

ATTACHMENT – G
Codified Ordinance for
Zone Change

Ordinance No. _____

**AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF
THE COUNTY OF IMPERIAL RELATING TO ZONES**

The Board of Supervisors of the County of Imperial, State of California, ordain as follows:

SECTION 1: The map entitled "Westside School Area" Zoning Map No. 40 (Section 92540.01) of the Codified Ordinances) is hereby amended in the following particular only.

Section **92540.01** Amendment to Zoning Map No. 40 "Westside School Area" Zone Change ZC 19-0004" Westside Canal Battery Energy".

The zone classification of those certain parcels of real property situated in the County of Imperial, State of California, and more particularly described as:

LEGAL DESCRIPTION: South ½ of Southeast ¼ Section 34 Township 16 South, Range 12 East 80 acres; & POR Northeast ¼ & Southwest ¼ & North ½ of Southeast ¼ Section 34 Township 16 South, Range 12 East, South of Westside 68 Acres AC. **051-350-010-000 & 051-350-011-000.**

"A-3" (Heavy Agriculture) zone change to "M-2" (Medium Industrial).

SECTION 2: This Ordinance shall take effect thirty (30) days after the date of its 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, State of California, together with the names of the Board of Supervisors voting for and against the same.

SECTION 3: That in accordance with State Planning and Zoning law and the County of Imperial General Plan and zoning ordinances, the following findings for the approval of Zone Change No. 19-0004 have been made as follows:

1. The proposed Zone Change has been analyzed relative to its potential to be detrimental to the health, safety, comfort and welfare of the persons residing or working within the neighborhood of the proposed Zone Change. Staff concluded that the project does not propose land uses,

densities, or development patterns that will jeopardize the health and safety of the persons residing or working within the neighborhood of the property. Health, safety, and welfare will not be degraded as a result of this project.

2. The Zone Change is consistent with the General Plan's underlying land use overlay designation of Renewable Energy (RE). The Zone Change will allow for the development of a Battery Storage Energy facility.
3. The proposed zone change to an M-2 Medium Industrial zone site subject to this recommendation, is consistent with the uses allowed by Imperial County's Land Use Ordinances 90516.02 for properties in the aforementioned zones, provided that the applicant obtains a conditional use permit.
4. The site physically is suitable of this type of development and zoning. The project site consists of generally flat terrain with very gentle topography.
5. The change of zone will not conflict with any easements required by the public at large for access through or use of the property with the proposed zone change. Several easements surround and traverse the area. The Imperial Irrigation District (IID) owns several easements associated with existing canals, drains and electrical lines. The easements and their associated facilities will be retained, vacated or realigned as appropriate.
6. The change of zone is also consistent with the General Plan Land Use Element goals and objectives, including objectives to "[d]iversify employment and economic opportunities in the County while preserving agricultural activity" (Goal 2) and to "[p]reserve agriculture and natural resources while promoting diverse economic growth through sound land use planning" (Goal 3, Objective 3.2).
7. Economic Impact Analyses, Employment (Jobs) Impact Analyses and Fiscal Impact Analyses prepared for this project has demonstrated that in addition to other economic benefits (construction jobs, fee payments, etc.), renewable energy projects offer "fiscal benefits from increased economic activity and local employment opportunities that do not threaten the economic viability of other industries." The conclusion is that the Project will have a clear long-term economic benefit to the County.

PASSED, ADOPTED AND APPROVED by the Board of Supervisors of the County of Imperial this November 16, 2021.

PASSED, ADOPTED, AND APPROVED by the Board of Supervisors of the County of Imperial this 16th day of November, 2021.

AYES:
NOES:
ABSENT:
ABSTAIN:

Michael W. Kelley, Chairman
of the Board of Supervisors

ATTEST: _____
BLANCA ACOSTA, Clerk
of the Board of
Supervisors

S:\APN 051\350\011\gpa19-0003\PC\folder\zcl\ZONE CHANGE ORDINANCE.doc

Westside Canal Battery Energy Project ZC #19-0004

