

DATE SUBMITTED 3/26/2018  
 SUBMITTED BY COMMUNITY DEVELOPMENT DIRECTOR  
 DATE ACTION REQUIRED 4/4/2018

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

**IMPERIAL CITY COUNCIL  
 AGENDA ITEM**

SUBJECT: DISCUSSION/ACTION: ZONE CHANGE FROM R-1(RESIDENTIAL SINGLE FAMILY) TO C-2 (COMMERCIAL GENERAL) AT HWY 86 PARCEL EAST OF NORTH IMPERIAL AVENUE, NORTH OF 15<sup>TH</sup> STREET.

1. 2<sup>nd</sup> READING BY TITLE ONLY OF ORD. NO. 797 APPROVING THE ZONE CHANGE FROM R-1(RESIDENTIAL SINGLE FAMILY) TO C-2(COMMERCIAL GENERAL).

DEPARTMENT INVOLVED: COMMUNITY DEVELOPMENT

BACKGROUND/SUMMARY:

The City of Imperial recently acquired "excess land" from the State of California-Department of Transportation. The envisioned zoning for this newly acquired land is R-1 (Residential Single Family), in 2014 a "Highest and Best Use" analysis was done for the location and the analysis determined that the best physical use of the land would be for Commercial Developments (please see attached analysis). The land is currently vacant and is 3.78 acres in size. There are no specific projects proposed with this application at the time. Any future developments will be reviewed internally prior to any form of construction. This zone change was initiated by City staff in efforts to attract developments that will help benefit the citizens and evolution of the City from an "Economic Development" standpoint. Staff has determined the proposed zone change from R-1 to C-2 designation would be consistent with the location of the parcel (HWY 86), the surrounding environment, developments and the future growth envisioned for that area.

Planning Commission recommended the zone change to City Council on January.10.2018.  
 City Council Conducted the 1<sup>st</sup> Reading of the Zone Change Ordinance on March.7.2018.

Please see attachments.

FISCAL IMPACT: NO FISCAL IMPACT	ADMIN SERVICES SIGN INITIALS 
STAFF RECOMMENDATION: Staff recommends approval of Ordinance 797.	DEPT. INITIALS 
MANAGER'S RECOMMENDATION:	CITY MANAGER'S INITIALS 

MOTION:

SECONDED: APPROVED ( ) REJECTED ( )  
 AYES: DISAPPROVED ( ) DEFERRED ( )  
 NAYES:  
 ABSENT: REFERRED TO:

**ORDINANCE NO. 797**

**AN ORDINANCE OF THE CITY OF IMPERIAL AMENDING THE IMPERIAL CITY CODE TO CHANGE THE ZONING DESIGNATION OF A SPECIFIED PROPERTY FORMERLY OWNED BY STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION FROM R-1 SINGLE FAMILY TO C-2 GENERAL COMMERCIAL**

Pursuant to Section 24.19.600 et seq. of Chapter 24 of the Imperial Municipal Code, the City Council of the City of Imperial, State of California, does hereby ordain as follows:

SECTION 1: The “Official Zoning Map” of the City of Imperial, Imperial County, adopted at Section 24.01.140B of Chapter 24 of the Imperial City Code is hereby amended pursuant to Section 24.19.600 et seq. as set forth in this ordinance.

SECTION 2: The property affected by this ordinance is formerly known as Department of Transportation Number DD1999-01-01 located north of 15<sup>th</sup> Street, west of Highway 86 and east of Imperial Avenue and is described in Exhibit A.

SECTION 3: The new zone for said property is hereby changed from R-1 Single Family Residential to C-2 General Commercial.

SECTION 4: Effective Date. This Ordinance shall take effect and shall be in force thirty (30) days after the date of adoption, and prior to the expiration of fifteen (15) days from the passage thereof, shall be published at least once in a newspaper of general circulation printed and published in the County of Imperial, together with the names of the members of the City Council voting for and against the same.

PASSED, ADOPTED AND APPROVED by the City Council of the City of Imperial, this 4<sup>th</sup> day of April, 2018.

\_\_\_\_\_  
Geoff Dale, Mayor of the City of Imperial

ATTEST:

\_\_\_\_\_  
Debra Jackson, City Clerk

## EXHIBIT A

**THAT PORTION** of real property in the City of Imperial, T. 15 S., R. 14 E., S.B.M. conveyed to the State of California by deed recorded February 24, 1945, as Book 638, Page 2, in the Office of the County Recorder of Imperial County;

**TOGETHER WITH** all right, title and interest in that portion of that real property in the City of Imperial, T. 15 S., R. 14 E., S.B.M. according to Government Survey thereof conveyed to the State of California by deed recorded July 17, 1941, Book 571, Page 548, in the Office of the County Recorder of Imperial County;

**TOGETHER WITH** that portion of that real property in the City of Imperial, T. 15 S., R. 14 E., S.B.M. according to Government Survey thereof conveyed to the State of California by deed recorded April 16, 1948, as Book 704, Page 163, in the Office of the County Recorder of Imperial County;

### **All lying westerly of the following described line:**

**BEGINNING** at the southwest corner of Tract 133, T. 15 S., R. 14 E., S.B.M., said point bears S.00°22'46"E., 2654.16 feet from the northwest corner of said tract;

- Thence (1) S.89°35'42"E., 185.06 feet along the south line of said Tract 133;
- Thence (2) N.00°22'46"W., 41.97 feet;
- Thence (3) N.89°35'42"E., 13.47 feet to the beginning of a non-tangent 4930.69 foot radius curve concave southwesterly, a radial to which bears N.86°51'26"E.
- Thence (4) northerly along said curve, through a central angle of 09°14'31", an arc distance of 795.32 feet;
- Thence (5) N.12°23'05"W., 752.80 feet to the beginning of a 5070.92 foot radius curve concave northeasterly;
- Thence (6) northerly along said curve through a central angle of 04°15'31", an arc distance of 376.91 feet to a point on the westerly right of way line of State Highway 11-IMP-86 according to Record of Survey 12-67 on file in the office of the County Recorder of Imperial County, and also being the **POINT OF TERMINUS.**

The bearings and distances used in the above description are based on the California Coordinate System of 1983, Zone 6, HPGN Epoch 1991.35. Multiply all distances in the above description by 0.99999605 to obtain ground level distances.

(Caltrans Number: DD1999-01-01)