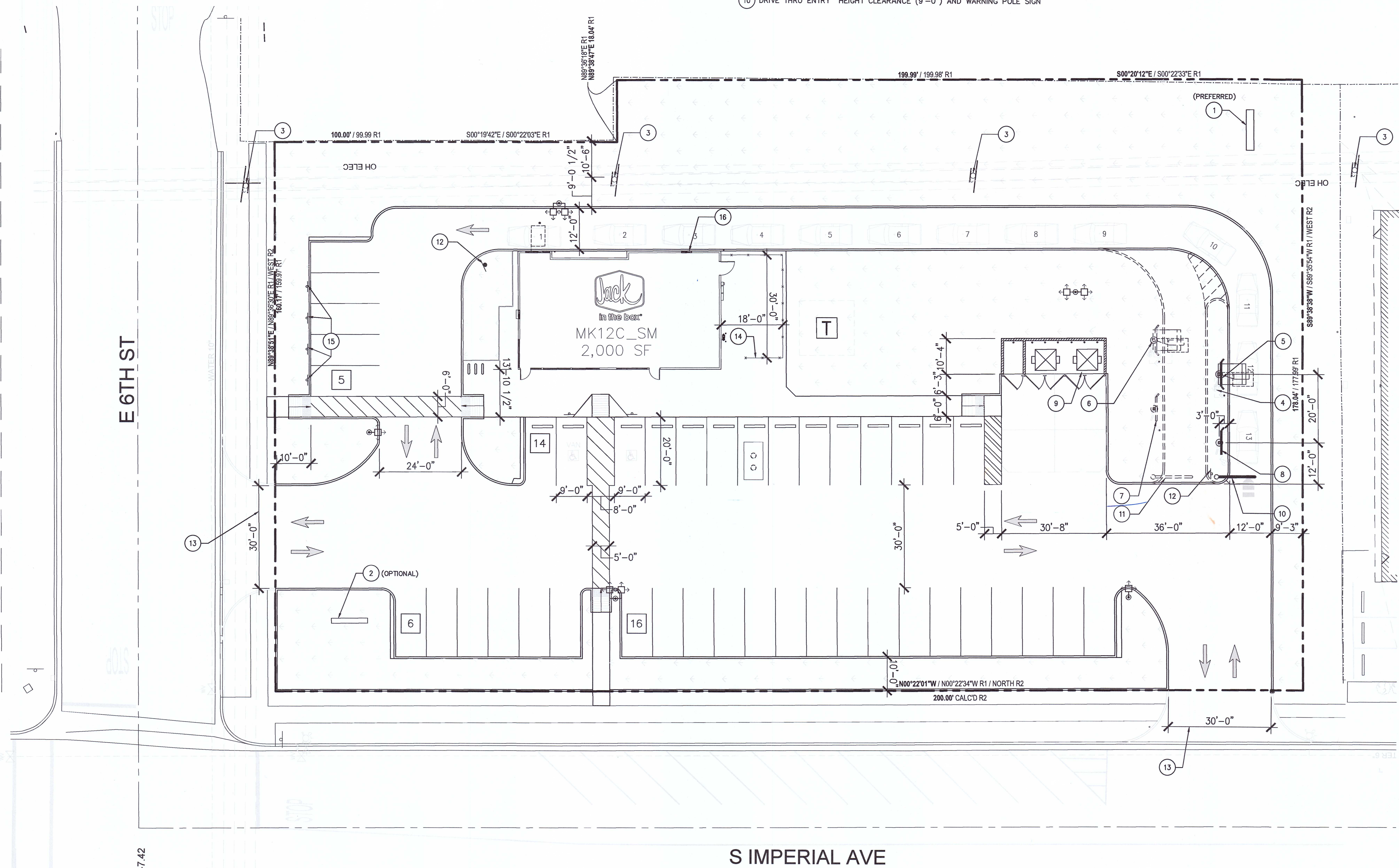
A handwritten signature in blue ink, appearing to read 'Othon Mora', is written over a horizontal line.

Othon Mora, MCM, CBO
Community Development Director

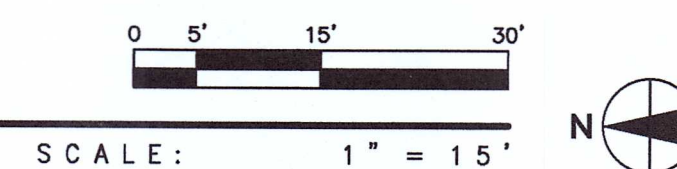
 PROPERTY BOUNDARY LINE
 EXISTING EASEMENT
 PROPOSED EASEMENT
 EXISTING CURB AND GUTTER
 PROPOSED CURB AND GUTTER
 CURB RAMPS
 EXISTING STREET LIGHT
 PROPOSED SITE LIGHTING BUILDING
 ENTRANCE WHEEL STOP

- | | |
|---|--------------------------------------|
|  | ACCESSIBLE PARKING SPACES |
|  | BIKE RACK |
|  | PROPOSED TRANSFORMER LOCATION |
|  | PROPOSED WATER METER LOCATION |
|  | PROPOSED GREASE INTERCEPTOR LOCATION |
|  | NUMBER OF PARKING STALLS |
|  | LIMITS OF WORK |
|  | VEHICLE STACKING |

1	JIB HWY SIGN AT MAX ALLOWABLE HEIGHT AND SIGN S.F. AREA VISIBLE FROM HWY	11	FUTURE DRIVE THRU ENTRY HEIGHT CLEARANCE (9'-0") AND WARNING POLE SIGN
2	JIB POLE SIGN (MAX ALLOWABLE HEIGHT AND SIGN SF AREA)	12	THANK YOU DO NOT ENTER DIRECTIONAL
3	EXISTING POWER POLES	13	PROPOSED 30' WIDE APPROACH
4	FUTURE DIGITAL MENU BOARD	14	OPTIONAL REAR SERVICE AREA W/ 6' WHITE PVC FENCING
5	STATIC SPEAKER BOARD	15	DEDICATED WAITING STALL PARKING SIGN
6	FUTURE MENU BOARD	16	FUTURE CASHIER WINDOW
7	FUTURE PREVIEW BOARD		
8	STATIC PREVIEW BOARD OR FUTURE DIGITAL PREVIEW BOARD		
9	TRASH ENCLOSURE		
10	DRIVE THRU ENTRY HEIGHT CLEARANCE (9'-0") AND WARNING POLE SIGN		



SITE PLAN



357 SPECTRUM CENTER BLVD
SAN DIEGO, CA 92123
© 2024 Jack in the Box Inc.

These designs, drawings and specifications are the property of Jack in the Box Inc. and shall not be copied or reproduced without its previous written consent.

RELEASE: N/A
M. UPDATES: N/A
SUBMITTAL DATE:
1: _____
2: _____
3: _____
D: _____
CONSTRUCTION: _____

[illegible]

	LYONS WARREN engineers + architects	
	9560 Candida ST. San Diego, CA 92126-4560	858.573.8999 858.573.8998 fax

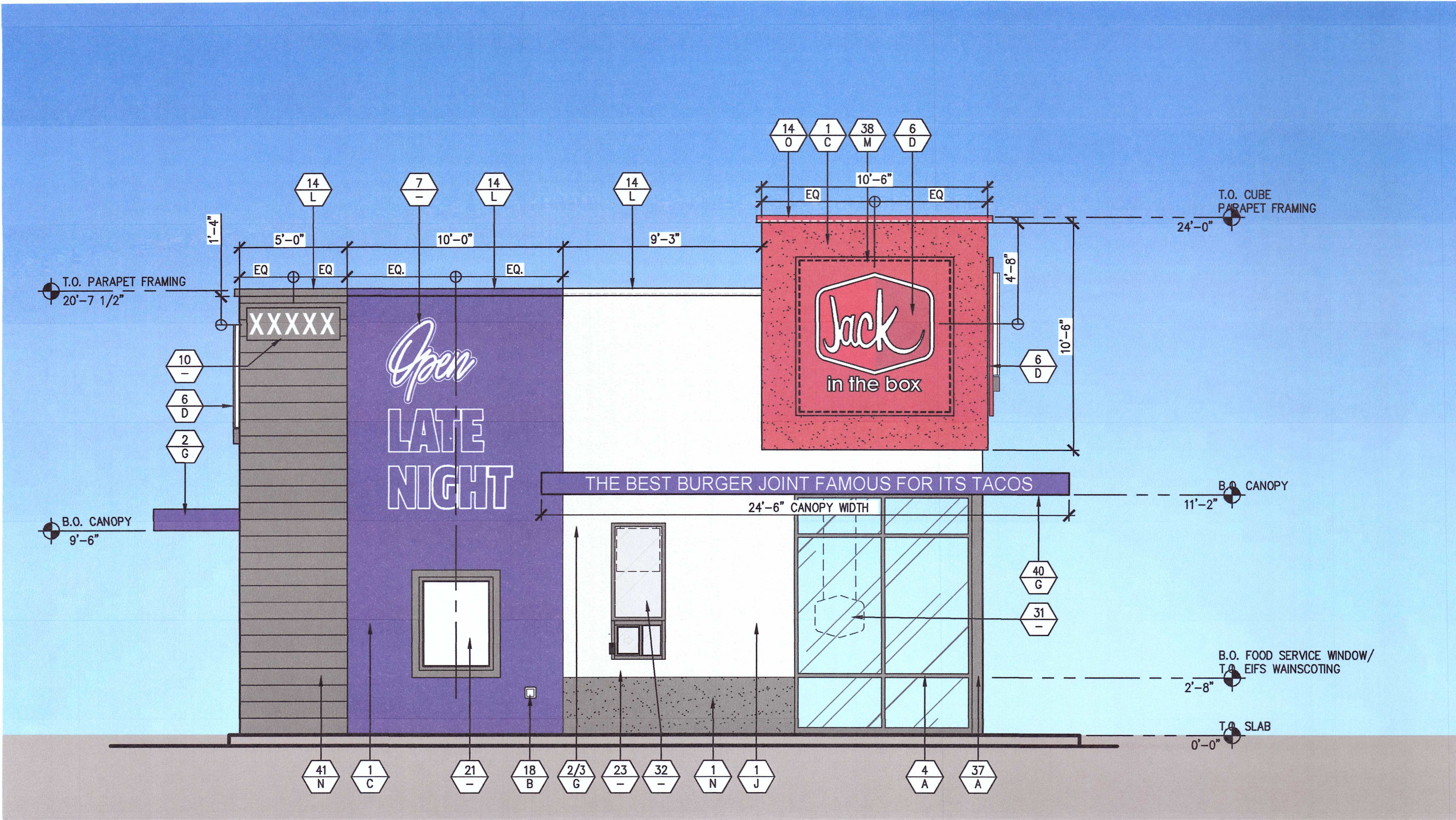
www.lyonswarren.com

TYPE: MK12C_SM
#: 3868
DRESS:
0 S. IMPERIAL AVE.
PERIAL, CA 92251

AWN BY: LWEA
PROJECT #: JIB2402
DATE: AS NOTED

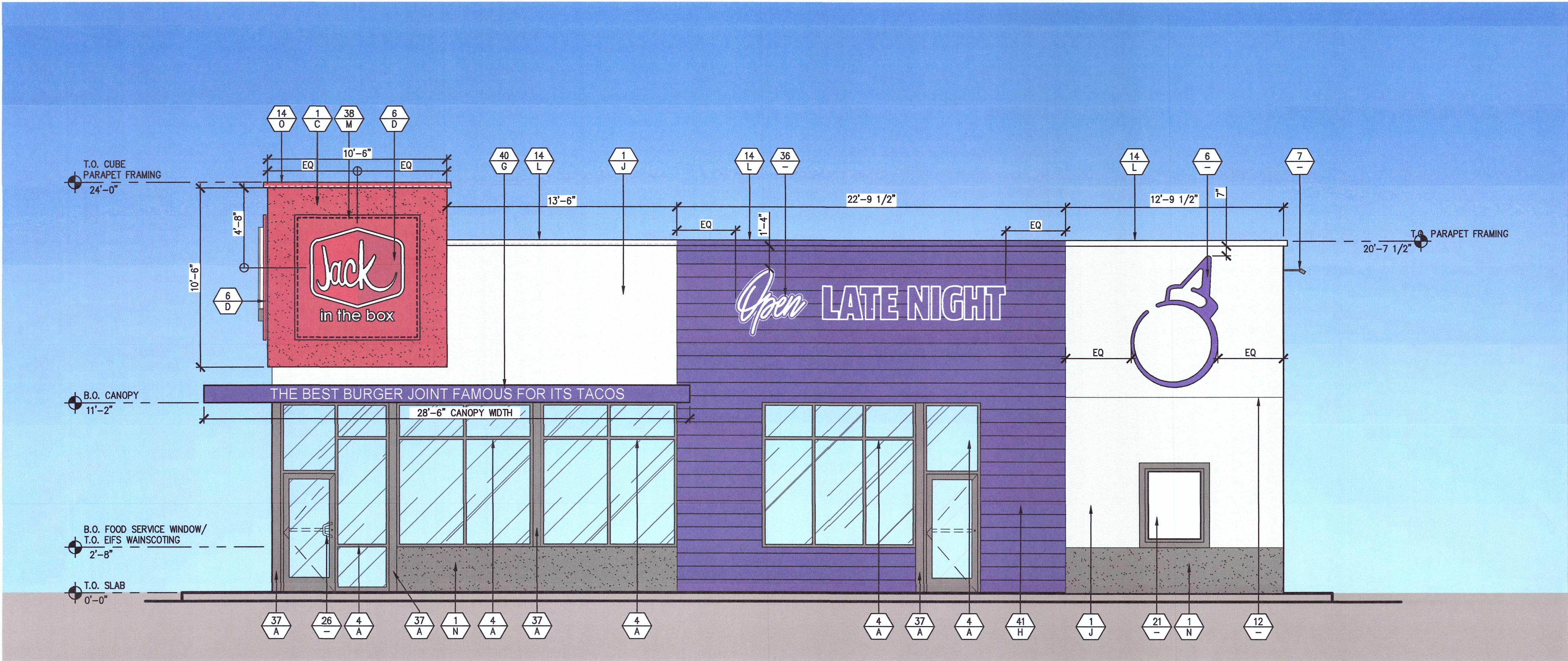
SITE PLAN

SD1.0



1 FRONT ELEVATION

SCALE: 1/4" = 1'-0"



2 SIDE ELEVATION

SCALE: 1/4" = 1'-0"

GENERAL NOTES

- REFER TO A1.0 FOR DOOR & WINDOW TAGS & A8.0 SHEET SERIES FOR DOOR & WINDOW TYPES & SCHEDULES.
- ALL SIGNAGE IS UNDER SEPARATE SUBMITTAL AND PERMIT (N.I.C).
- ALL PLASTER ACCESSORIES, FLASHING, ETC. SHALL BE PAINTED TO MATCH ADJACENT SURFACES (U.O.N)
- ALL EXTERIOR WALL OPENINGS FOR RECEPTACLES, HOSE BIBS, ETC. SHALL BE SEALED. SEE FLOOR PLAN, GENERAL NOTES, AND SPECIFICATIONS FOR ADDITIONAL NOTES.
- ALL FINISHES, LIGHTING, & EQUIPMENT ARE TO SUBMITTED TO ARCHITECT FOR REVIEW & APPROVAL.
- SEE ID4 SHEET SERIES FOR EQUIPMENT, FURNITURE, SIGNAGE, & INTERIOR FINISH SCHEDULES DESIGNATED BY (XX-XXX).

COLORS

- DARK BRONZE ANODIZED ALUMINUM
- COLOR/ FINISH TO MATCH ADJACENT SURFACE
- SHERWIN WILLIAMS: SW 7588 "SHOW STOPPER"
- JIB LOGOS: WHITE TEXT - RED BACKGROUND
- SHERWIN WILLIAMS: SW 7068 "GRIZZLE GRAY"
- THIN-BRICK VENEER: WIRE CUT, "ICEBERG"
- CANOPY: SW 6832 "IMPULSIVE PURPLE"
- SHERWIN WILLIAMS: SW 6832 "IMPULSIVE PURPLE"
- FOOD LOCKER & DOOR PULL: RAL 3001 "SIGNAL RED"
- SHERWIN WILLIAMS: SW 7005 "PURE WHITE"
- CONCRETE: NATURAL/ GRAY
- COPING: MATCH WALL COLOR BELOW
- ACM PANELS: "CLASSIC RED"
- THIN-BRICK VENEER: "MIDNIGHT SKY"
- COPING: DUROLAST "BRITE RED"
- WALL TILE: JIB RED (CUSTOM COLOR BY TILE MFR)

EXTERIOR ELEVATION LEGEND

- # X MATERIAL/FINISH
X COLOR
- LED ROPE LIGHT FACE MOUNTED BY JIB VENDOR. SEE EXTERIOR ELEVATIONS, DETAILS, & ELECTRICAL DWGS.
- LED ROPE LIGHT IN COPING COVE BY JIB VENDOR. SEE EXTERIOR ELEVATIONS, DETAILS, & ELECTRICAL DWGS.

EXTERIOR FINISH SCHEDULE

- EXTERIOR EIFS W/ SAND FLOAT FINISH & INTEGRAL COLOR, SEE SPECIFICATIONS.
- PRE-FAB CANOPY BY JIB VENDOR (O.F.O.I).
- MOUNT LIGHTING FIXTURE WITHIN CANOPY, COORDINATE WITH VENDOR MOUNTING REQUIREMENTS.
- GC PROVIDED ALUMINUM STOREFRONT SYSTEM, SEE WINDOW TYPES & SPECIFICATIONS.
1" CLEAR INSULATED GLASS. 1" CLEAR INSULATED GLASS W/ SOLARBAN 70XL COATING.
1" CLEAR INSULATED PER LOCAL AHJ REQUIREMENTS. ANTI GRAFFITI FILM W/ SOLARBAN 60 COATING.
- EXPOSED CONCRETE CURB/ STEM WALL.
- INTERNALLY ILLUMINATED SIGNAGE BY SIGN VENDOR (O.F.O.I, UNDER SEPARATE SUBMITTAL). GC TO COORDINATE ELECTRICAL W/ SIGN VENDOR PRIOR TO INSTALLATION.
- WALL MOUNTED LIGHT FIXTURE.
- NOT USED.
- DRIVE-UP WINDOW.
- INTERNALLY ILLUMINATED ADDRESS, MIN. 12"H, WHITE LETTERS (OF-E08), OR AS REQUIRED PER LOCAL JURISDICTION (O.F.O.I, UNDER SEPRATE SUBMITTAL). GC TO COORDINATE ELECTRICAL W/ VENDOR PRIOR TO INSTALLATION.
- MAIN ELECTRICAL SERVICE, SEE ELECTRICAL & CIVIL DWGS.
- CONTROL JOINT.
- HOLLOW METAL DOORS & FRAMES, MISCELLANEOUS TRIM.
- ALUMINUM COPING WITH FACTORY APPLIED FINISH, VERIFY W/ ROOF PLAN COPING AT LED ROPE LIGHTING LOCATION.
- CO2 FILL BOX.
- BULK OIL FILL BOX (OPTION). VERIFY W/ JIB CONSTRUCTION IF REQUIRED.
- GREASE TANK RECOVERY TAP-IN (STANDARD).
- RECESSED, LOCKABLE, NON-FREEZE HOSE-BIB ENCLOSURE.
- NOT USED.
- THIN-BRICK VENEER, SEE SPECIFICATIONS.
- DISPLAY POSTER PANEL & SURROUND.
- EXTERIOR WALL PACK LIGHT FIXTURE.
- WALK-UP FOOD WINDOW, BELL PUSH BUTTON (GC-EQ15) & INTERCOM (OF-EL2) / OF-EL3.
- NOT USED.
- DOWNSPOUT OUTLET
- JIB CUSTOM STOREFRONT DOOR PULL, SEE HARDWARE SCHEDULES (OF-EQ13).
- NOT USED.
- ROOF TOP MECHANICAL EQUIPMENT BEYOND, SEE MECHANICAL & HOOD DWGS.
- EMSER 12X35 WALL TILE "MINI HEXAGON". SEE FINISH SCHEDULE.
- GUTTER, DOWNSPOUT & OVERFLOW SCUPPER.
- ILLUMINATED WINDOW SIGN (OF-EQ12), SEE ID2.0 & ELEC. DWGS.
- ILLUMINATED WINDOW SIGN (OF-EQ14), SEE KITCHEN ELEVATIONS & ELEC. DWGS.
- "PAY HERE" CANOPY DECAL.
- "PICK-UP" CANOPY DECAL.
- GRAPHIC PANEL BY JIB SIGN VENDOR (O.F.O.I, UNDER SEPARATE SUBMITTAL).
- INTERNALLY ILLUMINATED SIGN WITH WHITE LETTERS WITH "PURPLE" BACKGROUND PROVIDED BY SIGN VENDOR (O.F.O.I, UNDER SEPARATE SUBMITTAL). GC TO COORDINATE ELECTRICAL W/ SIGN VENDOR PRIOR TO INSTALLATION.
- BRAKE METAL WRAP & COLUMN
- NOT USED
- GAS METER.
- PRE-FABRICATED CORNER CANOPY W/ DECAL MESSAGE AT LONG-SIDE FASCIA, BY SIGN VENDOR. GC TO COORDINATE ELECTRICAL W/ SIGN VENDOR PRIOR TO INSTALLATION.
- NOT USED
- NOT USED
- FUTURE DRIVE-UP CASHIER WINDOW AND CANOPY



in the box

9357 SPECTRUM CENTER BLVD
SAN DIEGO, CA 92123

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DATES

RELEASE: N/A

P.M. UPDATES: N/A

SUBMITTAL DATE:

1: _____

2: _____

3: _____

BID: _____

CONSTRUCTION: _____

REVISIONS

- △ _____
- △ _____
- △ _____
- △ _____
- △ _____
- △ _____

LYONS WARREN

engineers + architects

9560 Camino del Rio
San Diego, CA 92121-4560

858.573.8988
858.573.8988 fax
lwo@lyonswarren.com



SITE INFORMATION

MK TYPE: MK12C_SM

JIB #: 3868

ADDRESS:
300 S. IMPERIAL AVE.
IMPERIAL, CA 92251

DRAWN BY: LWEA

PROJECT #: JIB2402

SCALE: AS NOTED

EXTERIOR
ELEVATIONS

A4.0

***DRAFT* RESOLUTION NO. PC2025-07**

**A RESOLUTION OF THE PLANNING COMMISSION, OF THE CITY OF IMPERIAL,
APPROVING CONDITIONAL USE PERMIT 25-03 FOR THE OPERATION OF A
DRIVE-THRU AT A JACK IN THE BOX RESTAURANT LOCATED AT
304 S. IMPERIAL AVENUE (APN 064-106-006)**

WHEREAS, Steve Schneider submitted an application to operate a drive-thru at a Jack in the Box restaurant located at 304 S Imperial Avenue; and

WHEREAS, the subject site is located within the Village Commercial (VC) Zone where the inclusion of a drive-thru at a restaurant is a conditionally allowed use within that zone; and

WHEREAS, a duly notified public hearing was published on April 10, 2025, in a local paper of general circulation, indicating the date and time of the public hearing in compliance with state law concerning Conditional Use Permit 25-03, and said notice was mailed to each property owner within a 300-foot radius of the project site; and

WHEREAS, a duly notified public hearing was held by the Planning Commission on April 23, 2025, to hear testimony for and against the proposed Conditional Use Permit;

WHEREAS, upon hearing and considering all testimony and arguments, analyzing the information submitted by staff, and considering any written and oral comments received, the Planning Commission considered all facts relating to the request for a Conditional Use Permit; and

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

- A) That the foregoing recitations are true and correct; and
- B) The project has been reviewed in accordance with the requirements set forth by the City of Imperial for implementation of the California Environmental Quality Act; and
- C) There are no sensitive resources located within the area of the project or adjacent to the area of the project to be significantly impacted by the project; and
- D) That based on the evidence presented at the public hearing, the Planning Commission hereby determines that the project is categorically exempt under Section 15332-Infill Development Projects, of the California Environmental Quality Act and is exempt from further environmental review requirements; and
- E) That allowing the operation of a drive-thru restaurant at the project site is consistent with the land uses allowed within the Village Commercial (VC) Zone; and

- F) That based on the evidence presented at the public hearing, the Planning Commission hereby **APPROVES Conditional Use Permit 25-03**, subject to the requirements per section 24.19.340 of the Imperial Zoning Ordinance, the Conditions of Approval outlined in Exhibit A, and based on the following findings:

1. **That the proposed location, size, design, and operating characteristics of the proposed use is in accord with the Title and Purpose of this Ordinance, the Purpose of the zone in which the site is located, the Imperial General Plan, and the development policies and standard of the City.**

The subject site is within the Village Commercial (VC) Zone, intended as the social and civic heart of the City compatible with commercial and residential environments. The proposed restaurant will provide patrons of the surrounding commercial businesses and residents in proximity to the project site with an enjoyable meeting place. Its operation is consistent with the objectives of the Village Commercial Zone and the City's development goals.

2. **That the location, size, design, and operating characteristics of the proposed use will be compatible with and will not adversely affect or be materially detrimental to adjacent uses, residents, buildings, structures, or natural resources with consideration given to those items listed in Section 24.19.340.B of the Imperial Zoning Ordinance.**

The location is ideal for a Jack in the Box restaurant. Its use would be consistent with the General Plan and would offer an additional eating establishment for Downtown Imperial and neighboring communities. The restaurant does not appear to be detrimental to adjacent uses, residents, or buildings.

3. **That the proposed location, size, design, and operating characteristics of the proposed use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.**

With the established Conditions of Approval and traffic mitigation measures, the proposed project will not negatively impact public health, safety, or welfare, or be materially injurious to properties in the vicinity.

4. **That the proposed Conditional Use will comply with each of the applicable provisions of the Zoning Ordinance, except for any approved Variance.**

The proposed project complies with all applicable provisions of the City of Imperial's Zoning Ordinance. There are no variances requested or required for this project, and all zoning regulations and requirements will be fully adhered to. By meeting these conditions, the project ensures alignment with the City's zoning standards and regulations.

- G) The City Attorney is authorized to make minor typographical changes to this Resolution that do not change the substance of this Resolution;

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

Ruben Rivera
Planning Commission Chairman

ATTEST:

Kristina Shields
City Clerk

EXHIBIT A
CONDITIONS OF APPROVAL
Conditional Use Permit 25-03 for Jack in the Box
304 S. Imperial Ave. (APN 064-106-006)

1. The Applicant shall comply with all local, State and Federal laws, regulations, rules, ordinances, and standards as they pertain to this project, whether specified herein or not. Where conflicts occur, the most stringent shall apply.
2. The Applicant shall pay all applicable permit and development impact fees.
3. The Conditional Use Permit 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.
4. 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 the Conditional Use Permit. 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 Conditional Use Permit, including any claim for private attorney general fees claimed by, or awarded to any party from the City.
5. The provisions of the conditional use 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.
6. 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 conditional use permit, 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 conditional use permit, then the matter shall be referred to the Planning Commission for a permit modification, suspension, or termination, or to the appropriate enforcement authority.
7. As between the City and the Permittee, any violation of this permit 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.
8. 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 re-located business.

9. The project shall comply with all applicable fire codes, including the California Fire Code Chapter 3 (General Requirements), Chapter 5 (Fire Service Features), Chapter 9 (Fire Protection and Life Safety Systems), Chapter 10 (Means of Egress), NFPA standards and any other regulations that pertain to the project.
10. A landscape buffer with drought-tolerant screening vegetation to reduce noise, light and visual impacts shall be installed along the project site's perimeter. The Community Development Department shall review and approve the design before building permit issuance.
11. All exterior lighting fixtures, including parking lot and pedestrian pathway lighting, shall emulate the style, color, and design of the existing Downtown Imperial street lighting standards to maintain architectural consistency and community character.
12. The trash and recycling enclosure shall be constructed of durable materials and architectural finishes that are consistent with the main building design and color palette. The enclosure shall include a roof or overhead covering to reduce odors and prevent exposure to rain, and be fully screened from public view and adjacent properties. Gates shall be self-closing and animal-proof to deter illegal dumping and pest intrusion. The Community Development Department shall review and approve the design before building permit issuance.
13. In the event that the facility operations result in excessive queues, including queues extending into Imperial Avenue's right-of-way, blocking traffic and creating the potential for safety concerns, even on an intermittent basis, access through the Imperial Avenue entrance shall be closed with traffic control devices approved by the City and directional signage to route customers to the 6th Street entrance shall be installed at the owner's expense.
14. The Conditional Use Permit shall be null and void if a building permit is not obtained within a year.

DRAFT RESOLUTION NO. PC2025-08

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

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

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

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

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

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

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

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

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

ATTACHMENT A

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

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

Ruben Rivera
Planning Commission Chairman

ATTEST:

Kristina Shields
City Clerk

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

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

ATTACHMENT A

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

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

ATTACHMENT A

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

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

ATTACHMENT A

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