

# IMPERIAL CENTER SPECIFIC PLAN



Volume One of Two



Prepared for the County of Imperial

Prepared by Development Design & Engineering, Inc.

For Suilo Investment Corporation

May 2, 2006

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**Appendices – Volume 2**

Appendix A	Legal Description
Appendix B	Traffic Study Prepared by: Dahl, Robins & Associates, Inc. January 2002
Appendix C	Addendum to Traffic Study Prepared by: Linscott Law & Greenspan Engineers, Revised March 21, 2006
Appendix D	Preliminary Infrastructure Study
Appendix E	Burrowing Owl Study Prepared by: Ultra Systems, October 19, 2005
Appendix F	Preliminary Drainage Study

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Appendix G Storm Water Pollution Plan

Appendix H Heber Public Utility District Service Area Plan

Appendix I Water Supply Assessment and Verification Report

**Copy of Adopting Resolution and/or Ordinance**

# 1. SUMMARY

This *Imperial Center Specific Plan* has been prepared to establish policy and development guidelines for a regional commercial center that will be designed for specialty, retail and wholesale commercial businesses. The Imperial Center will be located on approximately 77.64 acres of farmland located within unincorporated area of the County of Imperial. The project area is considered to be in an ideal location due to its proximity to Federal and State highways. In addition, the project commercial area is just 4.5 miles north of the United States/Mexico international border, including the new Gateway to the Americas business park.

This Specific Plan is organized into two volumes. **Volume One** contains eleven chapters written to systematically implement the County of Imperial's General Plan<sup>1</sup> as it relates to the project area. The eleven chapters for Volume One include the following:

- Chapter 1 – SUMMARY
- Chapter 2 – INTRODUCTION
- Chapter 3 – AUTHORITY AND SCOPE
- Chapter 4 – GOALS AND OBJECTIVES
- Chapter 5 – LAND USE PLAN
- Chapter 6 – DESIGN STANDARDS
- Chapter 7 – LANDSCAPE GUIDELINES
- Chapter 8 – INFRASTRUCTURE PLAN
- Chapter 9 – PHASING
- Chapter 10 – IMPLEMENTATION MEASURES
- Chapter 11 – ENVIRONMENTAL ISSUES

**Volume Two** contains the summaries of key specific plan background data, information and all appendices that are referenced in Volume One.

The following documents have been prepared and are included in Volume Two of the *Imperial Center Specific Plan*:

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<sup>1</sup> Version: November 2002 Update

- Appendix A – Legal Description
- Appendix B – Traffic Study
- Appendix C – Addendum to Traffic Study
- Appendix D – Department of Transportation Letter
- Appendix E – Preliminary Infrastructure Study
- Appendix F – Burrowing Owl Study
- Appendix G – Preliminary Drainage Study
- Appendix H – Storm Water Management For Construction Activities
- Appendix I – Storm Water Pollution Plan
- Appendix J -- Heber Public Utility District Service Area Plan
- Appendix K – Water Supply Assessment and Verification Report



*Figure 1-A  
Imperial Center Project Site*

## **PROJECT DESCRIPTION**

The anticipated land uses at the Imperial Center will provide a variety of commercial uses that are intended to serve the needs of regional shoppers and the wholesale market. The Imperial Center will consist of general commercial uses that are typical to retail shopping centers. Specific uses allowed within the project site are listed in Chapter 5, Land Use. The Imperial Center is expected to provide approximately

900,000 square feet of commercial facilities. The following summarizes the primary potential uses of the project area:

- Information/Exhibit/Auction Center 15,000 square feet
- A wholesale outlet 460,000 square feet
- Food court 13,000 square feet
- Multiplex cinema 83,000 square feet
- Hotel (200 rooms) 135,000 square feet
- Plaza/Auction Court 95,000 square feet
- Hotel Plaza/Restaurant 5,000-10,000 square feet
- Convenience Market with a Filling Station 37,000 square feet
- Eleven pads each for 5,000 square feet of retail space

The highest and best uses identified above are driving the project. However, due to the changing economics and the expected long life of the project area, the listed land uses are subject to change. Chapter 5 of this Specific Plan lists all permitted land uses that could also be found in the project area.

## **PROJECT SUMMARY**

**Imperial Center** will be located near Heber, an unincorporated area in the county of Imperial, California, and 4.5 miles from the border between the United States and Mexico. It will be a branded wholesale outlet / auction center (the "**Outlet Center**"), and convenience store/gas station, along with a number of other retail concerns, within a commercial complex. The Outlet Center, convenience market, parking and Outdoor Areas will be constructed on a 77.64 – acre parcel.

The Imperial Center is planned to include an Outlet Center and/ retail and wholesale merchandising opportunities. Outlet Centers or mall is a type of shopping mall, in which manufacturers sell their products directly to the public through their own branded stores. Other stores in outlet malls are operated by retailers selling returned goods and discontinued products, often at heavily reduced prices. Clothing, sporting goods,

electrical products, cosmetics, and toys are among the types of items sold at outlet malls.

Wholesale merchandising opportunities include a wholesaler that buys and stores goods in large quantities from their manufacturers or importers, and then sells smaller quantities to retailers, who in turn sell to the general public. Retailers may also buy directly from manufacturers.

The Imperial Center may also contain traditional retail merchandisers. These merchandisers are involved with functions and activities involved in the selling of goods and commodities directly to consumers.

### **The Project Components**

A number of different enterprises will be constructed, to serve diverse commercial appetites. The following is a preliminary list of projects expected to be included, with an approximation of space needed, in square-feet:



*Figure 1-B  
Architectural Rendering of Space Walk*



## 1. Outlet Center

- An Information Center / Exhibit center / Auction Center (15,000 s.f.)
- A Wholesale Outlet / Show Rooms (460,000 s.f.)
- A Food Court (13,000 s.f.)
- A Multiplex cinema complex, with sixteen (16) screens (83,000 s.f.)
- A Two Hundred-Room Hotel, with provisions for retail shops & a restaurant (135,000 s.f.)
- Central Plaza / Auction Court (95,000 s.f.)
- Cinema Plaza / Retail Court (44,000 s.f.)
- Hotel Plaza Restaurant / View Court (5,000-10,000 s.f.)
- Loading areas (expansive docks with 50 truck loading spaces and 70 automobile loading spaces)
- Convenience Store with Gas Station (37,000 s.f.)

## 2. Other Components

- Eleven (11) Free-Standing Pads (Five to Nine Thousand (5,000-9,000) s.f. each)
- General Automobile Parking (2,500 spaces)

## Development Potential

The demand for **Imperial Center** currently exists, is substantial, and is projected to dramatically increase, both near-term and in the long-term future.

This demand is a function of a number of things, including:

1. The lack of substantive competition in Imperial County for an Outlet Store. With regards to the wholesale outlet and auction court, no "factory outlet" exists in the area.
2. The **Center's** strategic location at the southeast junction of State Route 111 ("SR 111") and Heber Road. SR 111 is a major arterial road / highway linking Coachella Valley and the Border at Calexico / Mexicali. Imperial County reports that currently thousands of automotive vehicles per day use SR 111. (The County's reported truck figures is an estimate based upon a mechanical axle count, local business activity and border crossing reported by U.S. customs).

3. There is a large cluster of retail establishments' development within a five mile radius of the project site. A "retail cluster" is a group of same or similar retail establishments that locate in close vicinity of each other. Retail establishments cluster together as a strategy to attract more shoppers to an area that can offer a variety of products to consumers. The Imperial Center will be located just a few miles North on Hwy 111 of the recently opened Super Wal-Mart. It is the first Wal-Mart "Superstore" in Imperial Valley. The Imperial Valley Mall has also opened within close vicinity to the proposed Imperial Center site. Several other large retail establishments are expected to locate within a close vicinity of the Imperial Valley Mall in an effort to increase the size of the retail cluster. The Imperial Center will be located between the two large retail centers mentioned above creating a large regional retail cluster of retail. It is expected that this clustering of retail establishments within close vicinity will greatly benefit the Imperial Center.
4. The robust automotive, pedestrian and truck traffic through the Calexico Port of Entry ("Calexico POE"), which has been the main border crossing area in the Imperial County between the United States and Mexico for decades, and the Calexico East Federal Port of Entry ("Calexico East POE"), which opened in December 1996. Calexico East POE was constructed to ease congestion (i.e., heavy truck traffic) at the Calexico POE; northbound truck traffic that formerly used the Calexico POE now must use Calexico East POE. According to U.S. Office of Immigration Statistics, 188,614 non-immigrants passed through the two Calexico ports in fiscal year 2002<sup>2</sup> - the most recent year for which this information is available.
5. The Gateway of the Americas Project ("Gateway"), a 1,775 gross-acre / 1,421 net-acre multi-use industrial, warehouse and distribution land development project, through which commercial / retail lots will be available for sale, or built-to-suit. Gateway is contiguous to Calexico East POE and is strategically positioned to take full advantage of the new wave of border business opportunities on the United States

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<sup>2</sup> U.S. Office of Immigration Statistics; Table 609, Fiscal Year 2002:  
<http://uscis.gov/graphics/shared/statistics/yearbook/s002/fy2002table609.xls>.

side arising from the North America Free Trade Agreement (“NAFTA”).

6. The continuing effects of NAFTA on trade and commerce between the United States and Mexico. The Border region in the Imperial-Mexicali Valleys is particularly well positioned to capitalize on economic and business growth attendant to NAFTA and increased industrial and manufacturing development in Mexico; this should result in a significant increase in truck traffic at Calexico East POE.
7. The special requirements of the Border area relating to lack or inadequacy of communications, services, parts and fuel in Mexico, and the stringent requirements of the U.S. government relating to trucks entering the United States from Mexico.

### **Design Concept**

The **Imperial Center** project is designed as independent but interwoven cluster of buildings, plazas and functions.

The heart of the development is the “**Outlet Center**”. The general layout is fashioned after an out door mall for the display, shopping area while a functional and efficient network of loading area is provided at the perimeter of the mall behind the warehouse area.



*Figure 1 – C  
The multiple commercial uses planned for the Imperial Center  
are proposed to share a water feature and unified design*

The “**Outlet Center**” is anchored by a major hotel complex to facilitate the international clientele as well as local travelers at the South end, and an entertainment complex composed of a 16-screen cinema, and arcades at the North end.

At the center of the wholesale outlet mall is the information center, show area connected by a meandering pedestrian traffic spine with shopping façade along it. Each wholesale store will have a front shopping / display area facing the pedestrian walkway, with a warehouse facility in the back facing the loading zone.

The overall design is an interpretation on a Southern California / Latin American flavors. There are many plazas /courtyards; geometric design patterns and heavy saturated color schemes. The design theme is taken from the sunny naturalistic aspect of its environment. Everything is bright and colorful, and the motifs are taken from elements such as sun, water, river, and stars. The combined experience is that of a cheerful, festivity shopping experience.

Finally there are 11 free standing pads for any future developments that will add diversity and enhance the total experience of the Imperial Center. These pads may include retail, restaurants or other uses listed in Chapter 5. There are also total of 2,500 parking spaces to ensure convenient parking to the center.

### **Graphic Package**

The graphic and signage package incorporate the essence of Latin America and contemporary California themes. The floor designs are patterned after the natural environment of Southern California and organized into Water Court (at Hotel Complex), Sun Court (Information Center / Auction Center / Food Court); Star Court (Entertainment Complex), River Walk and Space Walk (Wholesale Outlet).



*Figure 1 - D  
Architectural Rendering of the proposed Star Court and Cinema*

## **DEVELOPMENT AND CONSERVATION ISSUES**

The Imperial Center Specific Plan identifies development and conservation issues that will be addressed throughout this Plan. The following issues have been identified:

1. Compatibility with surrounding land uses due to proposed buffering next to agricultural activities,
  - a. Buffering will include a minimum 200 feet buffer zone to mitigate any potential significant impact upon agricultural land both along both the eastern and northerly borders of the project site. This buffer zone will be measured from the edge of a building within the project site to the edge of the agriculture zone. The agriculture zone is the area which contains agriculture operations. Drains, canals, parking lots and

roads are not considered to be the start of an agriculture zone.

- b. Install a 6 foot solid block wall along the easterly property line. The truck loading area located directly adjacent to the agriculture property to the east of the project site will act as a sufficient buffer to the property.
  - c. More information regarding surrounding land use compatibility issues can be found in Chapter 11.
2. Providing safe and efficient traffic circulation and site access, including:
- a. Safe and adequate access for both private and emergency vehicles while complementing the regional circulation; and
  - b. Providing adequate facilities for the delivery of all public services to the proposed development within the project,
3. Providing a unique commercial neighborhood with a compatible mixture of commercial facilities:
- 4.
- a. Providing Public Services for:
    - i. Sewer;
    - ii. Drinking Water;
    - iii. Electricity; and
    - iv. Storm Water Retention.
  - b. Phasing;
  - c. Architectural variety and enhanced landscaping opportunities;
  - d. Maintaining design criteria and compliance with policies and

## Regulations.

The above noted issues are addressed through objectives, policies, and programs identified later in this plan.

## **2. INTRODUCTION**

### **DECISION TO PREPARE A SPECIFIC PLAN**

Government Code §65450 provides that Imperial County has the authority to facilitate the preparation of a specific plan. Private parties may also initiate a plan as provided for by Imperial County. In the case of this *Imperial Center Specific Plan* the plan initiation by Development, Design and Engineering, Inc. on behalf of Suilo Investment Corporation. The proposal includes an application for a tentative subdivision map, which requires the concurrent preparation of a specific plan.

### **IMPERIAL COUNTY PLANNING & DEVELOPMENT SERVICES DEPARTMENT**

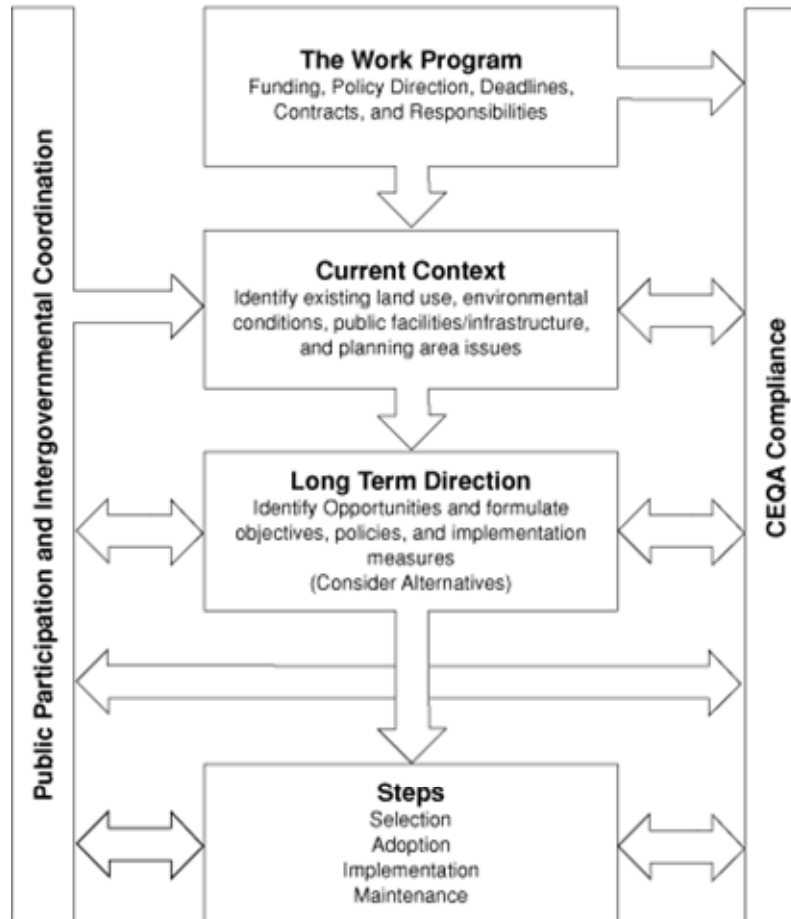
Imperial County has the discretion to decide who may prepare a specific plan. Specific plans may be a requirement of a project and prepared by a project proponent or by a consultant under contract to the project proponent. In this situation Development, Design & Engineering, Inc. is responsible for the preparation of this specific plan as part of a project application for Suilo Investment Corporation, the landowner. The Imperial County Planning & Development Services Department has reviewed the Specific Area Plan for consistency with the County's General Plan and other regulations.

### **PLANNING PROCESS**

The following model is a modified version of the strategic planning process described in the *General Plan Guidelines*, and adapted to the intricacies of specific plans. This model is conceptual and may be used as a reference to guide the selection or development of a process, which meets the needs of the respective jurisdiction. Other comprehensive planning models are available which may achieve similar results.



## Specific Plan Process Diagram



*Figure 2-A  
Model Specific Plan Process*

### **PUBLIC PARTICIPATION**

The participation of those working or residing within a specific plan area or more broad participation of the local citizens can play an important role in the preparation of a specific plan. Section 65453 states that "A specific plan shall be prepared, adopted and amended in the same manner as a general plan..." as such, opportunities for the involvement of citizens, public agencies, public utilities, civic education, and other community groups must be provided pursuant to §65351. The County of Imperial notifies surrounding property owners of the Specific Plan public hearings scheduled for the Planning Commission and Board of Supervisors meetings. Further, other agencies, school

districts, and other stakeholders are contacted during this specific plan process.

### **SPECIFIC PLAN PURPOSES**

The purpose of this Specific Plan is to provide a comprehensive development program for the Imperial Center Commercial Outlet Center. The Imperial Center Specific Plan is a development and policy document that is designed to be in conformance with the County of Imperial General Plan.

Principally, this Specific Plan is structured to show how the project will develop, under what regulatory system(s), with what amenities and minimum services, and over what period of time or phases. It will also show how the project mitigates impacts and how it is compatible with the surrounding land uses. Lastly this Specific Plan shows how the project is consistent with the Heber Public Utility District's Service Area Plan and the Heber Urban Area General Plan designation adopted by Imperial County.

### **PROJECT LOCATION**

The project area for the Imperial Center is located in an unincorporated area of County of Imperial east of San Diego County, south of Riverside County, west of the Arizona State boundary, and immediately north of the International Boundary with the Republic of Mexico (See *Figure 2-B*).

The project area is approximately 2.5 miles south of Interstate 8 and directly east of Yourman Road and State Highway 111, (See *Figure 2-C*). The project area lies immediately northeast of State Highways 111 and 86. The project area is bordered by Abatti Road to the north and to Heber Road to the south.



Figure 2-B  
Regional Location Map

Development Design & Engineering Inc. has worked with Suilo Inc. to develop the *Imperial Center Specific Plan*.

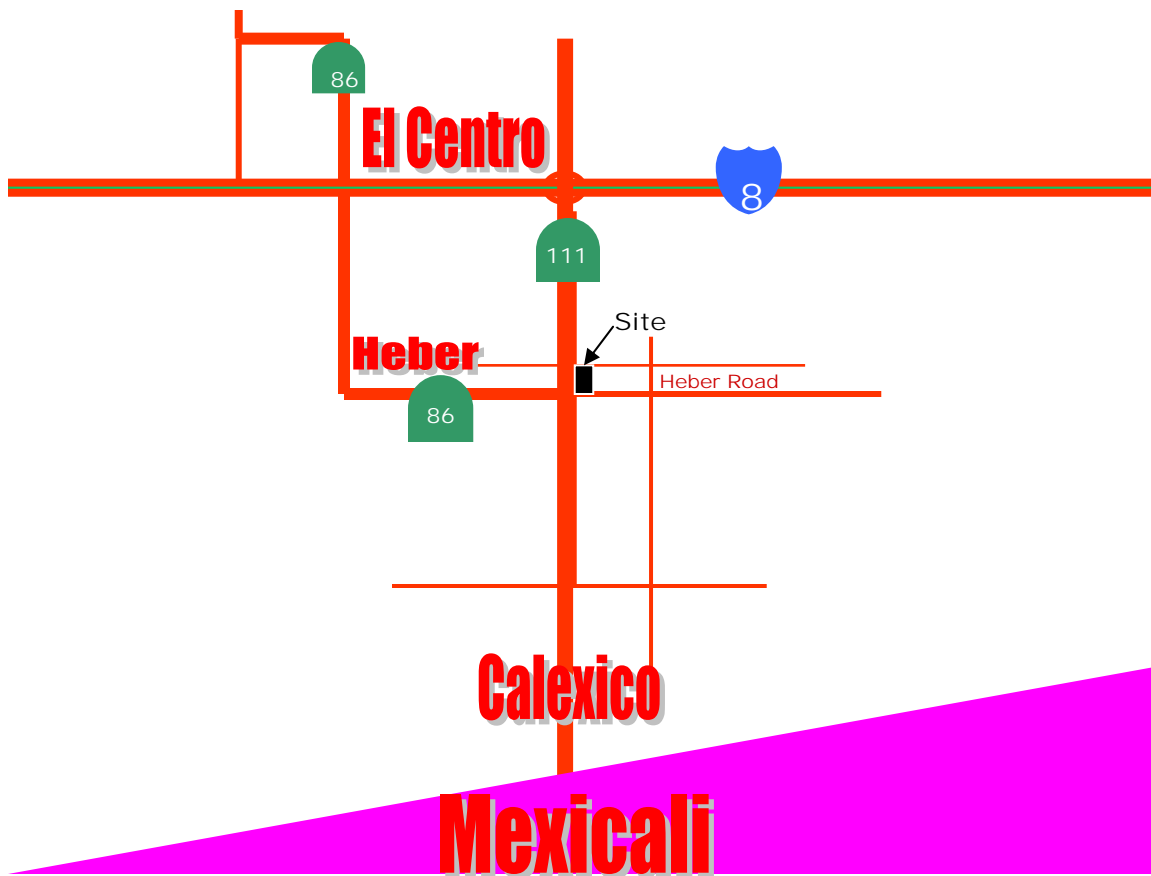


Figure 2 – C  
Local Location Map

### 3. AUTHORITY AND SCOPE

#### AUTHORITY

The State of California Government Code authorizes cities and counties to adopt Specific Plans<sup>1</sup>. Upon its adoption by the City of Imperial Board of Supervisors, the Imperial Center Specific Plan will serve as a tool to the County's General Plan and will provide policy guidelines for the 77.64-acre project site.

The Imperial Center Specific Plan is policy and regulatory by design. The project not only will identify objectives and policies to meet its goals, the Plan will include detailed development requirements that will set the scope of the development. Specific policy requirements such as the plans and objectives are discussed in Chapter 4. Examples of development regulations can be found in Chapter 5.

Existing regulations and ordinances that are in conflict with the Specific Plan may be modified or amended to be compatible with The Specific Plan, unless plan specific equivalent regulations are imposed within the plan. This is discussed further in Chapter 12.

This Specific Plan is limited to the 77.64-acre project area identified in Section I of this document, which is located within the "Heber Specific Plan Area." In accordance with the goals and objectives of the General Plan, Land Use Element, the Imperial Center Specific Plan would reduce overall available acreage for future development in the Heber Specific Plan Area by 1.6%, from 4770 acres to 4692.36 acres. The State, the County's General Plan and the Heber Service Area Plan are the authorities that regulate the Imperial Center Specific Plan.

The following will detail County, and local requirements.

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<sup>1</sup> State of California Government Code Section 65450 through 65457

## STATUTORY REQUIREMENTS

Section 65451 of the Government Code mandates that a specific plan contain:

*A specific plan shall include a text and a diagram or diagrams, which specify all of the following in detail:*

*a. The distribution, location, and extent of the uses of land, including open space, within the area covered by the plan.*

*b. The proposed distribution, location, and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities proposed to be located within the area covered by the plan and needed to support the land uses described in the plan.*

*c. Standards and criteria by which development will proceed, and standards for the conservation, development, and utilization of natural resources, where applicable.*

*d. A program of implementation measures including regulations, programs, public works projects, and financing measures necessary to carry out paragraphs (1), (2), and (3).*

*e. The specific plan shall include a statement of the relationship of the specific plan to the general plan.*

This Specific Plan is also designed with the guidelines outlined by the Governor's Office of Planning and Research "The Planner's Guide to Specific Plans". This model outline recommends guidelines when designing a Specific Plan (See Appendix A).

## IMPERIAL COUNTY GENERAL PLAN REQUIREMENTS

Specific Plans may be adopted by Resolution of the County Board of Supervisors. In accordance with the Imperial County's General Plan Specific Plan requirements, the

Imperial Center Specific Plan shall clearly demonstrate economic, social, public facility, or other local public benefit. The County of Imperial General Plan states that the following Standards and Criteria shall be evaluated for each proposed Specific Plan during a "Specific Plan Pre-Application Assessment" with recommended findings presented to the Board of Supervisors by the Planning & Development Services Department and Planning Commission. In order to adopt a Specific Plan, the Board of Supervisors shall consider the findings of the following five criteria:

*1. Will the Specific Plan have a positive fiscal impact for the County of Imperial?*

**Response:** Yes, the project is expected to have a positive fiscal impact to the County. As identified in the Imperial Center Summary of Information (Appendix B), the center "would be a real boost for the local economy". As with any commercial facility, the Imperial Center is expected to provide employment and tax revenue. The project is expected to prosper and succeed due to the following events:

- **Automotive and truck traffic going to and coming from the Border;**
- **Border crossing business from Mexico;**
- **The Gateway of the Americas Project – a 1,570 acre multi use industrial, distribution and warehousing project;**
- **The Center's strategic location along State Route Highway 111;**
- **The continuing effects of the North America Free Trade Agreement (NAFTA); and**
- **Expected growth of population in the region.**

*2. Will the Specific Plan create new and permanent jobs?*

An acceptable project will be able to demonstrate through an independent market analysis that jobs to be created by the project will not be achieved to the detriment of existing jobs or businesses within the County. In other words, there will be a net increase in countywide employment.

**Response: Yes, the project will create new and permanent jobs for the various proposed commercial services. A Fiscal Impact analysis shall be undertaken as part of this project application to identify new jobs and revenue sources.**

*3. Will the Specific Plan minimize or mitigate adverse environmental impacts and be compatible with existing or planned land uses of nearby cities or communities?*

**Response: Yes, the project is expected to mitigate all potential impacts identified in the environmental analysis. These include improved infrastructure projects and land use compatibility measures that will be implemented during and after development.**

*4. Will the Specific Plan offer diverse or unique opportunities to the County and its citizens?*

An acceptable project will be able to demonstrate benefits of the project, which are not generally or adequately available in the County. Examples include, but are not limited to, increased cultural activities, convention or conference facilities, or unique recreational opportunities.

**Response: Yes, unlike your standard retail services, the Center is expected to provide a varied and unique shopping experience that includes outlet center retail and wholesale goods. Outlet Center and wholesale goods may include clothing, furniture, sporting goods and many other types of goods. The Center is also expected to provide diverse and compatible highway commercial uses.**



5. Will the Specific Plan result in the achievement or significant progress toward accomplishing an unmet goal of the County General Plan?

**Response: The Imperial Center will provide various methods that will either meet or exceed goals of the General Plan, primarily the Economic Growth, Goal 2 that states:**

*Diversify employment and economic opportunities in the County while preserving agricultural activity.*

*Objective 2.1 Achieve a balanced and diversified local economy with a variety of economic and employment opportunities.*

*Objective 2.2 Provide adequate space and land use classifications to meet current and projected economic needs for commercial development.*

*Objective 2.3 Continue to evaluate economic development strategies, including new industrial, commercial, and tourist-oriented land uses. Tourist-oriented uses must be compatible with BLM management goals in areas near BLM lands.*

The Project also meets specific objectives that are listed in various components of the General Plan, including:

*Objective 1.1 Maintain and improve the existing road and highway network, while providing for future expansion and improvement based on travel demand and the development of alternative travel modes.*

*Objective 1.3 The efficient regulation of land uses that economizes on water consumption, enhances equivalent dwelling unit demand for domestic water resources, and that makes*

*available affordable resources for continued urban growth and development.*

*Objective 4.2 The provision of safe and efficient community wastewater treatment facilities which adequately service the present and future needs of residential, commercial, and industrial development within the Imperial Irrigation District service area.*

Overall, the Imperial Center is expected to provide a significant social and economic benefit to the County by providing a vital economic and employment center.

## **HEBER SPECIFIC PLAN AREA**

The project area is located within a marginal section of the Heber Specific Plan Area, and is therefore subject to the requirements that are identified in the Imperial County's General plan. The following objectives are taken from the County's General Plan, Heber Specific Plan requirements. Each objective and policy is followed by a response that indicates conformity to the General Plan:

### *Objectives*

- a. *The Heber Specific Plan Area is intended to allow commercial, residential, and industrial and other employment oriented development in a mixed-use orientation.*

**Response: The Imperial Center Specific Plan will create a commercial employment oriented development.**

- b. *The Specific Plan will be coordinated with both the City of El Centro, Calexico and any other affected agencies.*

**Response:** Copies of draft and final plans will be sent to the City of El Centro, the City of Calexico, Heber Utility District, Caltrans, and the County of Imperial.

- c. *Public services will be provided concurrent with need.*

**Response:** Wastewater and water services are addressed in the Heber Public Utility District Area Plan.

*Policies*

- i. *The Specific Plan shall allow for a wide range of development opportunities, which can conform in a mixed-use setting.*

**Response:** The Imperial Center Specific Plan provides a diverse commercial area that will “open the door” for a compliment of mixed uses along the State Route Highway 111.

- ii. *The Specific Plan shall include architectural and landscape design guidelines, which assure sensitivity to the regional corridor of Highway 111.*

**Response:** Chapter 8 and 9 provide architectural and landscape guidelines.

- iii. *The Specific Plan shall include public facilities financing plan outlining capital improvement needed for the project, feasible financing mechanisms, and timing for their construction. This*

*includes sewer, water, and fire and police protection.*

**Response: Chapter 10 details the implementation measures that will be required to finance the required infrastructure.**

*IV. The Specific Plan shall be accompanied by an Environmental Impact Report which includes the analysis of project impacts to include the following: Agriculture, air and water quality, biology, cultural resources, growth inducement, traffic, visual/aesthetics, and such other issues as required by the County of Imperial and other Responsible Agencies.*

**Response: The project area is only a nominal area of the over all Heber Specific Plan area. Mitigation measures will reduce the project impacts to less than significant. All mitigation measures have been included herein.**

The Imperial Center Specific Plan is shown to be consistent with the Heber Specific Plan Area because it meets or exceeds the specified Goals, Objectives and Policies within the plan.

## **APPLICABILITY**

The Imperial Center Specific Plan is a planning tool document of the Imperial County General Plan. The project will require General Plan consistency and approval from the Board of Supervisors. The project is effective upon the date of adoption as stated in the adopted resolution approving the Imperial Center Specific Plan. The Specific Plan is valid until such time that the Plan is amended or rescinded by the County Board of Supervisors.

## 4. GOALS & OBJECTIVES

### PROJECT GOALS & OBJECTIVES

This Specific Plan provides a set of development standards that apply to the 77.64-acre project area. These standards are designed to conform to the County's General Plan. These standards are also intended to meet the requirements from local, regional, and state agencies.

The following specific goals are results of the developer's desire to create a project that can be successfully completed while responding to the concerns of a variety of adjacent communities and various agencies.



*Figure 4-A  
Artist's Image of Proposed Imperial Center Food Court*

### 1. Commercial Development Goal

**"To provide a well-designed, high quality commercial development that will provide for a variation of space and shop areas for both the wholesale/retail market."**

**Objective 1**

Design facilities that are attractive to surrounding communities and interstate and state highway vehicular commerce.

**Objective 2**

Design the project with a mixture of several different store sizes in order for a variety of different business owners to be able to display and sale their product.

**Objective 3**

Allow sufficient permitted land uses in the plan to respond to changes in the marketplace over a 10-year build out period.

**Objective 4**

Group the smaller shops within the project so that similar user needs are grouped together.

**Objective 5**

Maximize the larger shops marketing similar types of products so the business owner can make his/her selection and return to his/her shop.

**2. Circulation Goal**

Design an internal pedestrian circulation system that will provide a safe and enjoyable outdoor experience with easy access to the shops and services within the complex. Provide for parking facilities that are easily remembered, cooled by a tree canopy, and a short walk to the shops.

**Objective**

Provide both primary and secondary points of access to accommodate emergency vehicle access, and efficient traffic flow. This is accomplished by realigning Yourman Road. Yourman Road will be designed to bi-sect the development and provide convenient access to shops and services.

### **3. Public Services**

Provide a safe, functional and sewage, drinking water, and storm drain facilities that are reasonable to install, operate, and maintain.

#### **Objective 1**

Extend sewage collection lines and water distribution lines from existing treatment facilities to make efficient use of existing treatment capacities and reduce per site unit operation and maintenance costs. Phase C will be activated upon development of 10% of the site.

#### **Objective 2**

Provide the opportunity for a needed sewer and water infrastructure for existing adjacent development not adequately served by existing infrastructure.

#### **Objective 3**

Construct a secured storm water retention basin to retain a majority of the storm water runoff generated by the maximum theoretical design storm.

### **4. Parks and Recreation Goal**

Provide numerous opportunities to enjoy outdoor passive recreational experiences.

#### **Objective**

Design open space outdoor areas that take into consideration the seasonal weather.

### **5. Noise**

The Imperial Center shall be designed to minimize indoor and outdoor noise environments.

#### **Objective 1**

Provide alternatives to project proponents and project reviewers.

## Objective 2

Where possible, provide noise barriers to reduce noise impacts to adjacent land uses and to on-site projects as they are proposed.

### GATEWAY TO THE AMERICAS GOALS & OBJECTIVES

In addition to the goals and objectives prepared specifically for this *Imperial Center Specific Plan*, the objectives adopted as part of the Imperial County *Gateway to the Americas Specific Plan* are incorporated by reference as part of this Specific Plan document. In all cases, these objectives are compatible with the vision established by this *Imperial Center Specific Plan* document. This project is consistent with key goals and objectives of the *Gateway of the Americas Specific Plan* as follows:

*Specific relationships between the General Plan and this document are identified and discussed in Section VI, General Plan and Environmental Analysis.*

*The consideration of the General Plan goals, the project's unique physical setting, and its compelling economic potential relevant to the planning area, the County, and the property owners, have resulted in the formation of the following objectives:*

- 1. A development strategy that creates new employment opportunities within Imperial County, consistent with market opportunities.*
- 2. A land use plan that provides for a variety of industrial and commercial uses supportive to the International Port of Entry.*
- 3. An implementation strategy that provides some flexibility in responding to market conditions with respect to authorized land uses, yet ensures compatibility with the other objectives of the Specific Planning Area (SPA) while*



*promoting an economically efficient use of the land.*

- 4. A project financing plan that provides the potential for a property owner/County partnership of private and public investment in the project, allowing it to respond to market opportunities as well as, provide employment opportunities and tax base.*
- 5. Legal mechanisms (i.e.: development agreements, etc.) that provide certainty in the allowable land uses and define the project's obligation to provide public facilities, services, and utilities on a phase-by-phase basis as required to accommodate the incremental needs of the project.*
- 6. Development guidelines that provide design criteria appropriate for the various types of land uses located throughout the SPA.*
- 7. Policies, in conjunction with the SPA's EIR, setting forth the conditions and requirements for development of the project's phases designed to mitigate the environmental effects caused by the SPA development.*

### **Objective 1**

A development strategy that creates new employment opportunities within Imperial County, consistent with market opportunities.

### **Response:**

The Imperial Center Specific Plan proposal shall include an economic impact analysis. It is anticipated that the Imperial Center shall lead to the creation of significant new primary permanent jobs. These new positions will be principally in retail, entertainment, and warehousing and trade-related activities.

It is also anticipated that the Imperial Center could stimulate housing market demand and associated retail sales benefiting nearby cities.

Finally, a substantial volume of "non-permanent" construction employment will occur. The construction of new commercial shall generate additional jobs.

## **IMPERIAL COUNTY CIRCULATION AND SCENIC HIGHWAYS ELEMENT GOALS AND OBJECTIVES**

### **Preface**

*The following presents a set of goals and objectives of the Circulation and Scenic Highways Element along with policies to achieve these specific goals and objectives. They have been prepared in collaboration with the General Plan Ad-Hoc Advisory Committee appointed by the Board of Supervisors.*

*The Goals and Objectives, together with the Implementation Programs and Policies in Chapter IV, are the statements that shall provide direction for private development as well as government actions and programs. Imperial County's Goals and Objectives are intended to serve as long-term principles and policy statements representing ideals, which have been determined by the citizens as being desirable and deserving of community time and resources to achieve. These Goals and Objectives, therefore, are important guidelines for land use decision-making. It is recognized, however, that other social, economic, environmental, and legal considerations are involved in land use decisions and that these Goals and Objectives, and those of the other General Plan Elements, should be used as guidelines but not doctrines.*

### *Goals and Objectives*

#### **Safe, Convenient, and Efficient Transportation System**

*Goal 1: The County will provide an integrated transportation system for the safe and efficient movement of people and*

*goods within and through the County of Imperial with minimum disruption to the environment.*

**Response:**

The existing road and highway network will be maintained and improved.

A traffic analysis has been prepared which includes significant mitigation measures.

The project encourages the balance of employment, services, and housing throughout the County to preclude future traffic congestion.

**IMPERIAL COUNTY LAND USE ELEMENT GOALS AND OBJECTIVES**

**Preface**

*The Land Use Element of the General Plan serves as the primary policy statement by the Board of Supervisors for implementing development policies and land uses in Imperial County. This section of the Land Use Element presents Imperial County's Goals and Objectives relative to all land use within the unincorporated areas of the County. They have been prepared in collaboration with the General Plan Ad-Hoc Advisory Committee appointed by the Board of Supervisors.*

*The Goals and Objectives, together with the Implementation Programs and Policies in Chapter IV, are the statements that shall provide direction for private development as well as government actions and programs. Imperial County's Goals and Objectives are intended to serve as long-term principles and policy statements representing ideals, which have been determined by the citizens as being desirable and deserving of community time and resources to achieve. These Goals and Objectives, therefore, are important guidelines for land use decision-making. It is recognized, however, that other social, economic, environmental, and legal considerations are involved in land use decisions and that these Goals and*

*Objectives, and those of the other General Plan Elements, should be used as guidelines but not doctrines.*

***Goals***

**Economic Growth**

*Goal 2: Diversify employment and economic opportunities in the County while preserving agricultural activity.*

**Response:**

This project achieves a balanced and diversified local economy with a variety of economic and employment opportunities. It provides adequate space and land use classifications to meet current and projected economic needs for commercial development.

Further, this project includes commercial, and tourist-oriented land uses.

## 5. LAND USE PLAN

This section illustrates the proposed land development plan proposed for the Imperial Center Specific Plan.

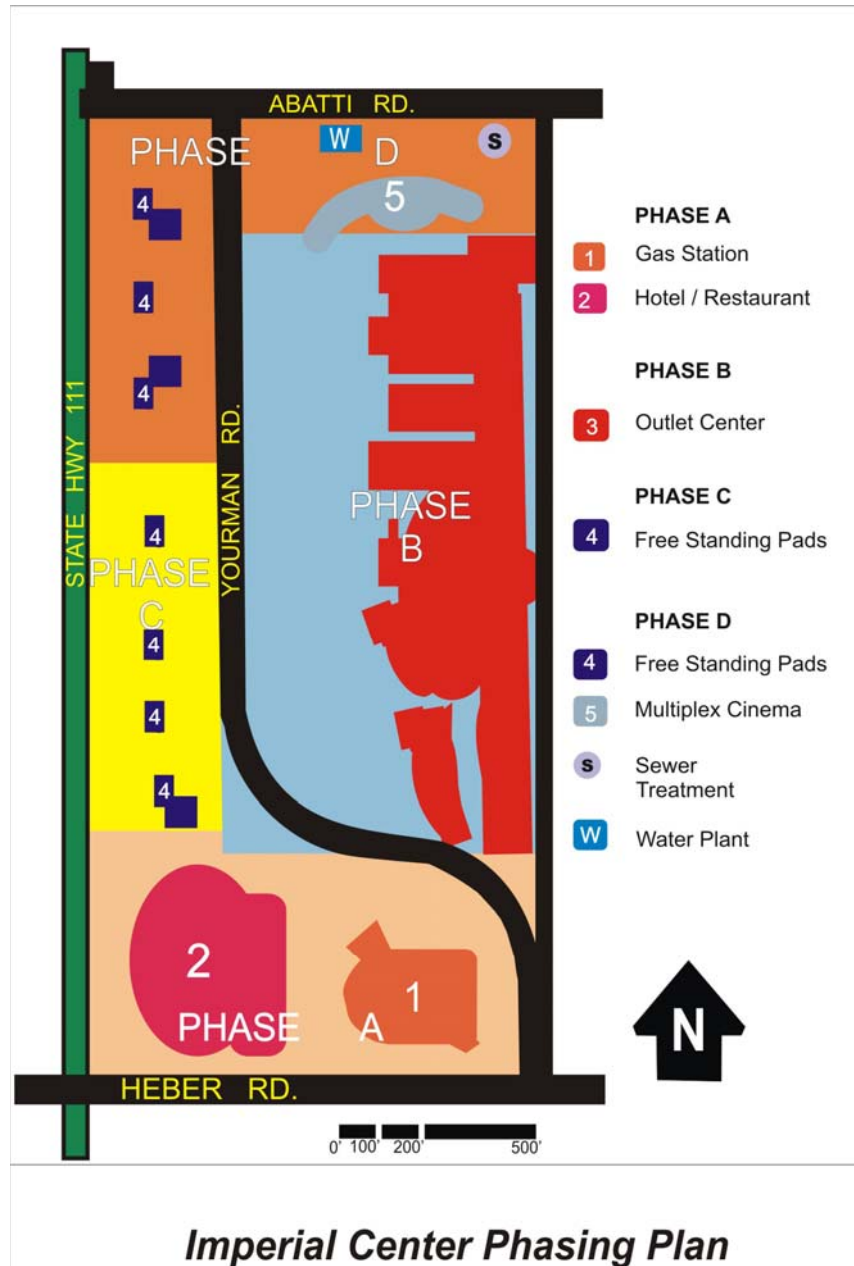


Figure 5-A Land Use Plan

This section of the *Imperial Center Specific Plan* will provide the proposed General Plan Designation, Zoning and Land Use for the Imperial Center. This plan includes specific land use policies and development requirements for the Specific Plan Area. This section will also provide an analysis of land use compatibility to surrounding activities. The following table summarizes the existing conditions of the project area mentioned earlier in this document, (Chapter 2).

## **GENERAL PLAN AND ZONING**

The Imperial County General Plan identifies the project site as lying within the Heber Specific Plan Area. Following are the General Plan sections relating to this designation:

### ***Heber Specific Plan Area***

*The Heber Specific Plan Area includes approximately 1,660 acres between the City of Calexico on the south, the railroad to the west, Corral Road to the north, and 1,320 feet east of Highway 111. The Heber Specific Plan Area is designed to allow for mixed-use development within the Heber Public Utility District due to its ability to offer urban level services.*

#### Objectives

*The Heber Specific Plan Area is intended to allow commercial, residential, industrial and other employment oriented development in a mixed use orientation.*

*The Specific Plan will be coordinated with both the City of El Centro, Calexico and any other affected agencies.*

*Public services will be provided concurrent with need.*

#### Policies

*The Specific Plan shall allow for a wide range of development opportunities, which can conform in a mixed-use setting.*

*The Specific Plan shall include architectural and landscape design guidelines, which assure sensitivity to the regional corridor of Highway 111.*

*The Specific Plan shall include public facilities financing plan outlining capital improvement needed for the project, feasible financing mechanisms, and timing for their construction. This includes sewer, water, and fire and police protection.*

<i>Table 5-1 Project Land Use Compatibility</i>		
<b>Imperial Center Project Area</b>	<b>Existing</b>	<b>Proposed</b>
General Plan Designation	SPA (Heber Specific Plan Area)	SPA (Imperial Center Specific Plan Area)
Zoning	A2/SPA	Imperial Center Commercial Zone (IC CZ)
Land Use	Agricultural	Commercial

As can be seen above, the proposed Imperial Center is consistent with the Heber Specific Plan objectives and policies regarding commercial development.

***Current Zoning***

The project site is currently zoned with an A2-SPA, combined zone district. SPA indicates that it is within an area designated as a Specific Plan Area, the Heber Specific Plan Area.<sup>1</sup> The Imperial County Zoning Ordinance describes these zone districts as follows:

§       **90508.00       “A-2” ZONE (GENERAL AGRICULTURE)**

*The purpose of the A-2 (General Agriculture), [40 Acre minimum] Zone is to designate areas that are suitable and intended primarily for agricultural uses (limited) and agricultural related compatible uses.*

## CONCEPTUAL SITE PLAN

The project plan is to subdivide the 77.64-acre agricultural parcel into thirteen commercial lots (See *Figure 5-C*). The subdivision breakdown is provided in *Table 5-1*.



*Figure 5 – B*  
*Water Element Concept Proposed for Imperial Center*

*Figure 5-C* identifies the mixed commercial recreation, retail service and lodging proposed upon the 77.64 acre Imperial Center site. It is noteworthy to point out that the proposed uses are intended to be complimentary.

### LAND USES

#### 1. Permitted Land Uses

The Imperial Center Specific Plan will allow primarily for development of general commercial land uses within the Imperial Center Commercial Zone. The General Plan describes General Commercial as:





Figure 5 – C  
Detailed Imperial Center Site Plan

*General Commercial* - Refers to commercial uses as described above <neighborhood commercial>, as well as larger retail outlets including regional centers, home improvement stores, business and construction support services, personal and business storage facilities, commercial recreation, health clubs and spas, medical, financial, and other professional offices and facilities, hotels and motels, automobile and equipment sales and services. Some of these uses may be restricted by location in certain zones, or by other limitations of implementing zoning. Agricultural and animal services may also be permitted subject to limitations of implementing zoning.

This plan is designed to be compatible with the above described commercial definition in addition to being flexible enough to permit various compatible commercial uses that are listed in table 5-2 & 5-3.

<i>Table 5-2 Proposed Land Use Summary</i>			
<b>Lot</b>	<b>Land Use</b>	<b>Density</b>	<b>Acreage</b>
1	Gas Station/Convenient Store	N/a	6.16
2	Commercial	N/a	33.3
3	Commercial	N/a	4.15
3A	Interim Waste Water	N/a	1.05
4	Hotel / Restaurant	N/a	5.58
5	Commercial	N/a	3.38
6	Commercial	N/a	2.42
7	Commercial	N/a	2.33
8	Commercial	N/a	2.01
9	Commercial	N/a	1.75
10	Commercial	N/a	2.01
11	Commercial	N/a	2.01
12	Commercial	N/a	1.75
13	Commercial	N/a	1.93
Streets	N/A		7.81
<b>Total Acres</b>			<b>77.64</b>

The primary land use in the Imperial Center Specific Plan is for commercial uses. The following table identifies the scope of commercial uses that are permitted within the Imperial Center Commercial Zone:

*Table 5-3  
Imperial Center Permitted Uses*

- Animal grooming and pet supplies
- Small Scale Indoor animal kennel or boarding facility
- Auditoriums (public)
- Auto rental
- Auto service or repair
- Auto tire sales/service
- Auto wash
- Automobile sales (new)
- Automobile sales (used)
- Bars, taverns, cocktail lounge
- Public/Private Bus depot
- Convenience market w/gas station
- Drive-in restaurant
- Retail drug and pharmaceutical
- Farmers Market
- Feed stores (retail and wholesale)
- Fire/police station
- Food store
- Gardening and landscape supply store
- Gift and card
- Health club/Gymnasium
- Hotel/Motel
- Hospital
- Ice vending
- Liquor store
- Miniature golf course
- Movie theater

*Table 5-3  
Imperial Center Permitted Uses*

- ❑ Post office
- ❑ Public agency or utility
- ❑ Real estate office
- ❑ Regional Shopping Center
- ❑ Research and development office
- ❑ Residence incidental to primary use (i.e. caretakers residence, owners residence, security guards residence)
- ❑ Restaurants, cafe, coffee shop
- ❑ Skating rink
- ❑ Specialized stores/Outlet Center
- ❑ Travel agency
- ❑ Truck fuel without repairs
- ❑ Variety stores
- ❑ Veterinary clinic/hospital
- ❑ Utility substations
- ❑ Waste water treatment plants
- ❑ Water purification plants
- ❑ Water treatment plants

The following uses, (*Table 5-4*) are recognized as appropriate and permitted in the Imperial Center Specific Plan Area in accordance with the standards and procedures contained in the Imperial County Land Use Ordinance. The uses listed in Table 5-4 are currently not proposed uses for the Specific Plan Area.

It is the intent of this Specific Plan to conditionally allow for the uses in the case that changes in market conditions change leading to changes in the proposed uses. This Specific Plan is expected to be implemented throughout many years. Market conditions and economic demands frequently change over the time period in which the Specific Plan will be implemented. Therefore, the Specific Plan is designed to be able to react to those changes and implement the Specific Plan successfully.

*Table 5-4  
Uses Permitted by Conditional Use Permit Only*

- ❑ Circus or carnival
- ❑ Amusement park – Water Park
- ❑ College or university
- ❑ Communications/equipment buildings
- ❑ Large Outdoor animal kennel or boarding facility
- ❑ Court House
- ❑ Golf course
- ❑ Heliport
- ❑ Outdoor storage of RV's, campers, truck trailers, and cargo containers
- ❑ Radio/television/Cellular or commercial communication facilities
- ❑ Recreational vehicle park
- ❑ Trade fair and exhibits

## **2. Temporary Uses:**

Table II.3.8-1 is a list of temporary uses and applicable restrictions. All temporary uses are subject to Administrative Review by the Director of Planning and Building.

All Temporary uses shall be subject to the issuance of Temporary Use Permit by the Director of Planning and Building ( or conditional Use Permit as noted) and other necessary permits and licenses, including but not limited to building permits, sign permits and solicitor or vending licenses. In the issuance of such a permit, the Director of Planning and Building shall indicate the permitted hours of operation and any other conditions such as walls, fences or lighting, which are deemed necessary to reduce possible detrimental effects to surrounding developments and to protect the public health, safety and welfare. Prior to the issuance of a permit for a temporary use, a cash deposit may be required to be deposited by the County. The County shall use this cash deposit to defray the costs of property cleanup, in the event the permittee fails to do the same.

Upon written application, the Director of Planning and Building may extend the time within which temporary uses may be operated, or may modify the limitations under which such uses may be conducted if the Director of Planning and Building determines that such extension or modification is in accord with the purposes of the regulations.

Each site occupied by a temporary use shall be left free of debris, litter, or any other evidence of the temporary use upon completion of removal of the use, and shall thereafter be used only in accord with the provisions of the zoning regulations.

The application for temporary use shall be accompanied by a fee established by the County's Master Fee Schedule to cover the cost of processing the application prescribed in this section. The approving authority may waive this fee for charitable groups that do not need any public services.

<b>Table 5-5 Uses Permitted by Temporary Use Permit Only</b>	
□	Agricultural and animal husbandry activity or project (4-H, FFA, or similar) conducted for educational purposed or school credit. A permit may be granted in any district when the Director of Planning and Building determines that such use will not cause a public nuisance relative to sanitation and health conditions.
□	Agricultural products retail sales (fruit and vegetable stands) no more than twice per calendar week. A third day will be allowed in cases of official County of Imperial holidays.
□	Circuses, rodeos, parades or similar outdoor entertainment or enterprises, subject to not more than five (5) days calendar days of operation in any calendar year. Requests exceeding these limitations will require the submittal and approval of a Conditional Use Permit.
□	Christmas tree sales lots, Halloween pumpkin sales, and other holiday sales subject to not more than forty (40) calendar days of site occupation and operation in any calendar year.

**Table 5-5**  
**Uses Permitted by Temporary Use Permit Only**

<p>□ Contractors' offices and storage yards on the site of an active construction site.</p>
<p>□ Mobile home residences for security purposes on the site of an active construction project.</p>
<p>□ Mobile trailer units properly designed for temporary classrooms, offices, banks, etc., for periods not to exceed ninety (90) days subject to Administrative Review. Requests for such uses of more than ninety days shall require approval of a Conditional use Permit by the Planning Commission. Such units shall meet all necessary requirements of building, fire and health codes.</p>
<p>□ Outdoor art and craft shows and exhibits, subject to not more than three (3) calendar days of operation or exhibition in any sixty (60) day calendar period.</p>
<p>□ Recycling drop-off bins sponsored by charitable institutions or schools for recycling of cans, newspapers or similar items, or for drop-off of clothes and small items. The bins shall be located, either behind buildings, or in the parking lots of businesses or other public or semi-public property on a temporary basis when written permission is granted by the property or business owner. When located in parking lots, the bins must be screened from view from the street. Said bins shall be kept in a neat and orderly manner. The bins may be left on the premises for a maximum of two days per calendar week. A third day will be allowed in cases of official County of Imperial holidays. Permission must be granted from the Imperial County Department of Planning and Development Services.</p>
<p>□ Additional uses determined to be similar to the foregoing in the manner prescribed by these regulations.</p>
<p>□ Septic Tank and Leech Field may be provided temporarily, as permitted by Imperial County Department of Health Services, until permanent utilities are able to be provided. More information regarding the septic tank and leech field is provided in Chapter 8, Infrastructure Plan.</p>
<p>□ All agriculture (farming) uses in the A-2 Zone as listed under 90509.01 will be allowed temporarily until the Imperial Center can be fully built out. There will be a 200 foot buffer between agriculture and other land uses were appropriate</p>

### **3. Prohibited Uses:**

Any use that is not listed in Table 5-2 and 5-3.

## **DEVELOPMENT STANDARDS**

At build-out, the Imperial Center will provide a broad range of unique commercial uses, such as specialty, wholesale and retail. As envisioned, the Center will provide an architecturally inviting community atmosphere for both residents and visitors.

The following are development standards to guide development of the Imperial Center:

### **1. Yards & Setbacks**

The following yard and setback requirements apply to all development within the Imperial Center.

#### **a. Front Yard-**

Outlet Mall: There is no requirement for setbacks for the outlet mall. The buildings may be placed in close vicinity to the property line in an effort to capture a sought after environment. For example, retail establishments within a "Mainstreet" environment are minimally setback from the sidewalk in order for patrons to enjoy the pedestrian atmosphere of window shopping.



Any structure built on the property line shall provide a four hour fire wall to meet Fire Code requirements. In addition to the four hour fire wall, buildings that abut one another will have a five foot side yard setback.

- Free Standing Retail: Free standing retail within the project, the pads along Hwy 111 for example, shall have a twenty (20) foot front yard setback.

**b. Side Yard –**

Outlet Mall: There is no side yard setback requirement for the buildings associated with a complex of buildings or a site plan that attempts to create a “Mainstreet” environment.

- Free Standing Retail: Free standing retail within the project, the pads along Hwy 111 for example, shall have a ten (10) foot side yard setback.

**c. Rear Yard** - Shall be a rear yard of not less than 20 feet, except that no rear yard shall be required in the event that a public alley exists and is adequate size to accommodate large commercial vehicles for the loading and unloading of products to the site.

**d. Minimum Lot Dimensions -**

Area: 20,000 SF

Street Frontage: 50 feet

Width: 75 feet

Depth: 75 feet

**e. Maximum Building Coverage**

40 Percent

**2. Height**

**Buildings, and/or structures** shall not exceed 60 (sixty) feet, whichever is less.

**3. Minimum Distance Between Structures**

There is no minimum distance between structures within a single lot.

**4. Parking**

The following table (5-5) provides guidelines for parking facilities at the Imperial Center.

<b>Use</b>	<b>Parking Ratio</b>
1. Outlet / Specialty Shops	1 space per 1,000 square feet of storage area, plus one space per 250 square feet.
2. Wholesale Outlet/Specialized Stores	1 space per 1,000 square feet of storage area, plus one space per 250 square feet.
3. Restaurants	1 space per 100 square feet
4. Fast food restaurants, cafes, coffee shops, bars, and taverns (except drive-thru)	1 space per 75 square feet.
5. Movie theatre or auditorium	1 space per two seats.
6. Hotel	1 space per room, plus 2 spaces for a manager's unit, plus one space for every 1,000 square feet.

*Table 5-6  
Imperial Center Parking Requirements*

Use	Parking Ratio
7. Service station, auto repair and tire sales	1 space per 300 square feet
8. Barber and beauty shops	1 space per 100 square feet
9. Business facility, professional offices and General Retail	1 space per 250 square feet
10. Furniture Store	1 space per 500 square feet
11. Nursery	1 space per 250 square feet of indoor display and 1 space per 2000 square feet of outdoor sales area.
12. Automobile sales	1 space per 10,000 square feet of sales area plus 1 space per 250 square feet of office area.

**a. Parking Area Design**

All parking spaces shall be a minimum of nine feet (9') in width and twenty feet (20') in length. Handicapped automobile parking spaces shall comply with the requirements of Chapter 2-71, title 24, California Code of Regulations.

**b. Commercial Buses, Recreational Vehicle, and Semi-truck Parking:**

If necessary, Nine feet by forty feet spaces can be provided.

**c. Public Bus:**

A minimum two-bus length transit stop with appropriate facilities shall be provided. Covered seating and trash receptacles shall be provided per stop.

**c. Handicapped Parking**

All handicapped parking spaces and access areas between handicapped parking spaces and primary entrances of associated buildings or facilities shall be surfaced in a manner to facilitate wheel chair use.

**e. Parking Area Standards**

Off-street parking areas will be designed to County Standards.

**f. Off-Street Loading Facilities**

1. Buildings shall be designed with the loading areas primarily located to the side and rear of the building.

2. Loading areas shall be designed to provide for backing and maneuvering onsite and not from public streets.

3. Loading docks shall not encroach into building setbacks.

4. All loading areas fronting a public street shall be screened from view by any one or combination of the following:

5. All loading areas fronting a public street shall be screened from view by any one or combination of the following:

i) Screen walls (similar in design and materials to main building)

ii) Building/walls extensions

iii) Ornamental landscaping adequate to serve intended

purpose.

## **5. Trash Enclosures**

All open outside storage of trash is prohibited in the "Imperial Center". Trash containers must be shielded from view. If the area is outside, it must be screened by masonry wall not less than 6 feet in height, and have opaque gates.

## **6. Outdoor Storage**

Outdoor storage is permitted; however all storage areas viewed from a public street shall be screening shall consist of a wall similar in design and in material to the adjacent building and/or ornamental landscaping adequate to serve the intended purpose.

Location of outdoor storage areas must be shown on the development site plan.

## **Adjacent Land Use Compatibility**

The Imperial Center Specific Plan should be compatible with existing and planned land uses surrounding the site. All access will be provided from abutting roadways. The current surrounding land uses include Agricultural and transportation facilities to the north, west, east and south of the project area (County of Imperial). Adjacent land uses and their compatibility are described below.

### **1. Agriculture**

Typically, new development placed contiguous to agricultural land uses creates some major conflicts.

The conflicts arise from both the agricultural community fearing restrictions being placed on their operational aspects, which do quite often become reality. On the other side, the urban users, many of whom are not that familiar with the nature of agricultural operations, complain about dust, noise, odor, and traffic due to large equipment and aerial applications of pesticide and herbicide.

In this case however there is a significant separation between the eastern boundary of the project site and the western boundary of the adjacent agricultural field. The Alder Drain, a wall, and associated IID dirt roads provide a buffer of 60 to 75 feet. There will also be a significant amount of space as buffer that will be used for the truck loading area behind the Outlet Mall. The specific distance will be determined when the site plan is completed.

2. **Residential** – There are no adjacent Residential areas near project area. “The project will include appropriate Landscaping and mitigation measures to ensure compatibility to future residential projects.”
3. **Commercial** – A large scale freight truck storage facility is located across Heber Road, directly to the south of the project site. The truck facility is on land which is partly zoned for commercial and partly zoned for industrial. Our project and the truck storage facility are buffered by a 126’ right of way for Heber Road.
4. **Industrial** – A large scale freight truck storage facility is located across Heber Road, directly to the south of the project site. The truck facility is on land which is partly zoned for commercial and partly zoned for industrial. Our project and the truck storage facility are buffered by a 126’ right of way for Heber Road.
5. **Open Space/Parks** – Agricultural is considered open space, therefore the project will mitigate any impacts to agricultural uses.

6. **Schools** – There are no schools adjacent to agricultural
7. **Airport** – There are no immediate airport facilities to the project area.

## 6. DESIGN STANDARDS

The following section provides architectural guidelines for buildings and signs at the Imperial Center.

### DESIGN CONCEPT

The Imperial Center project is designed as independent but interwoven cluster of commercial buildings, plazas and functions. The overall design is an interpretation on a Southern California/Latin American flavor. There are many plazas/courtyards; geometric design patterns and heavy saturated color schemes. The theme is taken from the sunny naturalistic aspect of its environment. Everything is bright and colorful, and the motifs are taken from elements such as sun, water, river, and stars. The combined experience is that of a cheerful, festive shopping experience.



**Imperial Center Site Analysis Diagram**

*Figure 6-A Analysis diagram*



## 1. Outlet Center

The heart of the development is the Outlet Center. The general layout is fashioned after an out door mall for the display, shopping area while a functional and efficient network of loading area is provided at the perimeter of the mall behind the warehouse area. A major hotel complex, entertainment complex, information center, show area, auction house and an outdoor auction plaza and central food court are proposed facilities of the Outlet component. A meandering pedestrian traffic spine is proposed to connect these facilities. Each wholesale outlet will have a front shopping/display area facing the pedestrian walkway, with a warehouse facility in the back facing the loading zone.



*Figure 6 - B  
Proposed Sun Court Auction Area/Factory Outlet*

## 2. Convenience Store & Gas Station

The other major component is a proposed convenience store and gas station at the major intersection of Heber Road and Highway 111. The convenience store and gas station is intended to cater

to the local, regional, and international travelers passing through the border between California and Mexico. It will have an island of gas pumps that will be designed to service a variety of vehicles from motorcycles to large trucks. The facility is situated next to the freeway to obtain great exposure and easy access for the travelers. The same design patterns and motif will be carried out here.

The gas station may have a maximum of eighteen (18) filling Vehicle Fueling Positions (VFP) and three islands. VFP's are the number of vehicles that can be fueled simultaneously at a service station. For example, if a service station has three product dispensers with three hoses and grades of gasoline on each side, where only one vehicle can be serviced at a time on each side, the number of vehicle fueling positions would be six." (Institute of Transportation Engineers, Independent Variables) With three islands and three product dispensers per island, the total VFP's would equal eighteen (18).



*Figure 6 - C  
Convenience Store & Gas Station*

### **3. Commercial Lots**

Finally, there are free standing commercial parcels for any future developments that will add diversity and enhance the total experience of the Imperial Center.

#### **4. Parking**

Central parking spaces will be provided with adequate entry/exit signs to ensure convenient parking to the center.

#### **BUILDINGS**

Architectural design integrity will be ensured within the Imperial Center by consideration of the following architectural guidelines.

1. Buildings shall be designed with sensitivity for the local desert environmental conditions. Openings and entries to buildings should be clearly defined and accented with architectural elements and plant materials for orientation.
2. The scale of the project should be given careful consideration. Building placement should vary to include both parallel and skewed angles to the street, in order to provide diversity and discourage long, uninterrupted expanses of façade.
3. All building sides are to be considered. Buildings shall not have a special treatment only on the façade facing public street rights-of-way. The architectural concept must be consistent on all sides of the building, although the intensity of treatment may vary. In this regard, extra treatment may be given to the primary street frontage side of the building, as long as the basic façade treatment is carried around the structure.
4. Any accessory building and/or enclosures, whether attached to the main building or not, must be of similar design and materials to the main building.

5. Rooftop mechanical equipment shall be completely screened by architectural means such as parapet walls or rooftop wells, which are integrated into the building's architecture. The use of picket-fence type screening is prohibited.
6. Trash bins and Ground mounted equipment shall be completely screened. Screening shall meet County requirements for materials and size. Enclosures shall be consistent with the Center's architectural requirements.
7. Permanent buildings of mobile/modular construction are prohibited.



*Figure 6 – D  
Contemporary designed Factory Outlets such as Carlsbad Co.  
Stores, (Carlsbad, CA), have served as regional retail catalysts*

### **Building Mass**

Building exterior walls shall be visually reduced to human scale by:

1. Fragmenting the structures into smaller or multiple walls in order to create a three dimensional appearance.
2. Creating horizontal shadow lines.

3. Clustering small-scale features, such as planter walls around major building forms.

### **Building Materials**

Building materials are to be durable, aesthetically pleasing, and relatively maintenance free, including stucco and mission tiles. Changes in texture, relief, and/or materials are encouraged.

The following building materials are encouraged to be used though out the Imperial Center.

1. **Exterior Wall Finishes** - Exterior wall finishes are to be uniform textured appearance. Acceptable materials include sandblasted concrete, masonry, exterior cement plaster, architectural metal panels and glass.
2. **Concrete** – Textured forms or sandblasting should be utilized for tilt-up construction panels. Smooth concrete features should have either integral color or painted surfaces.
3. **Masonry** – Brick must be hard fired face brick in earth tone, medium range colors. Standard concrete block is acceptable however; no more than fifty percent of the concrete block exterior wall elevation should be made of a single color or texture. Artificial stone is discouraged.
4. **Exterior Cement Plaster** – Textures are limited to machine spraying and light had trowel or float finished.
5. **Architectural Metal Panels** – Metal panels should not be highly reflective. Corrugated metal panels are prohibited.
6. **Roof Materials** - Clay tile and colored pre finished standing seam metal roofs are encouraged. Flat roof designs require crushed rock or similar uniform

coverage treatment when the roof is visible from adjacent properties. Crushed rock and metal rood are to be of approved earth tone color.

## **COLORS**

Building facades should be designed with patterns and colors that reflect Southern California / Latin American flavors. Color variations should be strong with high contrast.

## **SIGNS**

The following guidelines have been provided for signs in the Imperial Center. Refer to figures at the end of this section.

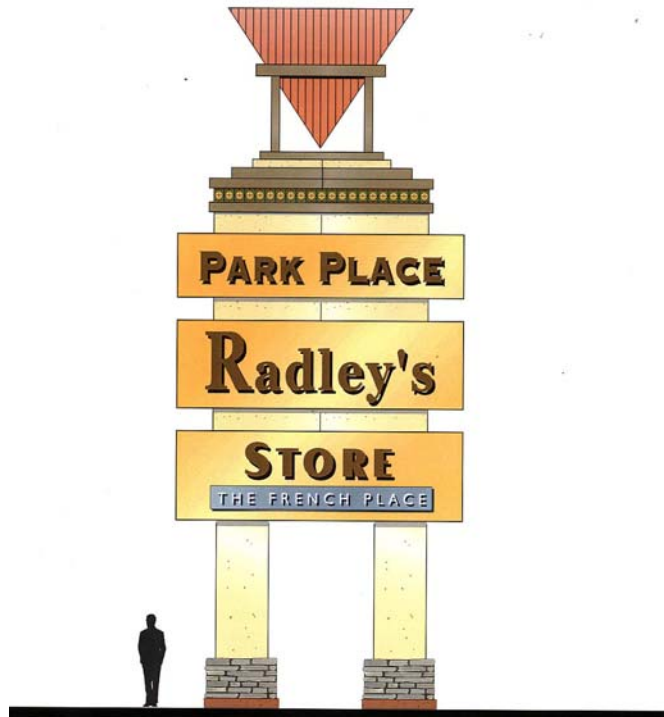
### **1. Standards for Monument Signs**

Freestanding monument signs shall comply with all of the following standards.

- a. No monument sign shall be located within the existing road right-of-way or designated future road right-of-way.
- b. The maximum height of a monument sign shall not exceed six feet (6') above average lot elevation, measured within radius of thirty feet (30") from the center of the sign.
- c. The monument sign shall be a minimum of ten feet (10") from any common property line; they shall be no closer than twenty feet (20') on center on any property or between properties.
- d. Lighting of monument signs shall be arranged and installed as not to produce glare on other properties in the vicinity or upon the adjacent highway.

- e. Monument signs shall be no closer than five feet (5') to a public right-of-way.
- f. Monument signs shall be constructed of durable materials and maintained in an aesthetic acceptable fashion.

## 2. Outlet Center Pylon Sign



*Figure 6 – E  
Proposed Imperial Center Pylon Sign*

Site pylon signs are designed to identify the presence of the "Imperial Center". It shall be visible from Highway 111. The maximum height of the pylon signs is sixty feet (60'). A maximum of two pylon signs may be built; one at near the East end of the site; one at West end of the site; one at the middle of the site.

- a. Signs shall be located so that no part of the sign extends into or beyond any existing street right-of-way or any proposed street right-of-way.
- b. Lighting of signs shall be arranged so as not to produce glare on other adjacent properties in the vicinity or upon adjacent highways.
- c. Signs shall be at least three feet (3') back from public right-of-way lines.
- d. Signs shall be engineered and erected to withstand minimum wind velocities per all UBC requirements.

## 2. Entry Gate Sign



*Figure 6 – F  
Imperial Center Prototype Entryway Sign*

The Entry Gate sign is located at "Imperial Center" Entry Area.

- a. The maximum height of the entry gate sign shall not exceed six feet (6') in height. Except at the light fixture, which is at eight (8') high.
- b. Lighting of monument signs shall be so arranged and installed as not to produce glare



on other properties in the vicinity or upon the adjacent highway.

- c. Monument signs shall be no closer than five feet (5') to a public right-of-way.
- d. Monument signs shall be constructed of durable materials and maintained in an aesthetic acceptable fashion.

### 3. Standards for Signs Attached to Buildings



*Figure 6 – G  
Imperial Center Prototype Store Blade Sign*

Within the retail commercial areas, signs such as the blade sign identified above, may be attached to a building or wall shall and shall comply with all of the following standards:

- a. All signs attached to a building or a wall shall be attached flat against the building or wall and parallel thereto and shall not extend more than eighteen inches (18") from the surface of the building;/wall. Exceptions to this provision are as follows:
  - i. A separate comprehensive sign program shall be adopted for all outlet

center signs. Items "ii" to "v" do not apply.

- ii. Signs may be mounted below the soffit of a canopy, or over-hang or below a porch and may be perpendicular to the building provided that they do not exceed twelve inches (12") above the soffit or beam and maintain a minimum of eight feet (8') vertical clearance above any travel way, corridor, exit or court.
- iii. Signs may be attached to a building provided they do not exceed four feet (4') in height by six feet (6') in width. In addition, the signs will not exceed height limitations set forth elsewhere in this plan and will not contribute to the roof loading.
- iv. Lighting of signs attached to buildings shall be arranged as not to produce glare on adjacent properties in the vicinity and the source of light shall not be visible from adjacent property or public street.
- v. Under Canopy/parapet signs shall be encouraged. The signs are to be mounted to maintain minimum of eight feet (8') vertical clearance above any travel way, and can extend maximum three (3') perpendicular to the building.

#### 4. Fueling Station Signs



*Figure 6 – H  
Imperial Center Prototype Fuel Service Sign*

The following sign criteria shall apply to fuel service stations:

- a. Wall or Canopy Signs shall be limited to 2 signs per building, 1 sign per building face, not to exceed 20% of building face.
- b. Freestanding Signs shall be limited to 1 per street frontage, not to exceed a total of 3 per facility.
- c. Sign area shall be limited to a maximum area of 40 square feet, 8 feet high with minor review.
- d. Special service signs shall be limited to such items as self-service, full-serve, air, water, and cashier. Signs shall not be illuminated.
- e. Price sign (freestanding) shall be limited to 1 per street frontage, not to exceed a total of 2 per station. Each sign shall not exceed 20 square feet for price sign.

## 5. Internal Mall Signage



*Figure 6 – 1  
Imperial Center Prototype Directory Sign*

Each commercial enterprise within the Imperial Center shall be required to adhere to strict signage requirements whereupon there are common design elements, colors and motifs throughout the entire commercial complex.

## MAINTENANCE

### 1. Buildings

All buildings and other improvements shall be kept in good condition, and adequately painted or otherwise finished to present a crisp and well kept appearance.

## 2. Signs

All signs shall be kept in good operating condition. All signs shall be adequately maintained and kept in good repair.

### **IMPERIAL CENTER ARCHITECTURAL GUIDELINES**

The architectural design guidelines for Imperial Center are as follows:

1. The massing, composition, materials, and site position of residential homes should be complementary to the surrounding land to achieve compatibility. The height and bulk of buildings should be compatible in scale, to the size, shape, and topography of the site and should be harmonious with the setting.
2. Architectural stylistic themes should give an identity to the neighborhoods of Imperial Center.
3. Architecture within Imperial Center should evoke the traditional and contemporary material, form, and colors that have evolved over time in the Imperial and the Southern California region.
4. Within individual planning areas, architectural diversity should be created by manipulating building scale, building materials, colors, and textures in conjunction with architectural features (for example, roofs, windows, doors, fascias, and trim), rather than by designing homes that may vary greatly in architectural style.
5. Roofs shall be constructed of nonflammable materials such as clay, terra cotta, concrete tile, or other material consistent with the architecture. Metal equipment not visible from public areas may be used.

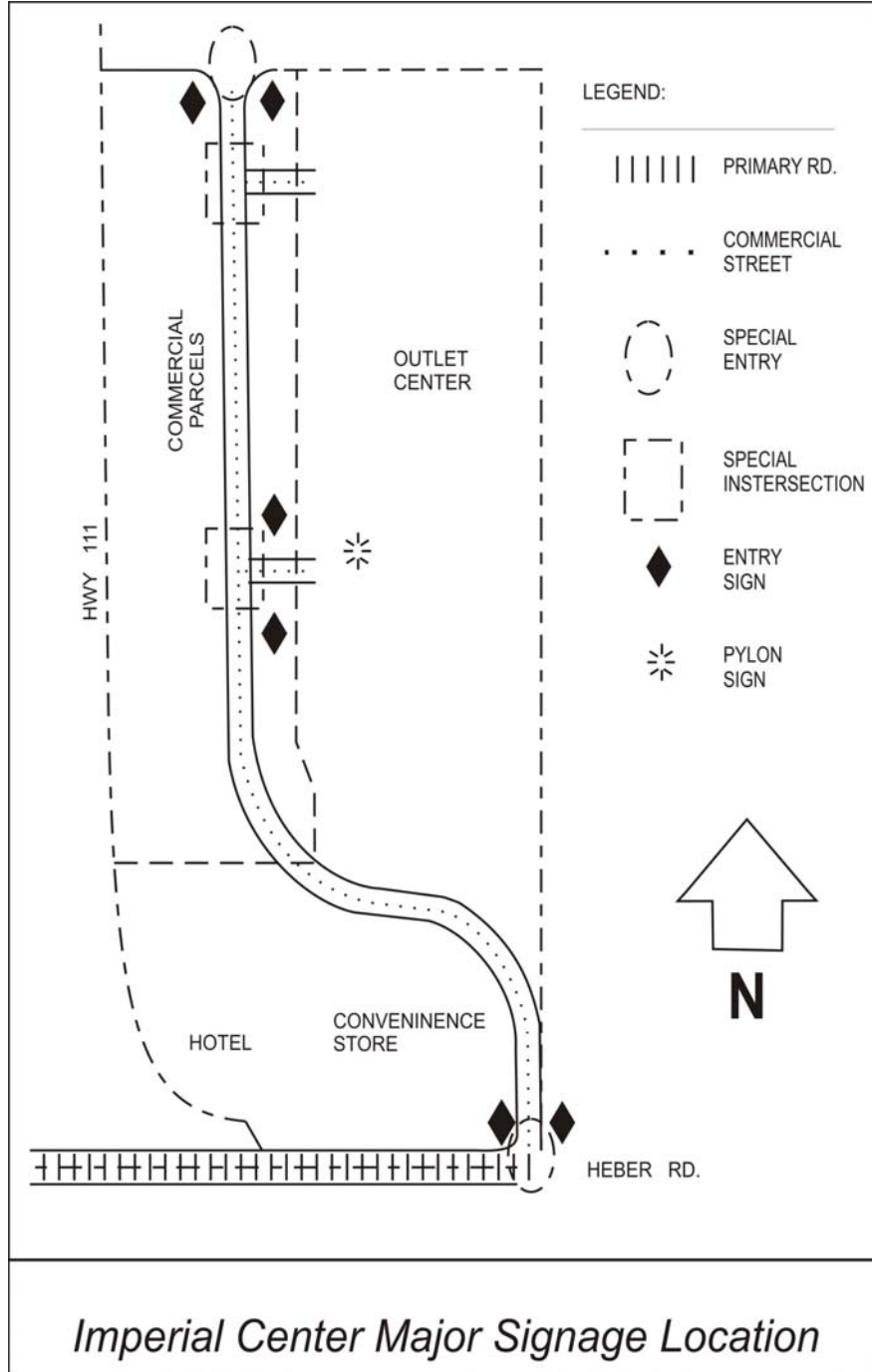


Figure 6 – J  
 Imperial Center Major Signage Locations

## LIGHTING

### 1. Mall and Pedestrian Area Lighting

Lighting standards and security lighting serving the various commercial uses shall be designed to prevent glare and in accordance with County of Imperial regulations.



*Figure 6 – K  
Imperial Center Prototype mounted wall light  
and mall / street lighting*

## 2. Parking lot lighting

Each plan for construction of a building with onsite parking must include the following:

- a.** An exterior lighting (photometric) plan consisting of a point-by-point foot-candle layout (based on a ten foot grid center) extending a minimum of twenty (20) feet outside the property lines. This required photometric plan must be prepared by an electrical engineer registered in the State of California.
- b.** The design of lighting fixture and their structural support must be architecturally compatible with the project's building and property.
- c.** Illumination or glare from the exterior lighting system onto adjacent properties or streets shall be minimized to the maximum extent feasible.
- d.** Lighting intensity must provide a minimum 1½-foot candle.



## **7. LANDSCAPE GUIDELINES**

The goal for the landscape section of the Imperial Center Specific Plan is to provide a prominent visual impact to the community and travelers along Highway 111. The landscaping design should reflect the scale and hierarchy of vehicular travel ways and should compliment the architectural design.

This section illustrates and functions as a landscape design manual that supplements the Imperial Center Specific Plan. The following landscape guidelines are organized in three areas:

- A. General Design Criteria and Plant Material Selection
- B. Parcel / Lot Landscape Design Center
- C. Landscape Plant Material List

### **GENERAL DESIGN CRITERIA**

The following two sections establish a framework for the design of landscape settings and selection of plant material:

1. Streetscape design and plant material selection should be made with several factors in mind, including:
  - Applying the "Xeriscape Principle" where an efficient landscape program provides specifically designed irrigation systems to plant materials with similar watering needs.
  - Scale and hierarchy of associated arterials or streets.
  - Travel speed of individual arterials or streets.
  - Design compatibility or image with adjacent land use or landscape setting.
  - Safe and unobtrusive landscaping so as to provide safe traffic flow and to prevent

landscaping from obstructing prominent signs and architectural features.

The following streetscapes should be designed as stated below:

**a) State Route-111**

Landscaping placed adjacent to the right-of-way of Highway 111 should also be coordinated with Caltrans.

Recommended street trees for State Route-111 are outlined in the Landscape Plant Material List. Drought-tolerant species with an ornamental quality are recommended.

- Minimum tree size: 15-gallon containers or equal/palm: 10ft. brown trunk height.
- Trees to landscape area ratio: One tree every 40 LF of landscaped right-of-way.

**b) Heber Road and Abatti Road**

*A limited plant palette of trees is recommended in order to maintain an ordered and uniform appearance along these two roads.*

Recommended street trees are outlined in the Landscape Plant Material List. The trees have been selected based on the image and scale qualities of streets and adjacent land uses.

- Minimum tree size: 15-gallon containers or equal/palm: 10ft. brown trunk height.
- Trees to landscape area ratio: One tree every 40 LF of landscaped right-of-way.

### c) Yourman Road

Yourman Road will be localized in character, meaning it will be oriented to and serving individual commercial parcels. A variety of plant material in the form of trees, scrubs, and groundcovers will appear within the street-oriented frontage of individual parcels as part of a natural process of incremental development.

The close proximity of individual parcels and interaction of pedestrians within collector and local streetscapes requires special attention to selection of plant material that is aesthetically pleasing, durable under heavy foot traffic, and easy to maintain.

The Landscape Plant Material List outlines a selection of characteristic trees for streetscapes. Selected trees are representative of smaller-scale ornamental trees suited to collector and local streets.

- Minimum tree size: 15-gallon containers or equal.
- Tree to landscape area ratio: One tree every 40 LF of landscaped right-of-way.

### d) Imperial Center Special Intersections

*The Imperial Center has two special intersections (Yourman/Heber Road and Yourman/Arbatti Road) that define the primary entry points. The design intent of Imperial Center special intersections is to identify visual nodes at these two intersections; thus, limits should be established in defining the various entry boundaries. Imperial Center special intersections should reflect the quality and image of adjacent developments.*

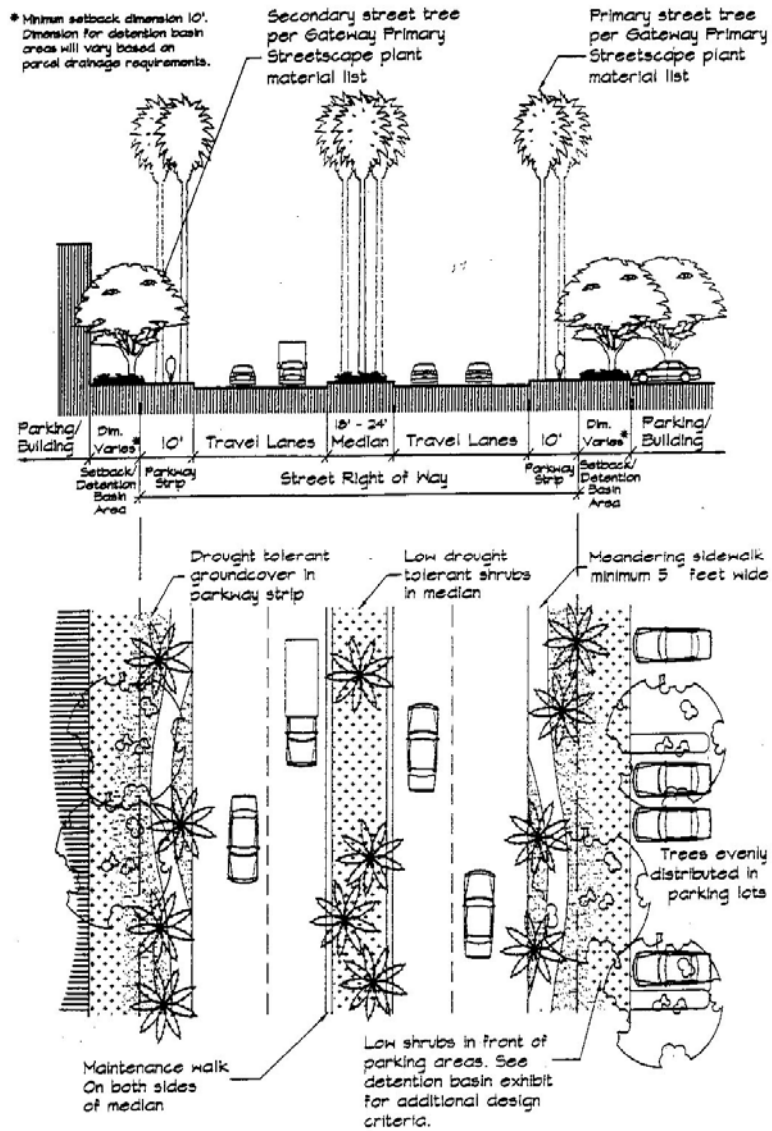


Figure 7 – A  
 Imperial Center Proposed Street Landscaping

Within the Imperial Center special intersections, if necessary, the use of lawn as a predominant groundcover is recommended of the limited dimensions of entry areas and the images expressed of a refined and well-maintained commercial/industrial district.

- Minimum tree size: 24" box containers.
- Tree to landscape area ratio: One tree for every 600 SF of landscaped right-of-way and or setback area.

### **Medians (Center Islands)**

1. The planting area of medians shall be minimum width of 6 feet. Maintenance walks along curbs shall be a minimum width of 1.0 foot.  
Turn-pocket noses will not be planted, unless they are wider than 5 feet.
2. Planting areas must be graded to drain excess surface water through a system of inlets and drainage pipes, and carried away to the street's storm drainage system. All required paved surfaces in medians and maintenance aprons shall be textured and colored concrete or inlaid pavers to complement other materials. High-flow drip irrigation shall be used in medians.
3. Tree selections and spacing should allow for one vehicle visual clearance and architectural/sign visual clearance at maturity. Groundcover and shrubs should not exceed a height of 36 inches. It is recommended that drought-tolerant shrubs or turf substitutes be used in these areas.

### **Detentions Basin Design**

1. **Detentions basins, as required**, are to be integrated with adjacent landscaping within the setbacks of individuals parcels. The design of detention basins shall express a natural appearance while incorporating proper engineering techniques.

2. **Concrete lined basins** are not allowed. The surface area of basins shall incorporate a combination of aggregate rock material and landscape vegetation. The purpose of the rock material and vegetation is to prevent soil erosion while allowing water infiltration into the surrounding soil.
3. **The aggregate rock material** shall include a combination of crushed rock of varying sizes and large cobbles. Landscaping vegetation shall be a low, prostrate, drought tolerant plant material. Plant material should be introduced within the aggregate rock basin in a random/natural layout.
4. **Detention basins are to be** cleared and maintained in the same fashion as other parcel landscape areas.

**PARCEL/LOT LANDSCAPE DESIGN CRITERIA** - It is required that the lot or premises not devoted to buildings, structures, driveways, sidewalks, outdoor storage, or loading areas be landscaped prior to the use or occupancy of any lot or premises. Areas designed for future development or expansion need only be required to adequately control dust and erosion.

A recommended mitigation for this application includes the preparation of a *Dust Mitigation Plan*.

Landscaping must be provided and maintained on all parcels, including street right-of-way areas, in accordance with the following standards:

- a) **All front-yard and side-yard areas** must be landscaped.

- b) Ten Percent of all developed area shall be landscaped.** Planting of trees at a minimum ratio of one tree per 600 SF of landscaping and, within landscaped medians, parkways parking lot landscaped strips one tree on center at least every 40 feet. A minimum of 25% of the required trees shall be a minimum of 24-inch box size when planted. Other trees shall be a minimum of 15-gallons or equal in size when planted.
- c) For all off-street parking areas** of five or more spaces, 5% of the parking areas shall be landscaped. Required landscaping shall be evenly distributed throughout the parking area, including appropriate number of trees.
- d) Landscaping** shall include a balance mix of trees, scrubs, and groundcovers. Groundcover shall be a minimum of 50% vegetative. Non-vegetative groundcover may include rocks, wood chips, pavers and other artificial cover.
- e) Efficient irrigation systems** and grouping plant materials with similar watering needs is key to the xeriscape concept adopted for landscape areas within the "Imperial Center". All irrigation systems shall contain an adequate backflow prevention device.
- f) All landscaped areas** shall be maintained in a clean, neat, and healthy condition. Maintenance shall include proper watering, fertilizing, weeding, removing litter, and replacement of plants when necessary.
- g) Landscape plan submittals** shall include the following:
- Site Plan: indicate type, size, and location of all landscaping materials.

- Site Distance - Landscaping at all intersections shall be identified and placed to indicate a safe site distance to the satisfaction of the County of Imperial.
- Irrigation plan – Plan shall be separate from the planting plan and shall be concise, accurate and approved by Imperial County. The irrigations system should include low-flow, matched precipitation rate heads, drip irrigation, check valves to prevent low head drainage, appropriate pressure regulation, an automatic controller suitable to both spray and drip irrigation, and a rain sensing automatic shut off device.

All spray heads should be adjusted to prevent over spray onto paved surfaces and walls. Over spray adjustments should be made during regular maintenance inspections. A post installation water audit will be required to determine actual precipitation rates and the distribution uniformity for the irrigation system.

- Planting Plan--Shall include, but not be limited to, all existing plant material to be retained (called out by caliper size), a legend listing the common and botanical plant names and total quantities by container size and species.
- Water management plan; details including specifications, notes, legends, and water requirements schedule necessary for a complete landscape plan review; and
- Elevation Plan--Shall include a building elevation with proposed plant material(s).



- h) Detention basins** are to be incorporated as a landscape feature. Where possible, efforts should be made to combine adjacent parcel basins. Combining basins will conserve usable area and enhance overall street appearance.
- i) Drought-tolerant plantings are not recommended** in low basin type landscape areas or along the toes of large slope areas, due to irrigation water collecting at the base of the slopes.
- j) Each individual parcel** will be landscaped with a design that blends in with the overall planting scheme of Imperial Center. A plant palette will be created which takes into consideration the desert environment by utilizing water resources in an efficient and conservative manner. Planting will be required to be grouped in hydro zones. Bark mulches (min. 3") will be required to cut down on evaporation and to discourage weed growth. Bubblers and drip irrigation will be recommended where appropriate and modern equipment such as low precipitation heads, automatic controllers and rain sensing devices will be required.
- k) Reclaimed water – Reclaimed water will be used at the Project Area.**



*Figure 7 – B  
Tree rows are planned throughout the Imperial Center*

## **LANDSCAPE PLANT MATERIAL LIST**

The following lists of trees have been prepared to help identify appropriate trees for each streetscape “zone” and related site condition. The list does not include all the trees that may be found to be appropriate for the “Imperial Center”. In an effort to maintain a sense of continuity, order, and cohesive development design, the following trees are noted as approved trees for the “Imperial Center”.

### **1. Theme Tree: Palm Tree**

*Palm trees, in the form of Fan Palms and Date Palms, are a prominent skyline feature and landmark of Imperial Valley. Palm trees are symbolic of the Valley’s indigenous landscape character, the low desert of the southwest region. Because of the palms’ unique and attractive contribution to the Imperial Valley landscape, palm varieties should be prominently woven into the landscape settings of the “Imperial Center”. Specific palm tree varieties are recommended for the various streetscape zones of the “Imperial Center”.*

**a) Recommended Street Trees for Highway 111**

Brachychiton	Populneus Bottle Tree
Ficus retusa	Indian Laurel Fig
Fraxinus uhdei	Evergreen Ash
Pinus spp.	Pine Tree
Pistacia chinensis	Chinese Pistache
Querus virginiana	Southern Live Oak
Schinus molle	California Pepper
Ulmus parvifolia	Chinese Elm
Washington filifera**	California Fan Palm**
Wahingtonia robusta*	Mexican Fan Palm*
Nyctaginaceae	Bougainvillea

\*Primary street tree (60% minimum of plantings) along State Route-111.

\*\*Recommended for use at Special Intersections.

**b) Recommended Street Trees for Heber and Abatti Road**

Brachychiton populneus	Bottle Tree
Ceeratonia siliqua	Carob Tree
Cupressus glabra	Smooth Arizona Cypress
Ficus retusa	Indian Laurel Fig

Lagerstroemia indica	Crape Myrtle
Olea europaea	Olive
Phoenix Carariensis**	Canary Island Date Palm**
Phoenix dactylifera**	Date Palm
Pinus spp.	Pine Tree
Prosopis	Mesquite
Querus viriniana	Southern Live Oak
Schinus Molle	California Pepper
Ulmus parvifolia	Chinese Elm
Washington Filifera**	California Fan Palm**
Washington robusta*	Mexican Fan Palm*

\*Primary street tree (60% minimum of planting).

\*\*Recommended for use at special intersections.

**c) Recommended Street Trees for Yourman Road**

***All Imperial Center Major and Imperial Center Collector trees including the following:***

Acacia spp.	Acacia
Albizia julibrissin	Silk Tree
Chilopsis linearis	Desert Willow
Ficus retusa	Indian Laurel Fig

Fraxinus uhdei	Evergreen Ash
Jacaranda mimosifolia	Jacaranda
Parkinsonia aculeate	Mexican Palo Verde
Schinus terebinthifolius	Brazilian Pepper
Ulmus parvifolia	Chinese Elm
Washington Filifera	California Fan Palm
Washington robusta*	Mexican Fan Palm*

**d) Recommended Street Trees for Imperial Center Commercial Streetscapes**

Brachychiton populneus	Bottle Tree
Ceratonia siliqua	Carob Tree
Cupressus glabra	Smooth Arizona Cypress
Ficus retusa	Indian Laurel Fig
Fraxinus uhdei	Evergreen Ash
Lagerstroemia indica	Crape Myrtle
Olea europaea	Olive
Phoenix dactylifera	Date Palm
Pinus spp.	Pine Tree
Prosopis	Mesquite
Querus virginiana	Southern Live Oak
Schinus molle	California Pepper

Ulmus parvifolia	Chinese Elm
Washington Filifera	California Fan Palm
Washington robusta*	Mexican Fan Palm*

\*Primary street tree (100% minimum of plantings within street right-of-way).

## MAINTENANCE

### 1. Landscape Maintenance

*All landscaping on a given property shall be maintained by the owner of each property according to the best standards practices in the industry for high-quality landscaping. Mowing, pruning, trimming, and feeding of plants must be accompanied periodically according to the season. Special care must be given to all plant material during the first year. Should any tree, shrub, or portion of groundcover suffer from improper irrigation, improper fertilization, damage due to insects or fungus resulting in weak or stunted growth, or from climate extremes, the plants must be replaced in a timely manner. Repairs necessary to keep the irrigation system operating efficiently must be done by the property owner in an expeditious manner.*

### 2. Area Maintenance

*All walks, drives, parking areas, and service entries shall be kept free form litter and soil by the property owner or his designee.*

- a. All areas of the property shall be kept clean and attractive.

- b. Unsightly accumulation of trash, weeds, or rubbish is prohibited.
- c. All landscaping debris shall be properly disposed.

## **Landscape Guidelines**

*The landscape theme for Imperial Center should unify the Precise Plan area and provide an aesthetically pleasing effect. Landscape treatment also should provide for appropriate transitions between development and open space. These guidelines will ensure that the Precise Plan area is landscaped in a manner to establish a sense of community character.*

### **1. General Landscape Guidelines**

- a) Water should be conserved through low-water-using planting and irrigation design.
- b) Fire risk shall be minimized by the management of flammable vegetation.
- c) Streetscapes and entry treatments should be designed to promote community character and should consist of trees, and groundcovers, which are selected to establish a district character or theme for the project. Streetscape options, depicts various designs of streets that can be implemented in Imperial Center.
- d) All manufactured slopes over ten feet (10') in height shall be planted with erosion control, fire resistant and self-sufficient plantings.
- e) A compatible plant palette of trees, shrubs and ground covers shall be used throughout the Precise Plan area. Once a particular plant or plant combination is used for a particular application, it us to be repeated in similar areas of the project to reinforce a sense of neighborhood

cohesion. Landscape design should not, however, result in monotony or lack of variety or biological diversity.

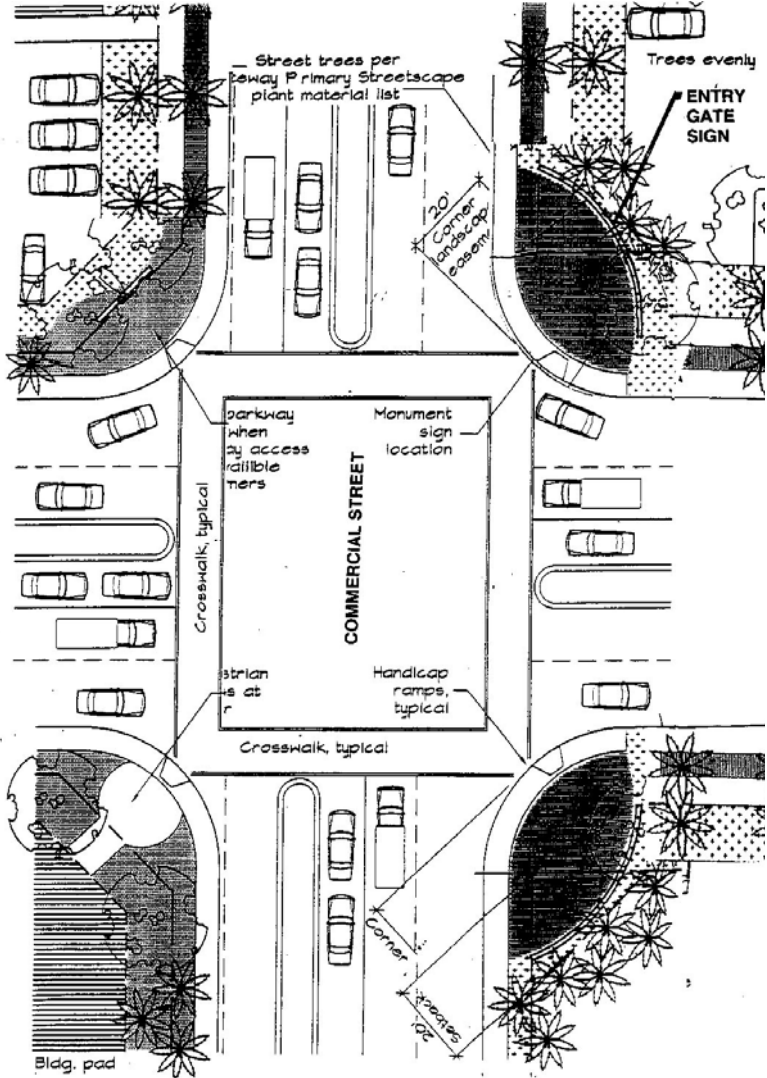


Figure 7 - C  
Imperial Center Commercial Streetscape Concept



## **2. Irrigation System**

The irrigation system for improved areas should be permanent, automatic system, programmed to deliver adequate soil moisture as determined by the depth of the root zone. The soil moisture attained should promote vigorous growth of all plant materials. The system should be maintained in good working order, and the cleaning and adjustments to the system should be part of the regular maintenance activities. Any irrigation system installed for the purpose of re-vegetating disturbed material adjacent to natural open space should be of a temporary nature and may be removed after re-vegetation has occurred. All landscape catch basins, swales, channels, and other drainage devices should be maintained in a state conducive to conducting water in a free-flowing condition.

## 8. INFRASTRUCTURE PLAN

This section provides planning information for infrastructure at the Imperial Center.

### TRAFFIC CIRCULATION

Heber Road will be the main entrance to the project. Traffic can either enter off State Route Highway 111 onto Heber by a right hand turn for traffic heading north on State Route Highway 111 or a left hand turn for traffic heading south. The section of Yourman Road that runs along the west side boundary of the project will be closed to public use. This section of Yourman Road will be realigned to bi-sect the project from the north and exit the project in its southeastern corner. Yourman Road north of the project will remain open. It can serve as an alternate ingress and egress route to or from the project via Abatti Road.

Based on field observations, it is recommended that Heber Road be widened to six lanes prior to final build out to provide the necessary capacity at the Highway 111 intersection and the project driveways. The developer shall pay the fair share of warranted signals as per consultant's findings. (See traffic study prepared by Dahl Robbins & Associates - Volume Two, Appendix B, with an updated Traffic Study prepared by Linscott, Law & Greenspan)



*Figure 8 -A  
SR 111 looking southbound proximate to the Imperial  
Center Specific Plan site*

## **1. Primary Entrance**

The primary entrance to Imperial Center will be by way of Highway 111 and Heber Road.

### **Site Access**

Imperial Center's main access will be from Heber Road. Vehicles can either make a left hand turn off of Highway 111 for those heading south or a right hand turn off of Highway 111 for those heading north. Those vehicles traveling west along Heber Road would make a right hand turn. The section of Yourman Road to the west of the project will be closed to public traffic. Yourman Road will be re-aligned to enter the development from the South on the Southeast side of the property. This alignment will result in the development of a Hotel, convenience store/gas station and stand alone retail pads and respective parking to the west of the new alignment and the main development consisting of an Auction Center, Warehouse, Outlet Center, Food Court and Cinema to the east of the new alignment. Secondary access can be made by way of Abatti Road where it meets with Yourman Road which will still remain open to the north of the project.

### **On-site Improvements**

See Traffic Report (Appendix B) & Chapter 11, Environmental Issues & Mitigation.

## **2. Site Access Streets**

According to the County of Imperial Public Road Standards, Primary Arterials should have a minimum 126 feet of Right-of-Way (R/W).

Minor Arterials should have a minimum R/W of 102 feet. Major Collector Roads should have a minimum R/W of 84 feet. Minor Collectors should have a minimum R/W of 70 feet. Local Streets should have a minimum R/W of 60 feet.

### **Off-site Improvements**

See Traffic Report (Appendix B) & Chapter 11, Environmental Issues & Mitigation.

### **3. Heber Road**

It is recommended that Heber Road be widened to five lanes prior to Phase D (2010-15) development from Abatti Road on the west to the east edge of the project. This will provide the necessary capacity at the Highway 111 intersection and the project driveways.

### **4. Jasper Road and Highway 111**

A traffic signal will likely be warranted at Highway 111 and Jasper Road intersection with the addition of Phase A traffic. Though this phase adds little traffic to this intersection, the intersection is currently operating at poor levels of service. This project will add an additional 1,084 trips to this intersection at build-out.

Currently, the Jasper Road is closed going East from 111. This is a temporary closer and will be reopened as CALTRANS installs traffic signals to the intersection. This improvement will help mitigate some of the traffic impacts caused by the Imperial Center.

## 5. McCabe Road & Highway 111

A traffic signal will likely be warranted at the Highway 111 and McCabe Road intersection at project build-out. This intersection is currently operating at poor levels of service for eastbound and westbound traffic. This project will add an additional 630 trips to this intersection at build-out. It is also recommended that McCabe Road be marked with two lanes approaching the intersection, a left turn lane and a combined through/right turn lane.

Currently, the McCabe Road is closed going West from 111. This is a temporary closer and will be reopened as CALTRANS installs traffic signals to the intersection. This improvement will help mitigate some of the traffic impacts caused by the Imperial Center.

## 6. Yourman Road and Heber Road

In addition to the previously described improvements to Heber Road, a traffic signal will be needed at this intersection with the addition of Phase D (2010-15) traffic. The Level of Service calculations show a northbound Level of Service of D in 2006, but if the roadway is realigned as proposed, this will not be the case. It will be important to coordinate this signal with the signal on Highway 111 so that backups do not occur along Heber Road.

The design of all intersections and roadways shall be accordance with Cal Trans Standard Drawings, Imperial County Public Works guidelines, and the latest editions of the MUTCD and AASHTO Green Book.

## **PUBLIC SERVICES**

### **Sewer & Water**

Currently, the Heber Public Utility District (HPUD) is not able to provide future water service to the Imperial Center Specific Plan Area. Although, it is currently in the process of upgrading its water plant. With this new capacity, HPUD will be able to offer both sewer and water services to the Imperial Center.

The Imperial Center will have three different alternatives to pursue to provide the development within the specific plan area sewer and water services. These alternatives are all feasible. Which alternative the developers of Imperial Center will select will depend on developer goals.

### ***Alternative One***

#### **1. Sewer**

The sanitary sewer improvements proposed for Alternative One are to include a local collection system consisting of gravity flow lines located in the streets of the proposed Imperial Center Subdivision. A 12" gravity flow line is to run along the west side of the project site to provide service to the areas south of the project site as they are developed.

An on-site (self-serving) treatment facility will be provided. The facility is to be purchased and owned by the landowner (with HPUD approval). The landowner will pay for maintenance; however, HPUD will operate the on-site facility.

This alternative includes a combination of gravity flow lines, pumping stations and force main lines. A 12" gravity flow line is to run along the west side of the project site to

provide service to the areas south of the project site as they are developed.

**a. Type of Facility Needed**

The following information was assessed to address sewer treatment facilities for the Imperial Center. The following information is based on treatment for up to 75,000 Gallons/Day:

- i. 10,000 S.F. Building
- ii. Sand/Rock Filter
- iii. Estimated installation cost is \$8.50/Gal treated = \$637.500
- iv. Add ozonation to effluent that will meet disinfection criteria of title 22 reclaimed water for irrigation - add \$1.50/Gal for this upgrade
- v. Effluent Quality = 2 mg/l BODs & suspended solids
- iv. Power Consumption 55 to 60 KWH/Day (about \$4.50/day)

**b. Location**

Lot 3 of the project area will be the temporary location of the sewer facility.

**c. Sewage Discharge**

- i. It is assumed that 80 percent of the water supplied to a connection is sent to the sewer systems. Based on that assumption, the sewer flow for

such areas will be approximately 40 gallons per person per day, while peak flow is 2 times the average flow, therefore:

- ii. Average Flow:  $(40 \text{ p/ac} \times 40 \text{ gd/p}) / (24\text{hrs} \times 60 \text{ min}) = 1.11 \text{ gpm/ac}$ .
- iii. Peak Flow:  $1.11 \text{ gpm/ac} \times 2 = 2.22 \text{ gpm/ac}$ .
- iv. Sewer discharge required for the 77.64-acre parcel is  $2.22 \text{ gpm/ac} \times 77.64 = 172.36 \text{ gpm}$ .

**d. Temporary Septic and Leach Field**

- i. As permitted by Imperial County Department of Health Services, sewage treatment can be scaled down by using temporary septic tank and leach field systems installed at the temporary wastewater treatment plant site as well as the lift station site in the western basin. Such a system shall not be installed after the infrastructure from HPUD is extended to the project site or the packaged plant system is constructed. All septic tank and leach field systems will be installed in with approval from and in accordance to the County of Imperial Environmental Services Department.
- ii. Each septic system will be sized to handle approximately 25 thousand GPD. Once one or both of these temporary systems



reach their capacity, transition into a packaged plant or first phase pond-based wastewater treatment system will be implemented at the permanent treatment plant site thus terminating the use of both of the temporary facilities. Collection and conveyance pipelines will be installed concurrently with the initial backbone roads and as more fully described in the appropriate final engineering improvement plans.

## **2. Water & Water Facilities Plan**

Alternative One provides for a plan to accommodate the Imperial Center water demands. This alternative calls for the Imperial Center Specific Plan area to be annexed into the Heber Public Utility District service area.

The water plant will be located in Lot 3 in the northern section of the project. It will be located adjacent to the sewer plant. The water plant will be located an appropriate distance from the sewer plant as determined by the Heber Public Utility District and State of California. The following is a summary of the plan to construct and operate a water plant within the Imperial Center Specific Plan Area:

- Total area of the water facility will be approximately four acres.
- Water Plant building (50' x 40').
- Potable Water Tank Storage (600,000 gallons)

- The water plant will contain two water ponds with a total volume of 874,528 gallons.
- Peak fire capacity = 2,000 gallons per minute for a four (4) hour duration plus domestic.
- Potable Water Pumps: 2,000 Gallons per Minute @ 80 psi
- Raw Water Irrigation Pumps: 200 Gallons per Minute @ 60 psi

The minimum and maximum potable water use for the project is estimated to be 100,000 gallons per day (gpd) and 200,000 gpd respectively, irrigation water is an additional 37,5000 and 70,000 gpd respectively. For planning purposes 200,000 was assumed to be the average day water demand for the project. This estimate represents the high side of water usage should be reevaluated as development proceeds to determine if some facilities proposed could be reduced in size. Table 8-1 provides the water use factors used to estimate project flows.

<b>Table 8-1 Water Use Factors</b>		
<b>LAND USE</b>	<b>MINIMUM</b>	<b>MAXIMUM</b>
Potable	1250 GPD/AC	2500 GPD/AC
Irrigation	500 gpd/ac	1000 gpd/ac

Peaking factors of 2 and 4 were used to estimate maximum day and peak hour demands respectively.

The water distribution system was sized to provide a 2,000 gpm fire flow under maximum day demands with a residual pressure of no less than 20 psi or no more than 10 psi pressure drop anywhere in the system under peak hour demands, whichever is greater.

Water storage, treatment and pumping facilities will all be located on on-site. The source of water for the project will be Imperial Irrigation district's All American Canal. Storage for the project will be kept in a potable water tank and raw water reservoir, then the All American Canal. The potable water reservoir will hold two average day's storage plus fire flow requirements. The raw water reservoir will hold seven and a half days storage requirement.

Water will flow by gravity to the raw water reservoir and will be pump to the water treatment plan when needed. The treatment plant is proposed to be a package system, consisting of modular units, where each unit contains a rapid mix tank, flocculation tank, settling basin and a filter. The modular unit concept will allow the treatment plant to be constructed incrementally, as needed.

Once water passes through the treatment plant, it will flow by gravity to the treated water storage tank. A potable water booster pump station will pump water from the treated storage tank to the water distribution system.

The distribution system will have a 12 inch diameter pipe looped within the project which will allow the project to be phased while still maintaining the infrastructure necessary to provide fire flow.

Design and operations of the water treatment facilities, storage reservoirs, and distribution systems will conform to guidelines from the following:

- California Department of Health Services

- County Department of Health Services  
Environmental Health
- Air Pollution Control District
- Department of Water Resources Division of  
Safety of Dams
- Insurance Services Office
- National Fire Protection Code

Water facilities discussed in this plan are preliminary and may be re-evaluated as development proceeds. Additional water facility options may be proposed and approved as part of the tentative mapping process. For example, smaller pipes may be used if originally anticipated water demands are less than anticipated.

Exhibit 1 provides a graphical detail of the proposed Alternative One.

### **Reclaimed Water Imperial Center**

In an effort to conserve water at the Center, this Alternative will use reclaimed water for all landscaping on site. Standards shall meet County requirements. As an alternative, the Imperial Center management may wish to undertake landscaping irrigation with nearby agricultural water.

### ***Alternative Two***

HPUD would provide both water and sewer services to HPUD in Alternative Two. Alternative Two proposes to extend single project specific sewer and water lines to the Imperial Center project. This alternative would include upgrading the capacity of HPUD's water plant.

As stated above, this alternative would have a single project specific eight inch water line

extended from an existing point of connection to Imperial Center. Likewise, a 12 inch force main sewer line will be extended from an existing point of connection to Imperial Center. Two pump stations, one for both sewer and water, would be utilized in this alternative. It would not include a looped infrastructure water lines.

Alternative Two would provide water to the Imperial Center during peak hours using water that will be stored in a 800,000 gallon water tank. This tank will be located in Lot 3 on the tentative map. HPUD would replenish the tank during off-peak hours. Fire pressure and water availability would be sufficient to satisfy all fire protection needs.

Alternative Two is estimated to cost \$2.3 million for infrastructure improvements. HPUD has stated that they intend to upgrade their water treatment plant. These improvements may be financed by a variety of mechanisms. Community Facility Districts (CFD's) or developer fees with reimbursement agreements may be used to finance these improvements.

The demand for water from the Imperial Center will increase in Alternative Two from Alternative One because the Imperial Center will not be able to use recycled water for irrigation purposes. For this reason, water demand for irrigation purposes will increase by 40,186 gallons per day.

Exhibit 2 provides a graphical detail of the proposed Alternative Two.

### ***Alternative Three***

HPUD would provide both sewer and water services to Imperial Center in Alternative Three. The proposed infrastructure would include improvements that are included, as a full-buildout, in the Heber Public Utility District Service Area Plan.

The HPUD would upgrade its water plant capacity under this alternative. This alternative would also include a looped water infrastructure system.

Alternative Three is estimated to cost \$2.4 million for infrastructure improvements. HPUD has stated that they intend to upgrade its infrastructure. These improvements may be financed by a variety of mechanisms. Community Facility Districts (CFD's) or developer fees with reimbursement agreements may be used to finance these improvements.

Like Alternative Two, the demand for water from the Imperial Center will increase in Alternative Two from Alternative One because the Imperial Center will not be able to use recycled water for irrigation purposes. For this reason, water demand for irrigation purposes will increase by 40,186 gallons per day.

Exhibit 3 provides a graphical detail of the proposed Alternative Three.

**Table 8-2 Engineers Estimate for Potable Water Demand for Imperial Center**

<b>Facility</b>	<b>Area</b>	<b>Occupancy ft<sup>2</sup>/ Person</b>	<b>People/Unit</b>	<b>Gallons/day per capita</b>	<b>Average Gallons/day</b>	<b>Usage Hours</b>	<b>Peak Flow Factor</b>	<b>Peak Gallons/min</b>
<b>Information Exhibit</b> Rest Rooms	15,000 ft <sup>2</sup>	30	500	10	5,000	6	3	42
<b>Wholesale Outlet Mall</b> Restrooms, Interior Landscaping, Food Service Facilities	460,000 ft <sup>2</sup>	30	15,333	3	46,000	10	2	153
<b>Multiplex Cinema</b> Restrooms, Food Service	83,000 ft <sup>2</sup>	14	5,929	3	17,786	6	3	148
<b>Hotel 200 Rooms</b> Rooms, Laundry, Interior Landscape, Janitorial Services, Banquet Services	135,000 ft <sup>2</sup>	200	675	52	35,000	11	3	159
<b>Hotel/Plaza Restaurant</b> Restrooms, Kitchen	10,000 ft <sup>2</sup>	15	667	30	20,000	12	3	83
<b>Plaza Auction Court</b> Restrooms, Janitorial	95,000 ft <sup>2</sup>	30	3,167	9	28,5000	6	3	238
<b>Convenience Market/Gas</b> Restroom, Kitchen, Food Service	37,000 ft <sup>2</sup>	30	1,233	6	7,400	12	2	21
<b>Retail Pads (eleven)</b> Restrooms, Kitchens	55,000 ft <sup>2</sup>	30	1833.33	10	18,333	12	2	51
<b>Total of all Above</b>			29,337		<b>178,019</b>			895

## **Water Assessment and Availability**

This section of the Specific Plan will address the availability of potable water to service the proposed development. The County of Imperial has conducted a Water Assessment to satisfy the conditions of Senate Bill 610. This section of the Specific Plan will provide a summary of this assessment.

As discussed above in Alternative One, this Specific Plan calls for the potential construction of a water plant to treat the raw water that is supplied to this development. The Imperial Irrigation District would supply raw water to the water plant that the Heber Public Utility District will operate.

Alternative Two and Three propose that the Imperial Center receive treated water from HPUD. HPUD has recently received a written contract that will ensure that it will receive raw water for its urban uses into the future. The contract is included as an exhibit in the County's Water Assessment.

The 2000 Imperial Irrigation District Urban Water Management Plan is included in this document as an appendix. The document analyzes the both historical and projected water use within Imperial Valley and its surrounding service area. The Urban Water Management Plan states:

"For the purposes of this report and compliance with the Urban Water Planning Act, three years were selected to estimate a minimum annual water supply. The selected three years are 2001, 2002, and 2003. If during the years 2001, 2002, and 2003 there were a minimum water volume supply from the



Colorado River, it would be 3.1 million acre-feet according to a voluntary self imposed cap proposed in the QSA.

Under a worst case water supply scenario the Imperial Irrigation District is confident that urban water users (which comprise less than two percent of its annual water deliveries) can be assured delivery of their required water supply. Due to its present perfected water rights and the relatively small water demand of non-agricultural water users, the Imperial Irrigation District would not reduce or cut back urban water deliveries even in years of reduced deliveries. Since its inception in 1911, the Imperial Irrigation District has never been denied the right to divert the amount of water it has requested for agricultural purposes and other beneficial uses."

The Plan states that even under the "multiple reduced demand years" where water is restricted, urban water deliveries will not be reduced. The most recent "multiple reduced demand years" were 1991-1993. Table 8-4, from the Urban Water Management Plan, illustrates that even during these years, water supply was significantly greater than water demand.

<b>Table 8-3</b>					
<b>Imperial Irrigation District</b>					
<b>Annual Water Supply Reliability</b>					
			<b>Multiple Reduced Demand Water Years</b>		
	<b>Average/Normal Water Year (1995)</b>	<b>Single Reduced Demand Water Year (1992)</b>	<b>Year 1 (1991)</b>	<b>Year 2 (1992)</b>	<b>Year 3 (1993)</b>
<b>Water Use</b>	3,070,582	2,572,659	2,898,963	2,572,659	2,772,148
<b>Water Supply</b>	3,373,233	3,463,992	3,375,173	3,463,992	3,457,909
<b>Unit of Measure is Acre-Feet</b>					

As stated in Table 8-3 above, the expected water consumption of the Specific Plan Area is 178,019 average gallons/day. This water usage is well below the Specific Plan Areas approximate historical water usage, as provided by IID.

It is the intention of this Specific Plan and the County of Imperial's Water Assessment to provide assurance that this development will have water available for its needs. The amount of water that IID has available for consumption by new urban development, as detailed in the Urban Water Management Plan, and the ability of the water plant operator to contract for this water sufficiently demonstrates the availability of water for this development.

## **STORM DRAIN**

### **Proposed Drainage System**

The County will require drainage facilities to be installed as development proceeds. Drainage facilities within the study area will include the following:

- Street improvements will include curb and gutter to convey surface flows in an orderly and easily maintained manner.
- Catch basins and underground storm drains will be installed to convey flows as the street capacities are exceeded.
- Detention basin(s) will be constructed to control the developed run off, help mitigate downstream drainage problems, and replenish ground water supplies.

The County Public Works Department will determine the materials, standards and specifications for the proposed drainage system.

### **Storm Water Retention**

The primary storm water retention basin will be completed prior to 40% of the complex being issued any occupancy permits. Temporary basins will be constructed to accommodate the needs for the early phases of construction activity. The primary storm water retention basin will also serve as park and open space area for the community. The size of basins will be determined at the subdivision process. Storm water retention shall be the responsibility of a property owners' association.

### **EXISTING PUBLIC SERVICES**

This section reviews the existing public services, such as police, fire, medical and solid waste services that currently exist.

#### **1. Police Protection**

This site being in the unincorporated portions of Imperial County is dependent on police protection from the Imperial County Sheriffs Department. In extreme emergency or as a back up to the Sheriff other law enforcement divisions do provide an "as needed" service. This includes the City of Calexico, and the Highway Patrol, etc.

#### **2. Fire Protection**

Fire protection for this area is provided by the Imperial County Fire Department, whose secondary station is located in the town site of Heber.

#### **3. Medical Services**

Medical (emergency) services for this site are currently provided by an independent ambulance provider in conjunction with two hospitals. The El Centro Regional Medical Center and the Brawley Pioneers Hospital are the two primary care facilities.

There are also a number of private physician offices and urgent care centers available within the City of Calexico and the City of El Centro.

**4. Solid Waste Disposal**

Solid waste to this project site is currently not required as no on site uses exist that would demand such service. Currently residents within the Town site of Heber are offered two options to dispose of their solid waste. For a land use fee, residents can put their solid waste at the curb for pick up by Environmental Services whose site is located at Dogwood and Robinson Road or they can use the Imperial County Landfill.

**5. Property Owners' Association**

An Association of Property Owners shall be formed in order to ensure that the requirements and standards of this Specific Plan shall be implemented and in order to provide and maintain common signage, parking, walkways and landscaping. This Association of Property Owners shall be established as a deed restriction for each subdivided property within this project.

**EXISTING PUBLIC UTILITIES**

This section discusses the existing public facilities at the site such as electricity, phone, and other public utilities that are located on the project area.

**1. Electricity**

The Imperial Irrigation District currently supplies most of Imperial County, with the exception of the northeastern portion with electrical energy.

As there are no significant improvements on this site at this time, no service has been provided, however the Imperial Irrigation District's facilities encroach through the site.

**2. Gas**

There is no natural gas system available to the site at this time as the nearest location of a natural gas main is located at State Highway 111 and Chick Road.

**3. Telecommunications**

Telecommunications are provided by a variety of suppliers in this County, including but not limited to Pac Bell. However at this time while the site would have access to such a service, there is no service being provided to this particular site.

**SCHOOLS**

The Imperial Center Specific Plan is located within the Heber School District, which provides elementary, middle and high school education for students in grades K-8. Central Union High School District in El Centro provides for 9-12 education.

The Imperial Center Specific Plan applies specifically to the area stated in this plan. In the event that the Imperial Center Specific Plan does not address specific policy or regulatory information, then the County's zoning, subdivision and other local ordinances shall apply.

The following table summaries the existing site.

*Table 8-4*  
Summary of Existing Facilities

	<b>Existing Facility</b>	<b>Location</b>	<b>Type of Service/ID</b>	<b>Classification</b>
1.	Land Use	Project area	A-2	Agriculture
2.	Overlay Zone	Project area	Urban Area	Heber Specific Plan Area
3.	Other designations	Project area	Utility	Heber Utility Service Area
4.	Arbatti Road	East of Hwy 111	N/a	Local County Road
5.	Yourman Road	Between Arbatti Road and Heber Road	LOS A to B	Local County Road
6.	Heber Road	East of Hwy 111	LOS C to D	Minor Arterial
7.	State Highway 86	West of the project area	LOS C	State Highway
8.	State Highway 111	South of Arbatti Road and north of Heber Road	N/a	4-lane State Highway
9.	Interstate 8	3 miles north	N/a	Federal Highway
10	Airport	Calexico	N/a	N/a
11	Transit	None	N/a	Bus Route
12	Bicycle	None	N/a	N/a
13	Pedestrian	None	N/a	N/a
14	Sewer	None	N/a	N/a
15	Water	Yes	Agricultural	Irrigation
16	Drainage	Adler Drain	Agricultural runoff	Open earth channel

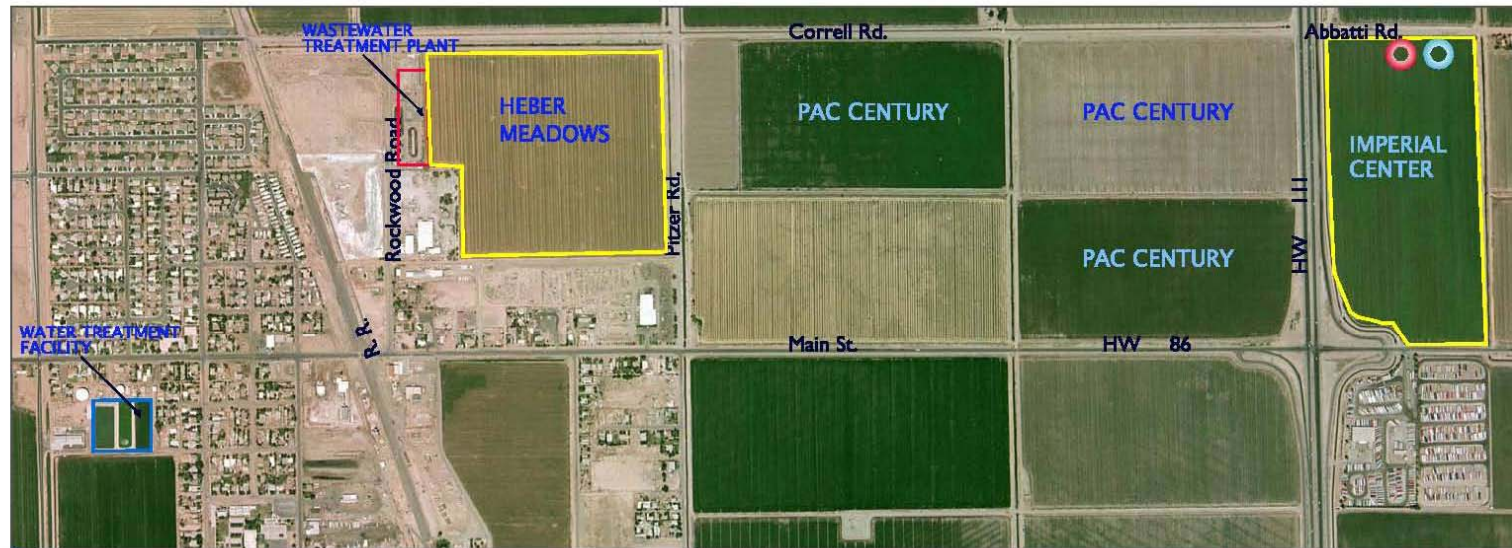
*Table 8-4*  
Summary of Existing Facilities

	Existing Facility	Location	Type of Service/ID	Classification
17	Geology	Entire project area	N/a	SaltonTrough
18	Soils	Entire project area	N/a	Holtville Soil
19	Biology	Entire project area	N/a	To be determined
20	Parks and Recreation	Project area	N/a	N/a
21	Police	Project area	Police	N/a
22	Fire Protection	Project area	Fire protection	N/a
23	Medical Services	Project area	Medical	N/a
24	Solid waste	None	N/a	
25	Electricity	Easement	Electrical	N/a
26	Gas	N/a	N/a	N/a
27	Telecommunications	N/a	N/a	N/a
28	School	N/a	N/a	N/a

*Table 8-5*  
Proposed Right-of-Way (R/W)

	Existing Facility	Existing R/W	Proposed R/W	Proposed Classification
1.	Abatti Road	60 Feet	84 Feet	Major Collector
2.	Yourman Road	60 Feet	84 Feet	Major Collector
3.	Heber Road	84 Feet	126 Feet	Prime Arterial

# IMPERIAL CENTER UTILITY ALTERNATIVES



## LEGEND



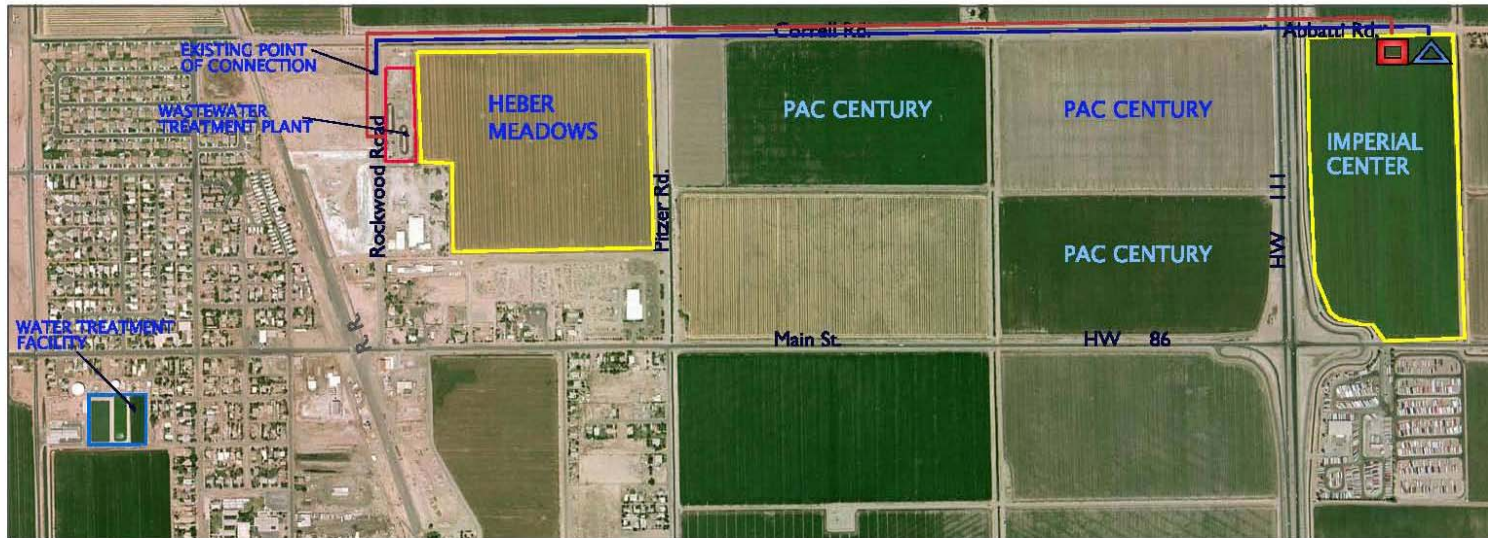
-  PROPOSED ON SITE WASTEWATER TREATMENT PLANT
-  PROPOSED ON SITE WATER TREATMENT PLANT

EXHIBIT NO. 1

Figure 8-B – Sewer & Water System Plan – Alternative One



# IMPERIAL CENTER UTILITY ALTERNATIVES







LEGEND	
<b>WATER SYSTEM</b>	
	PROPOSED 8 INCHES LINE
	PROPOSED WATER STORAGE TANK AND PUMP STATION
<b>SANITARY SEWER SYSTEM</b>	
	PROPOSED 12 INCHES FORCE MAIN
	PROPOSED SEWAGE PUMP STATION

EXHIBIT NO. 2

Figure 8-C – Sewer & Water System – Alternative Two

# IMPERIAL CENTER UTILITY ALTERNATIVES

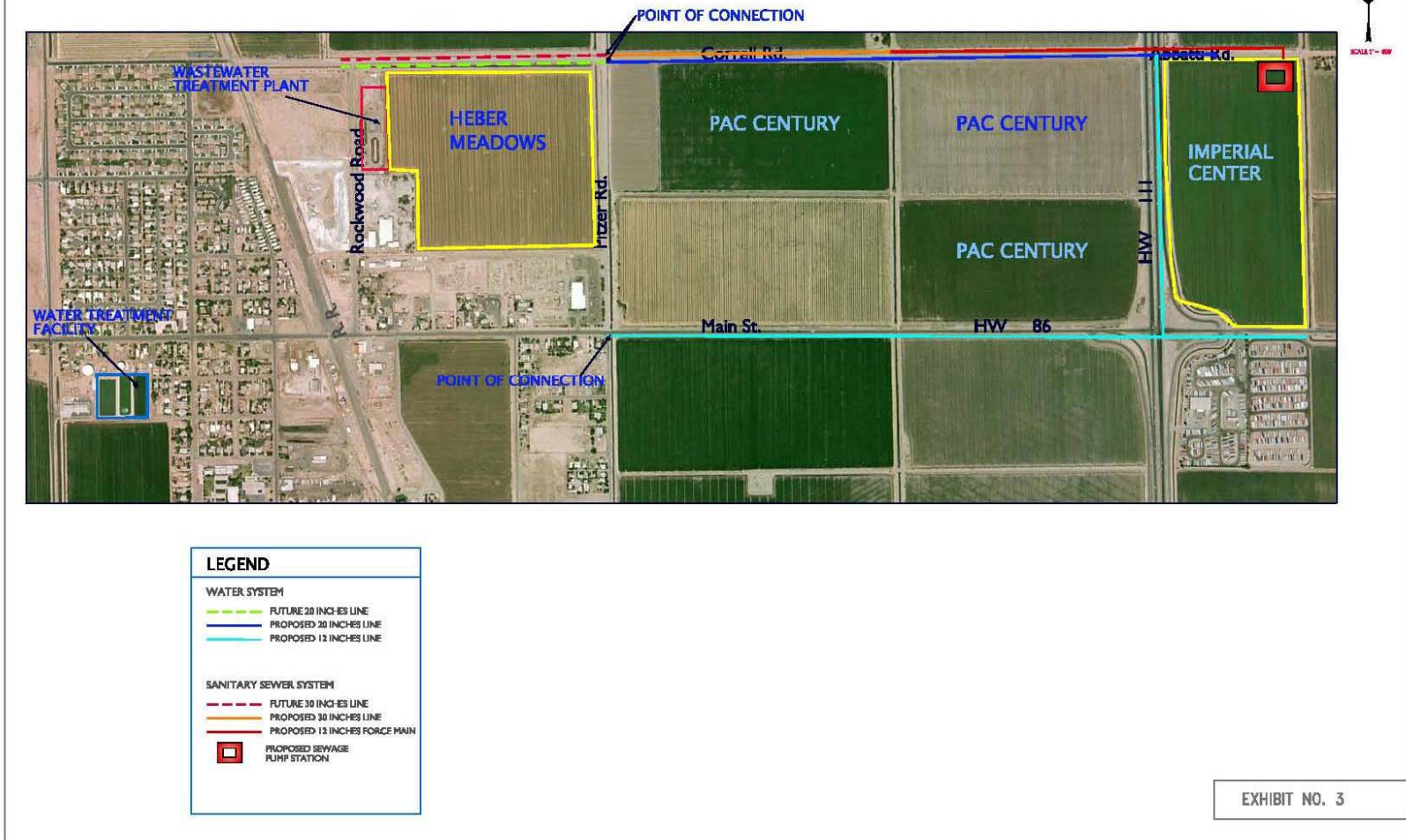
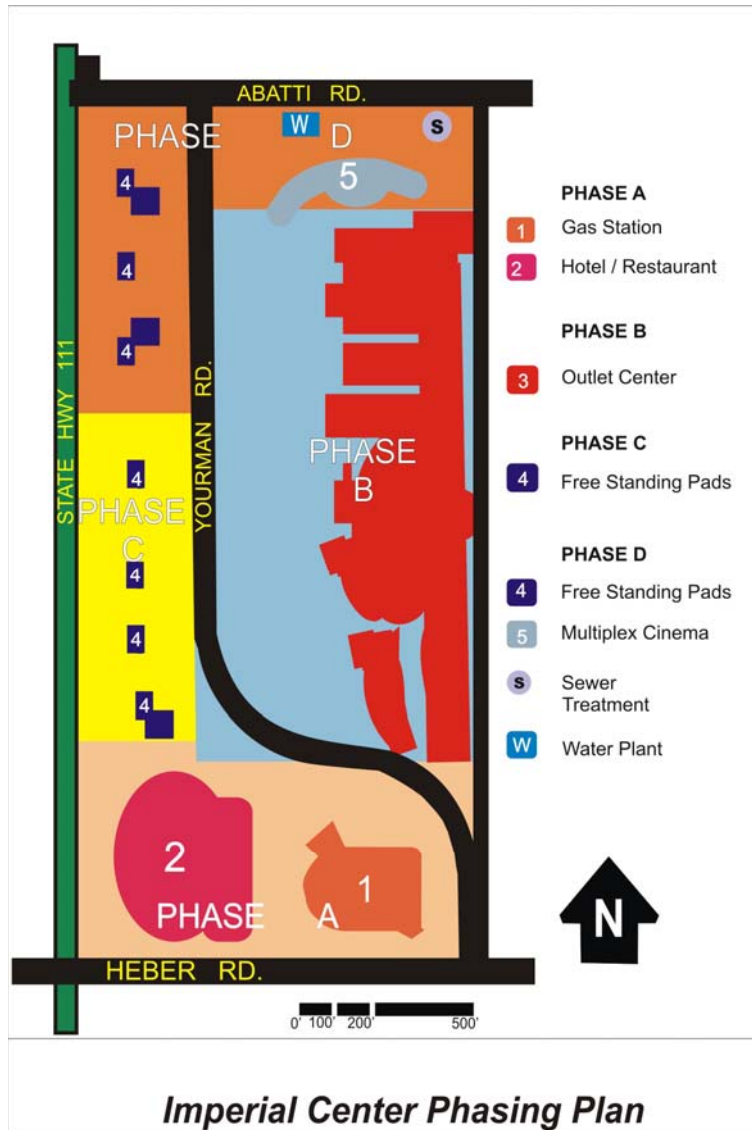


Figure 8-D – Sewer & Water System – Alternative Three

## 9. PHASING

The Imperial Center is planned for a five-phase development over the next 5-10 years as shown in *Figure 9-A and Table 9-1*.



*Figure 9 – A  
Imperial Center Phasing Plan*

The phasing time will vary due to the changing market demand and economic conditions. The starting period for each phase depends on the provision of each required infrastructure and improvements. The first phase is scheduled to begin in 2007. The next stages will start at varied times depending on market demand. *Table 9-1* outlines the four improvement phases for the Imperial Center:

<i>Table 9-1 Phasing Plan</i>				
	<b>Phase A (2007)</b>	<b>Phase B (2008 – 11)</b>	<b>Phase C (2007 – 13)</b>	<b>Phase D (2010 – 15)</b>
Project	Gas Station and hotel restaurant	Outlet Mall	Development of five pads	Development of six pads and Cinema Complex
Water	Heber Utilities	Heber Utilities	Heber Utilities	Heber Utilities
Reclaimed Water	All improvements	-	-	-
Sewer	Interim wastewater facility	Interim wastewater facility	Connect to Heber Utility Sewer system	Connect to Heber Utility Sewer system
State Route 111	All improvements	-	-	-
State Route 86	All improvements	-	-	-
Heber Road	All improvements	-	-	-
Yourman Road	-	All Improvements	-	-
Abatti Road	-	All improvements		
Storm drain	All improvements	-	-	-
Landscaping	Landscaping for fuel and hotel restaurant	Landscaping for Outlet Mall	Landscaping for five pads	Landscaping for remainder of project area

### **Objective**

The primary objective of the phasing plan for the Imperial Center Specific Planning Area is to insure that all necessary public facilities and services are provided in an efficient and cost effective manner concurrent with need during the entire development period of the project.

For the purposes of planning and evaluation the implementation of the project, it has been assumed that Imperial Center will develop in four phases over a period of nine years.

## **Phase A**

Phase A consists of the construction and/or installation of the basic backbone facilities required to support the development of the gas station/convenient store, hotel and restaurant.

**Water:** Water shall be provided by the Heber Public Utility District or a temporary water plant will be constructed on-site and operated by HPUD.

**Sewer:** As described within Chapter 8, the Imperial Center will receive its sewer service from HPUD or construct its own temporary sewer plant. This will take place in Phase A. This Specific Plan also allows for temporary septic and leach field system as permitted by the Imperial County Department of Health Services. Chapter 8 provides more specific detail concerning this system.

**Dry Utilities:** All dry utilities will be installed in the same manner as water and sewer in that it will maintain the capacity and integrity of the backbone infrastructure master plans while servicing reduced core land uses adjacent to initial road improvements.

## **Phases B - D**

The primary goal of the subsequent phases implementation program is to encourage the establishment of a central infrastructure core. Once established, this central infrastructure hub would serve as the basis for the development.

Following the installation of the Phase A backbone, the landowners and/or developers of subsequent phases may, through the mapping and development

review process, propose the extension infrastructure to their area(s), adjacent or not, based upon compliance with the following review criteria. The proposed extension project shall:

- Demonstrate consistency with the terms and provisions of this Specific Plan (i.e.: land use, circulation, infrastructure, etc.) as well as the County Zoning Ordinance and General Plan;
- Be reviewed for compliance with the California Environmental Quality Act (CEQA):
- If within a "special district" sphere of influence, request annexation, as required, into that district prior to issuance of development permits (i.e.: CSA, CFD, etc.)
- If not abutting an existing previous development phase, acquire all offsite easements and /or right-of-way as may be required to allow the extension of required services from their existing termination point;
- If not abutting an existing previous development phase, the extension of infrastructure shall be sized to accommodate the later connection of all interviewing development phases;
- Bear the full cost of the extension of facilities until such time as a Reimbursement Agreement may provide recovery of costs through the collection of fees from subsequent developments.



## **10. IMPLEMENTATION MEASURES**

This section provides tools to implement the Specific Plan. The three sub-sections that are covered in this section are:

Administration and Enforcement;  
Infrastructure Financing; and  
Mitigation Measures;

### **ADMINISTRATION AND ENFORCEMENT**

#### **1. Overseeing Agencies**

The procedures, regulations and standards included in the Imperial Center Specific Plan and Environmental Determination will be administered and enforced by the following agencies:

##### **a. County of Imperial**

- i. Planning & Development Services Department
- ii. Public Works Department
- iii. Fire Department
- iv. Sheriff's Department

##### **b. Heber Public Utility District**

- i. Water services
- ii. Sewer services

##### **c. Imperial Irrigation District**

- i. Electricity

##### **d. Cal-Trans**

- i. State Highway 111
- ii. State Highway 86

## **2. Concurrent Approvals**

Plans and documents that have been prepared and will be processed concurrently with the Imperial Center Specific Plan to include the following:

- a. A subdivision map application.
- b. An amended Heber Utility Service Area Plan per LAFCo actions.

These documents, in combination with the Imperial Center Specific Plan, form the primary framework to guide future development within the Imperial Center project area.

## **3. Development Review**

Projects that are submitted to the Planning & Development Services Department for construction will be reviewed to ensure that they meet the guidelines and standards as set forth within this Specific Plan document. Any submittal for a building permit must include any additional information as required by the County of Imperial.

## **4. Development Review Process**

Imperial County is responsible for the administration of this Specific Plan in the review and processing of individual development project applications intended to implement said plan. All proposed development shall be subject to an approval process.

All proposed development applications shall be submitted on forms provided by the County. Processing fees shall be those fees prescribed by the County that is in effect as of the date of acceptance of said application.

These review processes are more fully explained as follows:



**a. Pre-application Process**

The Planning & Development Services Department encourages that all potential applicants request a reapplication conference in order to review development proposals prior to filing of a formal application. The purpose of this conference is to acquaint the County with the intentions of the applicant, to acquaint the applicant with any applicable Specific Plan policies and procedures, to identify County Codes and improvement standards applicable to the proposal, and to identify any known significant development opportunities and/or constraints on the proposed site.

**b. Subdivision Map**

Development of the Imperial Center will be implemented in part through a series of tentative maps, approval submitted to create development lots or parcels. As mentioned previously, a series of master tentative maps have been filed and will be processed concurrently with this Plan. Implementation of this Plan will require the final mapping of these areas and/or the tentative and final mapping of areas outside the initial mapping area.

Subdivision Maps shall be processed and reviewed pursuant to the County's Subdivision Ordinance and the California Subdivision Map Act, and may only be approved if found to be in conformance with the provisions of the Specific Plan.

**c. Discretionary/Ministerial Actions**

All submittals shall be subject to the filing requirements as outlined in the County's Land Use Ordinance. Submitted plans shall be reviewed for conformance with the standard and guidelines contained in Section IV of this plan as well as all

other applicable County regulations. As a result, two types of actions are warranted:

**i. Discretionary Action**

Land uses requiring discretionary action are identified in "Uses Permitted by Conditional Permit" in Chapter V of this Specific Plan. Projects requiring a discretionary permit will be processed pursuant to the Imperial County Zoning Code and this document. Public notices shall include the entire Imperial Center Community, regardless of distance.

**ii. Ministerial Action**

All proposed projects requiring ministerial action shall be subject to Administrative Review by the Planning & Development Services Director or his or her designee. The purpose of Administrative Review is to ensure compliance with the Imperial Center Specific Plan (including the Design Guidelines and the Development Standards) and applicable sections of the Imperial County Zoning Code.

**5. Specific Plan Conformance**

Future development proposed at the Imperial Center project area will require land development permits for grading and building construction. County review of these permit applications shall ensure consistency of the proposed improvements with the design guidelines and development criteria outlined in this Specific Plan. Subdivision map requirements, public facilities financing plan and any relevant conditions of approval will also be applied to this project.

The Specific Plan Area will be developed in compliance with the criteria outlined in this Specific Plan and its companion documents and in accordance with the land use and zoning regulations of Imperial

County. In cases where discrepancies occur between the Specific Plan and Countywide development standards, the development guidelines contained in the Specific Plan shall prevail.

All proposed developments within the Imperial Center are subject to the provisions of the Imperial Center Specific Plan. Imperial County will review project submittals for consistency with the Specific Plan. In addition to any County of Imperial required determinations of approval of a given development application, the following determinations of approval also must be made:

- a. *The proposed project conforms to Imperial Center Specific Plan, including all applicable Development Standards and Design Guidelines.*
- b. *The proposed project is compatible with and enhances the established desired development character of the project area.*

## **6. Specific Plan Amendments And Minor Modifications**

The Imperial Center development is expected to be phased over a period of approximately 10 or more years. It is anticipated that market conditions and development practices may change, thereby necessitating Specific Plan Amendments. Amendments may be initiated by an owner of private property within the project area or by the County.

The Planning & Development Services Director for the County of Imperial is responsible for interpreting the provisions of this plan. If the Planning & Development Services Director deems the Amendment major, it will be processed in the manner as a formal amendment to the original Specific Plan. Proposed amendments deemed to be minor modifications by the Planning & Development Services

Director, and as defined herein, will be processed administratively through the Administrative Permit process.

Depending upon the nature of the proposed Specific Plan Amendment, supplemental environmental analysis may be required. It is the application's responsibility to provide an analysis of the environmental impacts.

Any determination that the Director of Planning & Development Services makes may be appealed to the Planning Commission of the County of Imperial in accordance with the appeal process set forth by Imperial County. The enforcement of design guidelines as set forth in this document will be the responsibility of the County's Planning and Development Services Department, County of Imperial.

**a. Minor Modifications**

The following modifications are considered minor in nature and do not require a Formal Specific Plan Amendment.

- i. Phasing of construction, including combining of planning areas.
- ii. Utility alignments and adjustments to phasing of utilities. Minor adjustments may include earlier construction, substitution of oversized facilities in adjacent phases, and similar adjustments.
- iii. Utility service road alignments.
- iv. Final facility sizing and precise location of water, sewer, and storm drainage improvements.

- v. Change in utility and/or infrastructure servicing agency.
- vi. Arterial or collector road alignment revisions where the roadway centerline moves less than 200 feet.
- vii. Decrease in development density or intensity.
- viii. Transferring of specific uses within the Specific Plan Area may be permitted. For example, the proposed hotel is located currently planned to be located in the southwest corner of the project site. The actual location of the hotel may be located anywhere within the Specific Plan Area as long as the location is consistent with the intent of the Specific Plan. This transfer of specific uses is permitted within the Specific Plan Area.
- ix. Minor landscape and streetscape design modifications, which are consistent with the intent of the design guidelines contained in this document.
- x. Deletion of unnecessary drainage facilities when recommended or approved by the County Engineer.
- xi. Specific modifications of a similar nature to those listed above, which are deemed minor by the Planning & Development Services Director, which is in keeping with the spirit and intent of the Specific Plan, and which are in conformance with the General Plan.
- xii. The Planning & Development Services Director shall have the authority to

allow the "merging of lots currently shown on the Tract Map, in the event developer prior to recordation requests that one or more lots be combined, Planning & Development Services Director shall take into consideration the requirements of the Imperial Center Plan, the Map Act, County Ordinance and the overall integrity of the Map. The Planning & Development Services Director shall not have the authority to further divide any such lots.

**b. Formal Specific Plan Amendments**

- i. All Specific Plan modifications, which do not meet the criteria for minor modifications stated above, shall be deemed to require a formal Amendment to this Specific Plan.
- ii. Specific Plan Amendments shall be processed pursuant to the provisions of the Imperial County Zoning Code, and this Specific Plan.

**7. Monitoring and Enforcement**

Except as provided by this plan, no permitted development shall occur, and no building permit or grading permit shall be issued for any permitted use or development until an application for a plot plan review has been submitted to and approved by the Planning & Development Services Department.

If it is the determination by the County of Imperial Planning & Development Services Department that the project is or may not be in full compliance with any one or all of the sections of the Imperial Center Specific Plan specified herein, the conditions of approval for all projects within the center, or the environmental mitigation requirements, the issue shall

be brought immediately to the appropriate enforcement agency or the Planning Commission/Board of Supervisors for hearing to consider appropriate response. The Planning & Development Services Department in the County of Imperial is and has the principle responsibility to coordinate all monitoring, permitting activities for the Imperial Center. This does not mean that the Planning & Development Services Department will exclusively do all the monitoring, but rather will draw upon and coordinate with all involved agencies for the monitoring reporting program. On an annual basis the owner or the owner's legal representative of the project shall provide to the Department, a report relating to compliance with the conditions specified by the project approval.

## **INFRASTRUCTURE FINANCING**

This section describes a series of procedures, regulations and standards to insure that the financing measures are identified for infrastructure at the Imperial Center.

The following strategy has been developed to implement the finance mechanisms of the Imperial Center Specific Plan.

### **1. Financing Mechanisms**

There are various methods for public financing of which one or more in combination may be utilized. They are:

- a. Mello-Roos*
- b. Assessment District*
- c. Impact Fees*

**Table 10-1  
Imperial Center Subdivision - Preliminary Engineer's  
Cost Estimate for Off-Site Improvements (Alternative No. 3)**

#	Item	Comments	Cost
1.	Dogwood Rd. / Heber Rd. Traffic Signal		TBD
2.	Jasper Rd. / Hwy. 111 Traffic Signal		TBD
3.	McCabe Rd. Hwy. 111 Traffic Signal		TBD
4.	Water	12" & 8" DIA. PVC Pipe Fire Hydrant Assembly 8" & 12" Valve Water Service	1,380,190
5.	Sewer	12" & 15" DIA PVC SDR Pipe Sewer Service Sewer Man Hole	672,960
6.	Testing Lab Services	Jack & Bore pits, Waterline, Sewer Force Main & Gravity Sewer, Special Box	30,090
6.	Storm Drain	48", 36", & 24" DIA. PVC Storm Drain SD Man Hole and Catch Basin	249,033
7.	Curb & Sidewalk	6" Curb & Gutter, Sidewalk, 20' Driveways, Handicap Curb Returns	167,357
8.	Electrical	Street Lights and Underground Electric	31,250
9.	Earthwork	Cut	19,858
10.	A. C. Pavement	12" subgrade, 12" class II AG. Base, 4" Asphalt Concrete	502,653
10.	Miscellaneous	Mobilization, clearing, clean up & demobilization, traffic control & public Safety	<u>35,000</u>
<b>Total</b>			<b>TBD</b>
Source: Development Design & Engineering, January, 2005. Note: The above cost estimates are subject to change.			

**a. Mello-Roos**

Mello-Roos bonds can be short or long - term obligations. Typically, long-term bonds have either twenty-five or thirty year maturity. Short-term notes or bonds can be issued to provide interim funding; these obligations are then retired when another source of revenue becomes available.



The Imperial Center will anticipate making use of long-term Mello-Roos bonds. Mello-Roos bonds would be issued at various stages throughout build out of the project area by one or more property owners in order to close funding gaps that exit due to the timing of fee revenues. Proceeds of Mello-Roos bonds would likely be used to fund a variety of facilities, including roads, sewer and water improvements, and flood control facilities. Mello-Roos bonds would be retired from special taxes collected from property owners and developers in Imperial Center.

**b. Assessment District**

Assessment districts or Mello-Roos Community Facilities Districts (CFD) may be considered in place of, or in combination with, the "Imperial Center Fee". Landscaping maintenance within public right-of-way may be funded by a landscape and lighting district fee.

Formation of a Community Facilities District (CFD) authorizes a public agency to levy a special tax on all taxable property within the CFD in the manner prescribed in the formation documents. Property owned or irrevocable offered to a public agency may be exempted from the special tax. Mello-Roos special taxes are collected at the same time and in the same manner as property taxes, unless otherwise specified by the agency. Special tax revenues may be used to pay debt service on bonds sold to provide funding for the construction or acquisition of public capital facilities; special taxes may also be used to pay directly for facilities and public services.

## **c. Impact Fees**

### **i. Imperial Center Fee**

Impact fees are charged by local agencies in conjunction with approval of a development project. Impact fees are levied for the purpose of paying a portion of the costs of a public facility, and improvements. A fee program is implemented by a public agency's adoption of a resolution or ordinance.

It is recommended that an "Imperial Center Fee" be established to address infrastructure impacts to address the following:

- i. Off-site circulation improvements;
- ii. Major Arterial and Collectors;
- iii. Water;
- iv. Sewer;
- v. Landscaping; and
- vi. Lighting.

Maintenance will be funded by a combination of City, County, State, developer financing, and an Imperial Center Impact fee that covers the entire Imperial Center project area. Assessment districts or Mello-Roos Community Facilities Districts may be considered in place of, or in combination with, the set fee.

## **2. Landscaping and Lighting**

The Landscaping and Lighting Act of 1972 authorizes local public agencies to impose assessments on benefited property to fund the installation, construction, and maintenance of the following:

- a. Landscaping
- b. Statues, fountains, and ornamental structures

- c. Improvements appurtenant to the foregoing, including grading, curbs, gutters, sidewalks and water and drainage facilities
- d. Park or recreational improvements, including land preparation, lighting, playground and recreational equipment, and public restrooms
- e. Maintenance or servicing of the foregoing improvements

The assessments placed on benefited properties may be levied on an annual basis, and are typically collected semi-annually as part of the property tax bill. The assessments may be used to pay directly for installation, construction, or maintenance of eligible improvements, or may be used to pay debt service on bonds issued to cover installation and construction costs. Should bonds be sold, they are non-recourse to the issuing public agency, in that the agency has no financial liability associated with these bonds. The bondholders look to the property owners for their semi-annual assessment payments, and will pursue foreclosure proceedings against those properties, which are delinquent in paying their assessments.

Formation of an LLD could serve as a method for the County to maintain landscaping in the project area and would provide a protest opportunity for affected landowners. However, the County may also incorporate the levy of Mello-Roos special taxes for landscape maintenance and other services.

## 11. ENVIRONMENTAL ISSUES & MITIGATIONS

The project is currently agricultural land with two drainage areas located on or along the property.

### GEOLOGY

The project site is located in the Colorado Desert Province of southeast California. The dominant feature of the Colorado Desert is also the Salton Trough. Thick sequences of sedimentary rocks of up to 20,000 feet underlie the alluvial cover of the area.

### SOILS

Utilizing the Soil Survey of Imperial County, published by the U.S. Department of Agriculture Soil Conservation Service (SCS 1981), four differing soil types were identified within the project boundaries. They include: Holtville silty clay, Imperial silty clay, Imperial-Glenbar silty clay loams, and Meloland very fine sand loam. Two types of soils are known to exist on the project site.

**The Holtville soil:** This is most commonly found on the project site. The Holtville silty clay is a very deep, stratified soil is on flood plains and alluvial basin floors. The soil formed in water-laid sediment from mixed sources. Permeability is slow in the clayey layer and moderately rapid in the underlying material. Available water capacity is high to very high and the Holtville soil is no saline to slightly saline. In addition, surface run-off is slow, and the hazard of erosion is slight.

**Imperial Silty Clay:** This very deep soil is on flood plains and in basins and lakebeds. It is formed in clayey sediment from mixed sources. Typically, the Imperial silty clay, wet, is pinkish gray and light brown silty clay to a depth of 60 inches or more. Permeability is slow, and available water

capacity is very high. The soil is slightly saline. Surface run-off is low, and the hazard of erosion is slight.

#### MITIGATION

- Provide a full soils report for the site and design the foundation systems according to the soil engineer's recommendation prior to construction.
- Provide construction to meet the latest Uniform Codes and provide foundations, roadbeds, and other structures susceptible to expansive soils to the recommendations of the soil report

#### CONVERSION OF AGRICULTURE LAND TO URBAN USES

Typically, new development placed contiguous to agricultural land uses creates some major conflicts. The conflicts arise from both the agricultural community fearing restrictions being placed on their operational aspects, which do quite often become reality. On the other side, the urban users, many of whom are not that familiar with the nature of agricultural operations, complain about dust, noise, odor, and traffic due to large equipment and aerial applications of pesticide and herbicide.

The greater the density of commercial uses contiguous to the farming operations, the greater the number of complaints received by County agencies. While some attempts have been made to define the "buffer" distances necessary to be maintained between a commercial use and an agricultural operation, no definitive number has gained popular acceptance. The urban users complain due to the varied mechanical devices and fumigants used by the agricultural operators and in large part due to a lack of understanding.

In this case however there is a significant separation between the eastern boundary of the project site and the western boundary of the adjacent agricultural field. Between

the two operations lie the Alder Drain, a fence, and two IID Dirt Roads. The width of these man made structures is between 60 and 75 feet. It is 60 feet near the northern extreme of the boundary, and 75 closer to the southern extreme. The physical features in this case do provide a perceptive separation.

There has been a tremendous amount of pressure to convert agriculture land to urban land uses within the County of Imperial for the last couple of years. The County of Imperial has responded to this pressure and has adopted specific policies regarding this conversion of agriculture land.

### **Right to Farm Ordinance**

In 1990, the Agricultural Commissioner's Office prepared and obtained the approval of the Board of Supervisors for the "Right-to-Farm Ordinance". The Agricultural Ordinance states, in part, that "It is the declared policy of this County to enhance and encourage agricultural operations within the County. It is the intent of this Specific Plan to adopt goals and policies that are supportive of Agriculture operations. Appropriate design and mitigation measures will be implemented to prevent any conflict with agriculture land uses and operations.

### **Land Use Incompatibility**

The project site is located adjacent to the major North/South State Highway within Imperial Valley, State Highway 111. It is also located on Heber Road, a major transportation corridor for the new Imperial Valley Mall. Both of these corridors are heavily traveled by non-agriculture transportation equipment. Therefore, the continued farming of the project site has the potential to create significant impacts between agriculture and non-agriculture land uses surrounding the site. Agriculture related land uses are incompatible with adjacent high volume traffic corridors.

The transportation of heavy agriculture machinery will become increasing more difficult with the increased growth expected in Imperial Valley. Removal of the project site

from agriculture production will decrease the probability of non-agriculture related conflicts within Imperial Valley.

### **Employment Creating Land Uses**

The conversion of agriculture land within the project site is done with the specific goal of replacing this land use with employment and tax revenue producing land uses. It is recognized that agriculture land is a very important economic generator within Imperial Valley. Therefore, it is the intent of this Specific Plan to replace the agriculture use with a land use that is also a very strong economic generator. The outlet mall, hotel, restaurants and other uses allowed within the project site will provide many jobs and a strong revenue source to the residents of Imperial Valley. This is consistent with the County of Imperial General Plan.

The ground has been in field crop production for the past 10 years. Therefore aerial application of pesticides has not been required thereby minimizing the impact to the land. The only other viable agricultural land is located to the north and east of the project site, and is outside of the urban designated area.

#### **MITIGATION**

- Maintain a minimum 200 feet buffer zone to mitigate any potential significant impact upon agricultural land northerly of the project site and install a 6 foot solid block wall along the easterly property line.\*

\* Per the Imperial County Agricultural Commissioners Office

## **CIRCULATION**

A comprehensive traffic Study was prepared for this project by Dahl, Robbins & Associates, (see Volume Two, Appendix B). Linscott, Law & Greenspan, Engineers prepared the Traffic Impact Analysis Addendum for this project. The following mitigations (identified within the Traffic Study Addendum, Appendix J) as determined necessary by the Dept of Public Works of the County of Imperial, Heber Public Utility District and CALTRANS are proposed to become conditions of approval of the project Tentative Map (please see the Traffic Study Addendum, Appendix J for more detailed and specific mitigation measures).

## **MITIGATION**

- Developer will make all improvements recommended by the traffic study along SR 111, and will re-locate Yourman Road, as determined necessary by the Dept of Public Works of the County and the Heber Public Utility District.
- Developer will install internal traffic systems as designated within the plan and as required by the County's Dept. of Public Works and the Heber Public Utility District.
- The project will contribute its fair share to the improvements of Highway 111, as this Highway is impacted by several other projects both in and outside the Heber Public Utility District's Sphere of Influence.

### Heber Road

- It is recommended that Heber Road be widened to five lanes prior to Phase D (2010-



15) from Scaroni Road on the west to the east edge of the project. This will provide the necessary capacity at the Highway 111 intersection and the project driveways. An additional southbound left turn lane and a northbound right turn lane will be needed to accommodate 2010 traffic.

#### Jasper Road and Highway 111

- Currently, this intersection is closed. As indicated earlier, CALTRANS has plans to reopen this intersection as soon as a stoplight is constructed. They have indicated that they expect the stoplight to be constructed within the near future. Because of the impacts to this intersection that the Imperial Center will cause, the Imperial Center will not be developed until the Jasper & 111 intersection is reopened.
- To be inserted

#### McCabe Road and Highway 111

- Currently, this intersection is closed. As indicated earlier, CALTRANS has plans to reopen this intersection as soon as a stoplight is constructed. They have indicated that they expect the stoplight to be constructed within the near future. Because of the impacts to this intersection that the Imperial Center will cause, the Imperial Center will not be developed until the McCabe Road & 111 intersection is reopened.
- To be inserted

#### Yourman Road and Heber Road

- In addition to the previously described improvements to Heber Road, a traffic signal will be needed at this intersection

with the addition of Phase D (2010-15) traffic. The Level of Service calculations shows a northbound Level of Service of D in 2006, but if the roadway is realigned as proposed, this will not be the case. Since the need for this signal is due almost entirely to project generated traffic, the entire cost for this signal would be assigned to the developer. It will be important to coordinate this signal with the signal on Highway 111 so that backups do not occur along Heber.

#### Heber Road and Highway 111

- At project build-out, dual southbound left turn lanes will be required, as well as northbound right turn lane.
- Based on existing accident data, it is recommended that some form of advance notice be given to Highway 111 traffic of impending signal changes. This will help to reduce the number of rear end accidents occurring at this location. Since this is a pre-existing condition, it would not be the responsibility of this development.

#### Dogwood Road and Heber Road

- To be inserted

#### Bowker Road and Heber Road

- At project build-out, left turn lanes will be needed for northbound and southbound traffic at this intersection.
- The design of all intersections and roadways shall be in accordance with Caltrans Standard Drawings, Imperial County guidelines, City of Calexico Standards and the latest editions of the MUTCD and AASHTO Green Book.

## **BIOLOGICAL RESOURCES**

This site has been aggressively disturbed for decades, including deep plowing and other farm practices. There is no known species of plants or in this area that are considered to be on any endangered species list or are otherwise protected. A burrowing owl survey has been completed and is discussed below.

### **Burrowing Owl Survey**

UltraSystems Environmental, Inc. conducted three diurnal and three nocturnal field surveys for the Burrowing Owl (*Athene cunicularia*) at the 77.64 acre Imperial Center site just east Heber and north of Calexico, Imperial County, California. The project is bordered on the north by Abatti Road, the east by the Alder Canal, the south by Heber Road and the west by Yourman Road and Highway 111. This site can also be described as being located within Section 26 of Township 16 South, Range 14 East.

The Burrowing Owl is a small, pale, buffy-brown owl that is unique in its habit of nesting in subterranean burrows. It occurs in grassland and other open habitats throughout much of the western United States, with a disjunct population in Florida. In California, the species is often found in areas containing California Ground Squirrels (*Spermophilus beecheyi*), whose burrows are used by the owls. It is opportunistic in its use of burrow sites, and can use pipes or other suitable cavities at or below ground level. Burrows can be up to 10 feet long, and enlarged nesting chambers are constructed at the terminus. The entrances to burrows are often decorated with bits of animal dung, feathers, litter, and other objects. Clutches of up to 12 eggs are laid, primarily from February to May.

The Imperial Valley is a stronghold for the Burrowing Owl in southern California, with recent estimates of up to 5,600 pairs. Irrigation canals and drains are commonly used as nesting sites in this area. Prey items identified in the Imperial Valley include insects, spiders, earwigs, windscorpions, isopods, and small rodents.

The Burrowing Owl is a California Department of Fish and Game (CDFG) Species of Special Concern, and a Federal Species of Concern. The CDF&G is currently evaluating a petition to have the species listed as either Threatened or Endangered. This species is declining in many portions of its range, but has increased in some areas. The CDFG has issued a staff report addressing survey and mitigation guidelines for the owl (CDFG 1995).

As is characteristic of the topography of this region, the Imperial Center site is flat and has a recent and long history of agriculture. Canals and ditches are used to transport water to fields and are the most frequent nest locations of the burrowing owl in Imperial Valley. Roadside berms are also used regularly. The site is bordered by agricultural fields to the north and east. Properties located to the west and south consist of industrial yards, housing and sewage treatment plants. The entire site was recently harvested for corn. Vegetation was therefore sparse and ranged in height from 0-12 inches.

Ultra Systems biologist Marie Barrett conducted a morning survey on September 13, 2005 of the project site. The weather was clear with no precipitation with the wind approximately 0 to 5 mph during the survey. The temperature ranged from 85 to 89 degrees Fahrenheit.

### **Survey Results**

No burrowing owls or active burrows were observed on the Imperial Center site. Five burrowing owls and eight active burrows were observed in the banks of the Alder Drain, within the 500-foot buffer area. Please see the Burrowing Owl Study in Appendix E for more information.

Birds observed on-site included ring-necked pheasant (*Phasianus colchicus*), rock dove (*Columba livia*), mourning dove (*Zenaidura macroura*), burrowing owl (*Athene cunicularia*), red-winged blackbird (*Aegialius phoeniceus*), great-tailed grackle (*Cassidix mexicanus*), house finch (*Carpodacus mexicanus*), cattle egret (*Bubulcus ibis*), great

egret (*Ardea alba*), killdeer (*Charadrius vociferus*), mallard (*Anas platyrhynchos*), greater roadrunner (*Geococcyx californianus*), meadowlark (*Sturnella neglecta*), American kestrel (*Falco sparverius*), northern mockingbird (*Mimus polyglottos*), northern harrier (*Circus cyaneus*), Cooper's hawk (*Accipiter cooperii*) and American avocet (*Recurvirostra americana*).

Mammals observed on-site included Audubon's cottontail (*Sylvilagus auduboni*), round-tailed ground squirrel (*Spermophilus tereticaudus*) and antelope ground squirrel (*Ammospermophilus leucurus*). No amphibians or reptiles were detected.

Burrowing owls are colonial species and can nest in extremely high densities when conditions are good. The conditions at the Heber Subdivision site are good for burrowing owls. Alfalfa fields provide suitable nesting and foraging habitats where rodents and arthropods are abundant. The canals and roadside berms provide the topography and substrate, and squirrels and irrigation pipes provide nesting habitat.

## **DISCUSSION**

Currently, project construction is not expected to occur for several years. Because burrowing owl may nest on the site in the future, burrowing owl surveys should be conducted prior to detailed project planning and construction to assess owl status. Additionally, preconstruction owl surveys will be required.

Mitigation requirements for impacts to burrowing owls are currently under review by USFWS and CDFG. A regional Habitat Conservation Plan (HCP) that would include mitigation requirements for impacts to burrowing owls is being planned. It is recommended that mitigation requirements be reviewed during project planning.

The burrowing owl is a migratory species protected by international treaty under the Migratory Bird Treaty Act (MBTA) of 1918 (16 U.S.C. 703-711). The MBTA makes it

unlawful to take, possess, buy, sell, purchase, or barter any migratory bird listed in 50 C.F.R. Part 10, including feathers, or other parts, nests, eggs, or products, except as allowed by implementing regulations (50 C.F.R. 21). Sections 3505, 3503.5, and 3800 of the California Department of Fish and Game Code prohibit the take, possession, or destruction of birds, their nests or eggs. Disturbance that causes nest abandonment and/or loss of reproductive effort (e.g., killing or abandonment of eggs or young) may be considered take and is potentially punishable by fines or imprisonment (CDFG 1995). Project-related disturbance at active nesting territories must be reduced or eliminated during the nesting cycle (February 1 to August 31) to avoid violation of the take provisions of these laws.

- No construction is allowed within 75 meters (250') of an active burrowing owl nest between February 1 and August 31. However, recent studies of the burrowing owl in California have revealed some late season nesting attempts in the fall. Prior to any earth moving, any on-site burrows need to be evaluated by an experienced burrowing owl biologist and confirmed as unoccupied by owls before being graded. This can be accomplished by a combination of behavioral observations, ecological clues at the burrow entrances and fiber optic scope observation of the burrow. Currently closure of nest burrows ("passive relocation") is not permitted at any time. Active relocation is very rarely permitted by USFWS and CDFG.
- Purchasing mitigation lands or conservation easements, swapping land, and providing artificial nest burrows may be required.
- Pre-construction surveys must be undertaken not more than 30 days before earth disturbance (grading) to assess whether owls are nesting on the site. The surveys should be conducted as close to the actual construction initiation date as possible. A biological monitor may need to be present until the entire site has been graded.
- A 75-meter (250') no construction buffer between on-site construction and peripheral nesting pairs with

burrows on adjacent properties is currently required from February 1 to August 31.

## **CEQA AND SPECIFIC PLANS**

Adoption of a specific plan is a project subject to the California Environmental Quality Act (CEQA). As such, the specific plan may require the preparation and consideration of a Negative Declaration or an Environmental Impact Report (EIR) disclosing the potential significant environmental effects of the plan, plan alternatives, and the means by which possible environmental damage may be reduced or avoided. Revisions to an existing specific plan may also require CEQA analysis through a subsequent, supplemental, or tiered EIR, or a negative declaration. The environmental information in provides decision makers with the insight necessary to guide policy development, thereby ensuring the plan's policies will address and provide the means by which to avoid potential impacts to the environment.

### **CEQA Alternatives**

CEQA and the State CEQA Guidelines include provisions for streamlined approaches to environmental review commonly referred to as "tiering" (CEQA Guidelines §15152). Tiering is commonly used to simplify the environmental review required for projects, which follow specific plans and general plans. The result is a limited review of those project-specific effects, which either were not examined or not fully examined, in the specific plan EIR.

### **Tiering**

When tiering is used, the later EIRs or negative declarations must refer to the prior EIR and state where a copy of the prior EIR may be examined. The later EIR or negative declaration should state that the lead agency is using the tiering concept and that the EIR or negative declaration is being tiered from the earlier specific plan EIR (CEQA Guidelines §15152(e)).