

PROJECT REPORT

TO: Planning Commission

AGENDA DATE: June 9, 2021

FROM: PLANNING & DEVELOPMENT SERVICES

AGENDA TIME 9:00 a.m. / No. 2

PROJECT TYPE: Time Extension #21-0012 for Tract Map #00958 SUPERVISOR DIST # 3

LOCATION: 1700 West Ross Road APN: 051-450-011, 012, 013 & 018-000

Seeley, CA PARCEL SIZE: +/-120 acres

GENERAL PLAN (existing) Urban Area (Seeley Urban Area Plan) GENERAL PLAN (proposed) N/A

ZONE (existing) R-I/R-3 (Low & High Residential) and C-1 (Light Commercial) ZONE (proposed) N/A

GENERAL PLAN FINDINGS CONSISTENT INCONSISTENT MAY BE/FINDINGS

PLANNING COMMISSION DECISION: HEARING DATE: 06/09/2021

APPROVED DENIED OTHER

PLANNING DIRECTORS DECISION: HEARING DATE: _____

APPROVED DENIED OTHER

ENVIROMENTAL EVALUATION COMMITTEE DECISION: HEARING DATE: _____

INITIAL STUDY: _____

NEGATIVE DECLARATION MITIGATED NEG. DECLARATION EIR

DEPARTMENTAL REPORTS / APPROVALS:

PUBLIC WORKS	<input checked="" type="checkbox"/>	NONE	<input type="checkbox"/>	ATTACHED
AG	<input type="checkbox"/>	NONE	<input checked="" type="checkbox"/>	ATTACHED
APCD	<input type="checkbox"/>	NONE	<input checked="" type="checkbox"/>	ATTACHED
E.H.S.	<input checked="" type="checkbox"/>	NONE	<input type="checkbox"/>	ATTACHED
FIRE / OES	<input checked="" type="checkbox"/>	NONE	<input type="checkbox"/>	ATTACHED
OTHER	<u>(See Attached)</u>			

REQUESTED ACTION:

IT IS RECOMMENDED THAT YOU CONDUCT A PUBLIC HEARING AND THAT YOU HEAR ALL THE OPPONENTS AND PROPONENTS OF THE PROPOSED PROJECT. STAFF WOULD THEN RECOMMEND THAT YOU TAKE THE FOLLOWING ACTION:

- 1) APPROVE TIME EXTENSION #21-0012 FOR TRACT MAP #00958 FOR THE FINAL TIME EXTENSION, SUBJECT TO THE CONDITIONS LISTED UNDER SAID TRACT MAP.**

STAFF REPORT
PLANNING COMMISSION
TIME EXTENSION #21-0012
FOR TRACT MAP #00958
(ALPHABET FARMS, LLC)
June 9, 2021

APPLICANTS: Alphabet Farms, LLC
 113 S. La Brea Avenue, 3rd Floor,
 Los Angeles, CA 90036

PROJECT LOCATION:

The property is located at the 1700 West Ross Road, Seeley, CA, being at the Northeast corner of Ross Road and Drew Road intersection, and further identified as a portion of Tract 64, Township 16 South, Range 12/13 East, SBB&M and further identified as Assessor Parcel Number 051-450-011, -012, -013 & -018-000, comprising of approximately 120 acres.

PROJECT SUMMARY:

Alphabet Farms, LLC (applicant) has submitted a written request for the sixth and final time extension for Tract Map #958 as allowed by the Subdivision Map Act. The Board of Supervisors approved Tract Map #958 (Major subdivision) subject to conditions, on August 16, 2005.

The time extension request was submitted to have additional time to file all of the phases of the tentative map.

The sixth and final one-year time extension would cover from August 16, 2021 to August 16, 2022 (end of life of the map).

ORDINANCE REVIEW

The Subdivision Map Act, specifically Section 66463.5 and the Imperial County Subdivision Ordinance Section 90803.05, allows the subdivider to make application for a time extension for a one year (twelve month) period per extension request; a maximum of six time extensions request can be made. The Subdivision Ordinance states that the Planning Director has the authority to approve or deny such request or shall forward to the Planning Commission a recommendation for approval or denial of the application.

COUNTY ORDINANCE:

The applicable Title 9, Land Use Ordinance Sections are as follows:

Division 8, Chapter 6, Major Subdivision;
Division 25 Chapter 9, (Seeley Area);
Section 66452.6 (Subdivision Map Act)

LAND USE ANALYSIS:

The property is designated by the County General Plan, Land Use Element, as "Urban Area", identified as the "Seeley Urban Area", and there are three (3) types of zones: R-1 (Low Density Residential), R-3 (High Density) and C-1 (Light Commercial).

SURROUNDING LAND USES, ZONING AND GENERAL PLAN DESIGNATIONS:

DIRECTION	CURRENT LAND USE	ZONING	GENERAL PLAN
Project Site	Farmland	R-1, R-3 & C-1	Seeley Urban Area
North	Farmland/Industrial	M-1, M-2	Seeley Urban Area
South	Sunbeam Lake Park	G-S	Seeley Urban Area
East	Vacant	SPA	Seeley Urban Area
West	Farmland	R-1	Seeley Urban Area


STAFF RECOMMENDATION:

Staff recommends that the Planning Commission hold a public hearing, and that you hear all the opponents and proponents of the proposed project. Staff would then recommend that you take the following action:

- 1) Approve Time Extension #21-0012 will extend Tract Map #958 for the sixth and final time extension, subject to the conditions listed under said Tract Map.

PREPARED BY: 
Diana Robinson, Planner III

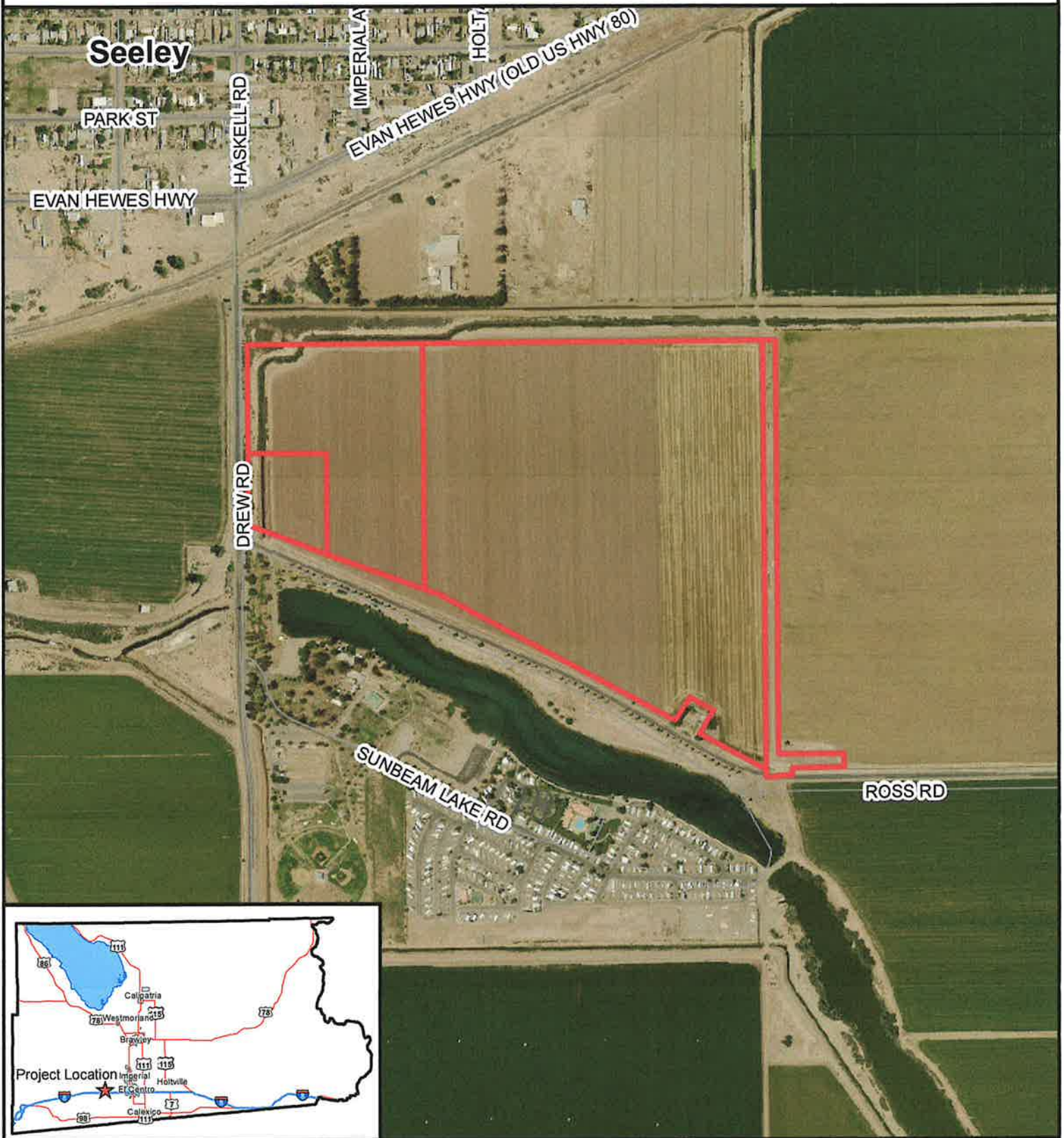
REVIEWED BY: 
Michael Abraham, Assistant Director
Planning & Development Services

APPROVED BY THE DIRECTOR: 
Jim Minnick, Director
Planning & Development Services



- Attachments:
- A. Vicinity Map
 - B. Time Extension Request
 - C. Tract Map #00958 Conditions of Approval
 - D. PC Resolution
 - E. Comment Letter(s)

Attachment A.
Vicinity Map

PROJECT LOCATION MAP



ALPHABET FARMS, LLC
TIME EXTENSION #21-0012
FOR TR#00958
APNs #051-450-011, -012, -013 & -018-000

 Project Parcels
 Centerline



Attachment B.
Time Extension Request

March 12, 2021

VIA OVERNIGHT DELIVERY

Jim Minnick, Director
Imperial County
Planning and Development Services
801 Main Street
El Centro, CA 92243

Re: DH Spring Subdivision – Tract #00958 / APN 051-450-011

Dear Mr. Minnick:

My firm represents Alphabet Farms LLC, which owns the real property that is the subject of the DH Spring Subdivision – Tract #00958. Alphabet Farms is not prepared to file all phases of the tentative tract map before the current deadline of August 16, 2021. Therefore, Alphabet Farms requests a one-year extension of the current deadline to file all phases of the tentative map.

I have enclosed a check in the amount of \$800.00 for the application fee.

Thank you for your assistance with this matter. Should you have any questions or need additional information, please feel free to contact me.

Very truly yours,


BARRY L. GOLDNER

BLG/rsw

cc: Tom Eisenhauer
Jennifer Adams

Attachment C.
Tract Map #00958 Conditions of Approval

Conditions of Approval
for
Sunbeam Lake Estates Tract Map #958 Subdivision
(APN: 051-450-11,12,13 &18-01)

The Developer shall comply with all of the CONDITIONS specified here in, prior to the Tract Map or any portion or phase of the Map being recorded, unless a specific condition herein is deferred, or unless the implementation of the condition's requirement is to be implemented at a later date and is secured with an acceptable surety. The term "Developer" shall mean the current owner(s), or any developer owner (current or future) or any assignee, etc.

GENERAL CONDITIONS

- 1) The Developer shall comply with all local, state and/or federal laws, rules, regulations and/or standards as they may pertain to this project, whether specified herein or not.¹
- 2) The map may be recorded in multiple phases. However, this map and each portion, unit or phase thereof shall fully implement all mitigation measures delineated in the MITIGATED NEGATIVE DECLARATION whether stated therein or not.¹
- 3) To the extent possible, if the subdivision abuts or may abut another Parcel or Tract Map or phase thereof, the final engineering design (s) and Plan (s) may need to be adjusted in order to allow for a better alignment of infrastructure and service systems. To that end, the County of Imperial shall have the authority to order the necessary design changes prior to their installation and the developer shall bear all the costs.¹
- 4) The Developer shall pay any and all amounts as determined by the County of Imperial to defray all costs for the review of reports, field investigations or other activities related to compliance with this project, County Ordinances, and/or any other Laws that may apply to this project. No portion, unit or phase of the Tract Map shall record until all fees (costs) related to this Tract Map are paid in full.¹
- 5) The Developer shall install street lighting with all installation costs borne by the Developer. Street lighting shall be installed to the requirement and standards of the County of Imperial and Imperial Irrigation District.¹
- 6) The Developer shall provide and dedicate to County or as appropriate to another public agency all easements for both the primary infrastructure as well as the non-primary infrastructure before recordation of any portion, unit or phase of the Tract Map.¹
- 7) All "off-site" improvement plans where applicable shall be reviewed and approved by the County of Imperial Department of Public Works, State of California Department of Transportation, IID and Seeley County Water District, prior to any construction. To the extent feasible, the County Standards shall govern. In the

event of a dispute that cannot be resolved by staff, this matter may be brought back to the Planning Commission for resolution. At all times the most restrictive standard(s) shall govern.¹

- 8) The Developer shall submit to the Imperial County Planning and Development Services Department plans/designs showing architectural design of the decorative exterior masonry wall fence to be constructed around the perimeter of the proposed project. The Planning Director shall make a determination and review/approve the plan/design to be implemented. The Developer shall bear all costs.¹
- 9) All proposed parcels shall have premise identification numbers clearly posted on the curb and the residence, per Uniform Fire Code, (latest edition). Premise numbers shall be at least six inches (6") in height and of contrasting color to the background or internally illuminated. The numbers will be assigned by the Planning and Development Services Department however; the Developer shall provide a hard copy map and Digital Autocad map to the Imperial County Planning and Development Services Department showing all lot numbers with premise identification numbers.¹
- 10) All plans, reports, and studies shall be reviewed and approved by the respective responsible agencies prior to recordation of any phase or unit of the Tract Map. All installation of improvements shall be reviewed and inspected by the respective responsible agencies. Unless expressly deferred in these conditions, all conditions are to be satisfied prior to recordation of the Tract Map or any phase thereof.¹
- 11) All improvements required for Phase 1 development and/or any subsequent phases as shown on the Tentative Tract Map shall be constructed, or in lieu thereof, security provided prior to recordation of the Tract Map, and shall be in conformance with the County of Imperial Ordinances.¹
- 12) A final landscape and improvement plan showing all public areas that are to be landscaped shall be provided to the Imperial County Planning and Development Services Department for review and approval prior to issuance of the first building permit. This shall include public areas along Ross Road, Sun Beam Lake, Retention areas, Parks etc. Said plan must include certified cost estimates at prevailing wage for implementation of proposed park amenities and other improvements.¹
- 13) The Sunbeam Lake Park portion of the landscape and improvement plan shall include park amenities to be included in the park but shall not be limited to the following: tot lot/playground, walking/bicycle trails, shades, trees, sitting areas, BBQ tables, minimum three (3) pedestrian improved access from the subdivision to the park, shrubs, grass and other ground cover. Additionally, the Developer shall provide water and sewer connections for possible future community sanitation facilities location. Said facilities shall be determined at the time of development. Public access points shall be designed to prohibit vehicular access except for

emergency access to the park and the park shall comply with American Disability Act (ADA).¹

- 14) The landscape improvements for the retention basin and Sunbeam Lake may be constructed in 1/3 increments with the first 1/3 prior to the 25 building permit being issued, the second prior to the 75 building permit, and the last third 1/3 prior to the 156 building permit.
- 15) Landscape and masonry wall improvements along the realigned Ross Road (north side, south side, and road median) shall be done concurrent with the development of the Road and design shall be reviewed and approved by Planning and Development Services Department.¹
- 16) The Developer has the option to either utilize the standard R-1 (Low Density Residential) Zone setbacks as defined in Imperial County Title 9 (land Use Ordinance), Division 5, Section §90502.06 (a through d), or in accordance with Section §90502.06 (e) "Innovative Option (B), may in exchange for additional open space and community based improvements utilize modified lot and setback requirements. Pursuant to Innovative Option (B) the Developer shall provide a site plan (and modified tentative map if applicable) that provides for additional bicycle paths/walking paths mixed with public open space areas, including parks/playgrounds and/or other INNOVATIVE concepts that support a community atmosphere. The tot lot/play ground would be in addition to the one proposed within the north side of Sunbeam Lake landscape improvement area.

In exchange for the additional open space areas the following allowances may be considered during the site review process, and subsequently approved for the subdivision.

1. Lot size reduction to 5,000 square feet minimum, for 25% of total lots
2. Street width without parking minimum 32 feet curb/curb
3. 0 lot line for side yard on one side only
4. 10 feet front yard setback for lots with 4 car off street parking behind setback
5. 15 feet front yard setback for lots with 3 car off street parking
6. 20 feet front yard setback for 2 car off street parking
7. one way streets
8. alleys (one way)

The site plan shall be reviewed and approved by the Planning and Development Services Department prior to the recordation of the first phased map. The Planning and Service Director shall determine the extent of the allowances as defined under Innovative Option (B). NOTE: As this is strictly at the option of the Developer this condition and its landscaping shall be in addition to other landscaping requirements within these conditions of approval.

- 17) All easements of record must be shown on the Final Tract Map.²
- 18) Developer shall provide for dry & wet public utility easements including power, telecom lines, and others facilities, including dark conduit for and to IVTA standards

- as approved by IVTA. Utility easements shall be on the project site and to sunbeam lake administration facility. These proposed easements shall be approved by the IID and/or other utility agencies/companies prior to map recording. A letter of approval must be provided by the IID or other utility.²
- 19) Developer shall install all conduits, conduit bank lines etc. to provide "anytime" installation of all dry utility (underground) to meet the standard of the service utility including but not limited to telecommunication (such as SBC), cable TV (such as Adelphia), high speed data communication for public agencies (such as IVTA).^{1&2}
 - 20) Developer shall provide engineered and detailed plans of water and sewer line systems for review and approval by the Seeley County Water District, Imperial County Fire Department and the Imperial County Department of Public Works. All necessary water lines, sewer lines and fire flow calculation shall be provided to the appropriate agency or agencies for review and approval. This includes a copy of the water and sewer master plans. All lines shall be sized to meet demand of project and if backbone may be up-sized is deemed necessary by County and Seeley Water District. Reimbursement of up-sized lines may be executed if necessary.^{1&2}
 - 21) Developer shall construct water and sewer lines to grade, location design and size, as approved by the Seeley County Water District and the Imperial County Department of Public Works.²
 - 22) Water and sewer lines inside and outside the subdivision boundary must be within dedicated easement or in public roads.²
 - 23) All solid and hazardous waste shall be disposed off in an approved solid waste disposal site in accordance with existing County, State and Federal regulations. Provisions for residential and/or commercial solid waste collection must be made, including sources reduction programs.²
 - 24) Each parcel created by this map shall abut a maintained public road and/or have legal and physical access to that public road.
 - 25) The Developer shall be responsible for and to, participate in, and commit necessary resources to assure that all infrastructure(s) necessary is installed in the sequence and at the time required. The Developer shall be responsible for coordination of such installation.^{1&2}
 - 26) Prior to recordation of each unit or phase of the Tract Map, a written agreement(s) for provision of water and sewer services to the proposed project shall be secured by the Developer from Seeley County Water District and such agreement(s) shall be provided to the Imperial County Planning and Development Services Department. The Imperial County shall not record any phase of this development until Seeley

County Water District provides (through its licensed Engineer) certification that water and sewer services and capacity for said project is available and committed.¹

- 27) Prior to the sale (recordation) of the first residential unit a Community Facilities District (CFD) for the proposed project shall be established by and between the developer and County of Imperial to identify ways to maintain the project's proposed recurring infrastructure such as parks, lighting, roads, etc in accordance with State regulations. The CFD may also be developed to bond for implementation of some of the initial infrastructure improvements. It shall be the developer's responsibility to ensure that CFD is established and implemented.¹
- 28) A quantifiable assessment of the current level of services for the community via a fiscal impact analysis (reviewing impacts to County General Fund, Fire, Sheriff, library etc) has been prepared to determine the extent of the project's impacts. In addition to typical building permit fees, prior to recordation of any phase or unit of the Tract Map the Developer shall provide necessary offsets as approved by the County to mitigate significant adverse impacts.
- 29) Before any earth moving on site, the Developer shall implement mitigation measures contained in the revised Air Quality Impact Analysis Report page 3-6 through page 3-8 and mitigation measures contained the Imperial County Air Pollution Control District's (APCD) CEQA Air Quality Handbook" page 13 through 18 to the satisfaction of APCD and address PM-10 in accordance with APCD rules and regulations. The Developer shall meet Local, State and Federal air pollution emission standards (also see Mitigation Measure Conditions below).
- 30) Prior to commencement of the project's site grading, the Developer shall perform a follow-up Burrowing Owl study on site including the proposed drainage areas. It shall be the developer's responsibility to ensure that the Burrowing Owl study is submitted and approved by California Department of Fish and Game and US Fish and Wildlife Services. Said approval shall be submitted to Imperial County Planning and Development Services Department prior to grading of the project site (also see Mitigation Measure Conditions below).
- 31) The Developer shall contribute an additional school impact fee over the already established level one development impact fees. The fees will help in expansion of the existing school facilities for short-term relief and possible partial funding for a new school site. The fees will be established on a fair share basis with input from the Developer, Seeley Union School District, other applicable School District(s) and the County of Imperial before issuance of the first building permit.
- 32) The Developer shall prepare a Phase 1 Assessment pursuant to the regulations set fourth by the Department of Toxic Substances Control.⁸
- 33) Prior to grading and/or earth movement at the project site, the Developer shall contact the Imperial Valley Museum or other applicable California Historical

Resources Information Center for a record search to determine whether or not the project site has any cultural resources, has had a cultural resources survey done or needs to prepare one.⁹

- a) In the event that the above cultural resources agency requires an Archeological Inventory Survey. The survey shall include both a records search and field survey and will be submitted for review to the requesting agency or agencies and the Native American Heritage Commission. The final report shall be submitted within three (3) months after survey work has been completed to the above mentioned agencies and the Imperial County Planning & Development Services Department. The report shall include any and all site forms, site significance, and mitigation measures. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure.⁹
 - b) In the event that subsurface cultural resources are discovered during the grading and/or earth movement phase of the development, pursuant to California Environmental Quality Act (CEQA), Section 15064.5(f) the Developer shall cease all grading and/or earth movement and contact a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources to review and monitor all ground-disturbing activities in accordance with Health and Safety Code, Section 7050.5, CEQA, Section 15064.5 (e), and Public Resources Code, Section 5097.98.⁹
- 34) Prior to the recordation of each phase the Developer shall provide plan(s), for review and approval to Department of California Highway Patrol, El Centro Area Offices. The review will be with regards to road improvements, traffic congestion, and traffic safety.¹⁰

TRAFFIC AND ROAD RELATED CONDITIONS

- 35) All cul-de sac(s) at the end of street(s) shall have a paved surface for fire and emergency vehicle turn around as approved by the County Fire Department by letter. At a minimum this requires sixty (60) foot radius to face of curb. Parking may be allowed in the cul-de-sac upon approval from the County.²
- 36) An encroachment permit shall be secured from the Department of Public Works for any and all new, altered or unauthorized existing driveways, alterations to public roads and/or connections to public roads that may be necessary to access the lots. Entrance improvements shall meet the appropriate agency's standards, requirement, and/or approvals. A permit must also be issued to include any work within the County road right-of-way such as underground and overhead dry and wet utilities and road infrastructures. All improvements subject to a County encroachment Permit shall be subject to review and approval by the Director of Public Works. All conditions of the Encroachment Permit shall supercede those

- shown on the approved plans and specification if determined more stringent as determined by the Director of Public Works.²
- 37) All rights-of-ways are to be cleared of any surface and subsurface structures. Tile lines within right-of-way running parallel with and within ten (10) feet of utilities must be removed, relocated, and plugged at the right-of-way line.²
- 38) Developer shall bear the cost for road name signs, regulatory and stop signs. Signs are to be constructed and installed by Imperial County Public Works Department unless otherwise agreed to by the County and Developer. All costs incurred by County Public Works shall be billed to the subdivider. All signs should be provided as per the latest edition of the Manual on Uniform Traffic Control Devices.²
- 39) The minimum structural sections for interior streets shall be 3 inches asphalt concrete over 9 inches of class 2 Aggregate Base for roads classification as Local, 4 inches of asphalt concrete over 12 inches of class 2 Aggregate Base for roads classified as industrial, commercial, Collector, or greater. These road sections are the minimum unless a project soils report, based on the highest Traffic Index (TI), expected to occur during a 20-year period following construction indicates a thicker section is required. The TI value must be approved by the Director of Public Works. For Ross Road a minimum of 4 on 12 will be required.
- 40) A full final seal coat must be installed in order to protect the integrity of the surfacing at construction. This shall be installed at the end of the project and cover all on site needs. The Developer shall seal coat (or bond for) Ross Road within 5 years from the construction of Ross Road has been completed.^{1&2}
- 41) Developer shall pay to the County Public Works Department or bond for one future application of seal coat, necessary striping. Such funds shall be held in an interest bearing trust.^{1&2}
- 42) The Developer shall install fire hydrants and fire protection systems to plan and specifications approved by the County Public Works Department, the Imperial County Fire Department, the Seeley County Water District and the Uniform Fire Code with costs borne by the Developer.²
- 43) Concrete curbs and gutter shall be contiguous to sidewalks and shall meet current County Standards at time of acceptance.²
- 44) The alignment of G Place must meet a truck turning radius requirements (minimum 60') for emergency vehicle access.²
- 45) The Ross Road realignment must be designed for 55 mph traffic speed in accordance with County standards. A meandering sidewalk shall be provided along

- one side of realigned Ross Road to be approved by the Director of Public Works and conform to applicable ADA standards.²
- 46) Realigned Ross Road shall be designed and constructed to Minor Arterial (102 feet Right of way) standards with a class 2 bicycle lane along the south side to Drew Road. A design including landscape, masonry walls shall be submitted to Planning and Development Services Department for review and approval prior to recordation of Phase I (Also see Conditions #12 and #13).^{1&2}
- 47) All proposed roads intersecting with Ross Road shall be designed and constructed to Minor Collector (70 foot right of way) standards minimum. All interior roads that serve as collectors shall also be designed and constructed to Minor Collector standards.²
- 48) The developer shall provide a fair share cost estimated to be 20% for a class 2 bicycle lane along the eastside of Drew Road from Ross Road north to Evan Hewes.^{1&2}
- 49) A northbound right turn lane shall be provided along Drew Road at the new Ross Road, intersection for Phase I of this project.²
- 50) Any right or left turn lanes shall be designed and constructed to current County design guidelines and standards. Minimum County road design speed is 55 mph unless otherwise accepted by the Director of Public Works.²
- 51) At Phase I of this project, the developer shall design and construct the traffic signal at Ross Road and Drew Road. Reimbursement to developer of costs in excess of fair share estimate to be 25% of total cost shall be by other nearby future private development projects. County will administer a reimbursement program. In the alternative developer may install the full signal at developers sole expense. Under this option developer shall not have to pay a pro-rated share for Ross Road and Forrester Road, nor for Condition #52 & #60.^{1&2} (Bold shows textual correction done 12/16/05)
- 52) At Phase I of this project, the developer shall design and construct the traffic signal and necessary intersection improvements at Ross Road and Forrester Road. Reimbursement to developer of costs in excess of fair share shall be by other nearby future private development projects. County will administer a reimbursement program.²
- 53) The project Fair share percentages as outlined in the project Traffic Study shall be subject to review and approval by the Director of Public Works. Should the Director of Public Works impose higher fair share percentages, it shall be considered binding. Formal acceptance of the Traffic Study shall be made in writing by the Director of Public Works.²

- 54) All road rights of way shall be provided for the appropriate road classifications and/or improvements being placed or installed within project boundaries. All road classification requirements shall be approved by the Director of Public Works.²
- 55) Proposed bicycle lanes, parking or median curbs may also necessitate wider paved widths, and the developer shall be responsible for providing necessary right of way improvements.²
- 56) Developer shall provide a complete Soils Report for each phase map or portion thereof.²
- 57) Full road improvements shall be provided with Final Map. All plans shall be reviewed and approved by the Imperial County Public Works Department and meet the most current County Standards and Design Guidelines manual.²
- 58) All minimum mitigation measures and recommendations outlined in the Project Traffic Study shall be addressed by the Developer . Additionally, required improvements as required by the Director of Public Works shall be implemented.²
- 59) Off-street parking shall be subject to Title 9 standards and guidelines.²
- 60) Any impacts to Interstate 8 must be reviewed and approved by Caltrans.^{2&3}
- a) The Developer maybe required to widen the westbound off-ramp at Inter State 8 and Drew Road for right channelization of the exit ramp in order to accommodate the additional traffic.³
 - b) The Developer may be required to contribute a fair share to install signals at State facilities when warranted and determined by Caltrans.³
 - c) The Developer is responsible for quantifying the environmental impacts of the improvements (project level analysis) and completing all appropriate mitigation measures for the impacts. The indirect effects of any mitigation within Caltrans right of way must also be addressed. The developer will also be responsible for procuring any necessary permits or approvals from the regulatory and resource agencies for the improvements.³
 - d) Any work performed within Caltrans' right of way will require an encroachment permit. For those portions of the project within the Caltrans' right of way permit application must be stated in both English and Metric units (Metric first, with English in parentheses).³

(Note) See Exception under #51. (The Bold shows numerical correction done 12/16/05)

DRAINAGE AND GRADING CONDITIONS

- 61) The Developer shall provide a Grading and Drainage Plan and engineering to provide for property grading and erosion control, which shall also include prevention of sedimentation or damage to off-site properties (and storm water retention for a 100-year storm event). The Plan shall be submitted to Planning & Development Services Department and the Department of Public works for review and approval and the Developer shall implement the approved plan. Employment of the appropriate storm water Best Management Practices (BMP's) shall be included.²
- 62) The project will require a National Pollutant Discharge Elimination System (NPDES) permit and notice of intent (NOI) from the Regional Water Quality Control Board (RWQCB) prior to County approval of onsite grading plans.²
- 63) All public improvement Plans and Grading and Drainage Plans shall be reviewed and approved by the Department of Public Works prior to construction by the developer. All public improvements must meet the most current County Department of Public Works design guidelines and standards prior to approval.²
- 64) The developer shall provide to the Imperial County Public Works Department, a written verification from Imperial Irrigation District, if applicable, that they will accept drainage from the subdivision.²
- 65) The developer must provide for an approved storm water management system with outlet to another acceptable outlet source. The project has four options for meeting the storm water retention requirements of this Subdivision:¹⁸²
 - a) Develop an off-site retention basin on Imperial Irrigation District owned land located west of Drew Road. This will require Imperial Irrigation District approval, and must be reviewed and approved by the Planning and Development Services Department.
 - b) Develop an on-site linear retention basin over the exiting Imperial Irrigation District Drain located along the northern and western edge of the project site. This will require the piping and undergrounding of the existing drain, then constructing a series of shallow retention areas coupled with appropriate landscaping and open space improvements. This will require Imperial Irrigation District approval and Planning and Development Services Department approval.
 - c) Utilization of the existing off-site Sunbeam Lake Lagoon facility. Pursuant to Mitigation Measure # 2 (b) this option will require a modified Biological Resource Analysis covering the (off-site) drainage areas. Said analysis at a minimum shall include an inventory of flora and fauna along with analysis of potential impacts caused by the addition of the project's storm water into the facility or facilities.

Developer shall implement at their sole cost, any and all mitigations of potential adverse impacts resulting from the study. Additionally, Developer shall at their sole cost provide all necessary improvements (i.e. storm water filtration facilities, lagoon capacity improvements, etc.) (also see Mitigation Measure Conditions below). This shall first be reviewed and approved by the Planning and Development Services Department.

- d) Develop a centralized on-site retention basin/park which shall first be reviewed and approved by the Planning and Development Services Department.

The four above storm water retention basin options will have corresponding landscaping improvement adjustments (excluding Ross Road landscaping and individual lot requirements which are fixed):

- a) Off-site IID land retention basin 100% landscaping improvements along the north side of Sunbeam Lake. Note: IID may require additional improvements on retention basin land.
 - b) On-site linear retention basin 50% landscaping improvements within linear retention basin and 50% landscaping improvements along the north side of Sunbeam Lake.
 - c) Off-site Sunbeam Lake Lagoon retention basin 100% landscaping improvements along the north side of Sunbeam Lake. Note: Utilization of Lagoon may require additional improvements in order to accommodate retention basin needs.
 - d) On-site central retention basin 70% landscaping improvements within linear retention basin and 30% landscaping improvements along the north side of Sunbeam Lake.
- 66) Due to the various drainage options denoted in Condition #66 above, the total number of single family residential lots may vary from 380 to 403 lots +/- 2%.
- 67) The Developer shall construct a minimum of 125% of the required retention volume required for each proposed phase until the last proposed phase which must be constructed to 100% of the total required volume.²
- 68) The retention basin shall be fully landscaped (to the approved landscape plan) at 50% of construction of basin and at completion of the basin. The landscape shall be maintained by the developer until responsibility is assumed by County of Imperial or applicable entity.
- 69) Retention basin and all drainage appurtenances, including inlet and out let structures, storm drains, etc are to be installed by the developer and maintenance until maintenance is assumed by the County or other agency.^{1&2}

- 70) Developer shall fence the retention area and include irrigation system, landscaping and light per agreement with and to the requirements of appropriate agency or agencies, if applicable.
- 71) All drainage structures designs must be reviewed and approved by the Department of Public Works prior to construction.²
- 72) All habitable structures must be constructed above 100-year storm flood level. All pads elevation and 100-year storm level must be shown on the Final Tract Map Improvements prior to recordation of the First Phase Final Map. ²
- 73) All grading, and retention basin design shall meet minimum standards within the latest County Design Guidelines Manual. ²
- 74) The County is implementing a storm water quality program as required by the State Resources Control Board, which may modify or add to the requirements and guidelines presented else where in this document. This can include on-going monitoring of water quality of storm drain run-off, implementation of Best Management Practices (BMP's) to reduce storm quality impacts down stream or along adjacent properties. The developer shall comply with all required storm water provisions as directed or as approved by Public Works Department. ²
- 75) No cross gutter shall be installed in County road right-of-way(s). Storm drains shall be designed to minimize surface drainage. ²

MITIGATION MEASURE CONDITIONS:

- 76) Mitigation Measure #1: Before any earth moving on-site, the applicant/developer shall implement mitigation measures contained in the revised Air Quality Impact Analysis Report page 3-6 through page 3-8 prepared for the proposed project by Roma Environmental (see attached report dated February 22, 2005). Additionally, the applicant/developer shall implement mitigation measures contained in the Imperial County Air Pollution Control District "CEQA AIR QUALIRITY HANDBOOK" page13 through 18 and address PM-10 in accordance with Imperial County Air Pollution Control District (ICAPCD) Rules and regulations. The development shall also meet all Local, State and Federal Air pollution emissions standards, with such mitigation measures incorporated into the proposed project, significant air quality impacts will be reduced to less than significant and all Mitigation Measures shall be incorporated into the conditions of approval.
- 77) Mitigation Measure #2 (a): Project with on-site retention basin: Prior to commencement of project's site grading, the Developer shall perform a follow-up Borrowing Owl study on site including the proposed drainage areas, which must be consistent with California Department of Fish and Game (CDFG) and US Fish And Wildlife Services regulations.

Mitigation Measure #2 (b): Project's storm water drainage system alternative: (Off-site Storm Water Drainage System). If the project opts to utilize an off-site storm water drainage system such as sunbeam lake lagoon or other similar facilities, prior to Planning Commission's public hearing, the developer shall provide a modified Biological Resource Analysis covering the off-site drainage areas. Said analysis at a minimum shall include a complete inventory of flora and fauna along with analysis of potential impacts caused by the addition of the project's storm water into the facility or facilities. If potential adverse impacts are identified, the Developer shall put in place mitigation measures to minimize such potential adverse impacts to less than significant to the satisfaction of California Department of Fish and Game (CDFG) and US Fish And Wildlife Services. Said Biological resource analysis shall be submitted for review and approval to both CDFG and US Fish And Wildlife Services for review and approval. Such approval shall be provided to the Imperial County Planning and Development Services Department before Imperial County Planning Commission's Action. (Whether the study indicate existence of biological resources or not, the study shall be submitted to the above mentioned agencies for review and approval)

- 78) Mitigation Measure #3: Ground improvement mitigation methods: The project design shall incorporate vibro-compaction, vibro-replacement, stone columns, compaction grouting and deep dynamic compaction. Structural mitigation shall include: deep pile foundations bearing on non-liquefiable materials, or special shallow foundations. "Special Foundations" post-tensioned (P-T), flat plate structural mats, grade-beam reinforced foundations or other stiffened foundation-slab designs such as rafts or mats. Spread risk mitigation measures shall include: designate a structural setback zone away from the lakeshore, restrain the upper non-liquefiable soils by engineered structures (sheet-pile walls, caissons, auger-cast piles, driven piles, or other means) that will limit horizontal translation. Soil excavation, blending, and compaction to form dense or stiff engineered fill shall be implemented and are ultimately expected to mitigate compressible and disturbed materials and create satisfactory support for structural foundations, walls, and street improvements. The proposed site structures shall also be designed in accordance with California Building Code, which requires developments to incorporate the most stringent earthquake resistant measures. The developer shall be required to provide grading plan and implement Best Management Practices (BMPs), grading plan shall be approved by Imperial County Public Works Department and the site shall be landscaped pursuant to Imperial County Land Use Ordinance. With the incorporation of proposed mitigation measures into the project, significant impacts will be reduced to less than significant and mitigation measures will be incorporated into conditions of Tract Map approval.
- 79) Mitigation Measure #4: The developer will be required to implement the attached Storm Water Pollution Prevention Plan (SWPPP) and implement Best Management Practices (BMPs) (see attached). The developer will also provide grading and drainage plans approved by Imperial County Public Works Department and the Imperial Irrigation District (IID). The plan will identify how the drainage patterns including IID drainage systems will be designed to prevent run off that would

damage on and off site properties, implementation of plans will bring the significant storm water significant impacts to less than significant.

- 80) Mitigation Measure #5: The project design shall incorporate wood framing, exterior stucco, or wood sheathing, interior dry wall or plaster, sliding glass windows and windows partially closed, fixed ¼ inch plate glass windows, steel or concrete framing and the applicant shall construct a decorative masonry exterior noise resistant wall around the proposed project. The project shall comply with the local, State and Federal regulations regarding noise mitigation standards. Additionally noise attenuation structure around the perimeter of the project shall be constructed to mitigate noise impacts from adjacent farming and commercial operations.
- 81) Mitigation Measure #6: In addition to typical building-permit fees, a quantifiable assessment of the current level of services for the community via a fiscal impact analysis (reviewing impacts to the County's General Fund, Fire fund, sheriff, Library etc) shall be prepared to determine the extent of the project's impacts. In the event that impacts are determined, the developer shall provide appropriate offsets to mitigate significant adverse impacts to less than significant.

A Community Facilities District (CFD) for the project will be established by and between the Developer and County of Imperial to identify ways to maintain the project's proposed recurring infrastructure such as parks, lighting, roads etc in accordance with State regulations. The CFD may also be developed to bond for implementation of some of the initial infrastructure improvements.

- 82) Mitigation Measure #7 (Mitigation Measure #6 above will also apply): The proposed project would have severe adverse impacts to the already impacted Seeley Union School District due to the existing overcrowding condition at the Seeley School. An additional school impact fee shall be assessed on this project. This additional offset impact fee shall be on top of the School District's already established development impact fees. The fees will help in expansion of the existing school facilities for short-term relief and possible partial funding for a new second school site. The fees will be established on a fair share basis with input of the Developer, Seeley Union School District and the County of Imperial before issuance of the first building permit. With such mitigation measures in place, significant adverse impacts will be reduced to less than significant.
- 83) Mitigation Measure #8: Mitigation measures contained in the Traffic Impact Study as approved by the Imperial County Department of Public Works (see attached Traffic Study page 8-1 through 12-1) shall apply. With implementation of recommended mitigation measures in the Traffic Impact Study, significant traffic impacts will be reduced to less than significant. Imperial County Public Works Department in coordination with Planning and Development Services Department shall monitor implementation of mitigation measures and mitigation measures shall be incorporated into the project's conditions of approval.

Sunbeam Lake
Estates Subdivision
Conditions of Approval

- 84) The existing fence and the gate at Bobby and Mary Locke's property shall be relocated to the proposed physical access location of said property concurrently with implementation of Relocated Ross Road (*added by the Board of Supervisors on 6-28-2005*).¹

-
- 1 Planning Conditions
 - 2 Public Works Conditions
 - 3 Caltrans Conditions
 - 4 County Fire Department/CES
 - 5 Ag/APCD
 - 6 Environmental Health Services
 - 7 Imperial Irrigation District
 - 8 DTSC Letter Dated April 28, 2005
 - 9 Native American Heritage Commission Letter Dated May 10, 2005
 - 10 California Highway Patrol Letter Dated January 7, 2005

JMGAS:AFN 051-450-11 TR MAP#958 CONDITIONS 5-31-05 (with 12-16-05 correction).doc

Attachment D.
PC Resolution

RESOLUTION No. 2020-

A RESOLUTION OF THE PLANNING COMMISSION OF THE COUNTY OF IMPERIAL APPROVING TIME EXTENSION #21-0012 FOR TRACT MAP #00958

WHEREAS, an Request for Time Extension #21-0012 was filed by Alphabet Farms, LLC for the final one-year time extension for Tract Map #00958; and,

WHEREAS, on August 16, 2005 the Board of Supervisors approved Tentative Tract Map #00958; and

WHEREAS, Assembly Bill (AB) 1185 (adding Government Code Section 66452.6(e)) was enacted on October 10, 2015, extended the discretionary time extension from five years to six years; and

WHEREAS, pursuant to Government Code Section 66452.6(e), Time Extension #21-0012 qualifies for the 1-year statutory extension; and

WHEREAS, the Planning Commission has considered evidence presented by the Imperial County Planning and Development Services Department and has heard, received and considered all oral and written protests, objections and evidence presented by interested parties at a public hearing held with respect to this item on June 9, 2021; and

NOW, THEREFORE, based on the above findings, the Imperial County Planning Commission **DOES HEREBY APPROVE** Time Extension #21-0012 for the final one-year extension under Government Code Section 66452.6(e), subject to the conditions listed under Tract Map #00958.

Rudy Schaffner, Chairman
Imperial County Planning Commission

I hereby certify that the preceding resolution was taken by the Planning Commission at a meeting conducted on June 9, 2021 by the following vote:

AYES:
CONF. CALL:
NOES:
ABSENT:

ATTEST:

Jim Minnick
Director of Planning & Development Services
Secretary to the Planning Commission

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Attachment E.
Comment Letters



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May 20, 2021

Ms. Diana Robinson
Planner III
Planning & Development Services Department
County of Imperial
801 Main Street
El Centro, CA 92243

SUBJECT: Time Extension #21-0012 for Tract Map No. 958 (Alphabet Farms)

Dear Ms. Robinson:

On May 19, 2021, the Imperial Irrigation District received from the Imperial County Planning & Development Services Department, a request for agency comments on Time Extension application no. 21-0021 for Tract Map no. 958. The applicant, Barry L. Goldner on behalf of Alphabet Farms, LLC, is requesting a final one-year time extension for Tentative Tract Map no. 00958. The land in question is located at 1700 W. Ross Road in Seeley, California (APN 051-450-011-000).

The IID has reviewed the project information and found that the comments provided in the June 2, 2020 district letter (see attached letter) continue to apply.

Should you have any questions, please do not hesitate to contact me at 760-482-3609 or at dvargas@iid.com. Thank you for the opportunity to comment on this matter.

Respectfully,

Donald Vargas
Compliance Administrator II

RECEIVED

MAY 20 2021

IMPERIAL COUNTY

PLANNING & DEVELOPMENT SERVICES

Mike Pacheco – Manager, Water Dept.
Marilyn Del Bosque Gilbert – Manager, Energy Dept.
Constance Bergmark – Mgr. of Planning & Eng./Chief Elect. Engineer, Energy Dept.
Enrique De Leon – Asst. Mgr., Energy Dept., Distr., Planning, Eng. & Customer Service
Janile Asbury – Assoc. General Counsel
Vance Taylor – Asst. General Counsel
Michael P. Kemp – Superintendent, Regulatory & Environmental Compliance
Laura Cervantes – Supervisor, Real Estate



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June 2, 2020

Mr. Joe Hernandez
Planner IV
Planning & Development Services Department
County of Imperial
801 Main Street
El Centro, CA 92243

SUBJECT: Time Extension #20-0020 for Tract Map No. 00958 (Alphabet Farms)

Dear Mr. Hernandez:

On May 20, 2020, the Imperial Irrigation District received from the Imperial County Planning & Development Services Department, a request for agency comments on Time Extension application no. 20-0020 for Tract Map no. 00958. The applicant, Alphabet Farms, is requesting a 12-month extension for processing Tentative Tract Map no. 00958. The land in question is located at 1700 Ross Road in Seeley, California (APNs 051-450-011-000, -012-000 and -013-000).

The IID has reviewed the application and has the following comments related to Tentative Tract Map no. 00958:

1. The applicant may not use IID's canal or drain banks to access the project site. Any abandonment of easements or facilities will be approved by IID based on systems (irrigation, drainage, power, etc.) needs.
2. Fences should be installed at the boundary of IID's right of way for safety and to allow access for IID operation and maintenance activities. The project's fencing plan should address IID's right of way.
3. To insure there are no impacts to IID water facilities, the applicant should submit the project's design and fencing plans to IID Water Department Engineering Services Section prior to final design. The IID WDES Section can be contacted at (760) 339-9265 for additional information.
4. Any construction or operation on IID property or within its existing and proposed right of way or easements including but not limited to: surface improvements such as proposed new streets, driveways, parking lots, landscape; and all water, sewer, storm water, or any other above ground or underground utilities; will require an encroachment permit, or encroachment agreement (depending on the circumstances). A copy of the IID encroachment permit application and instructions for its completion are available at <http://www.iid.com/departments/real-estate>. The IID Real Estate Section should be contacted at (760) 339-9239 for additional information regarding encroachment permits or agreements. No foundations or buildings will be allowed within IID's right of way.

Joe Hernandez

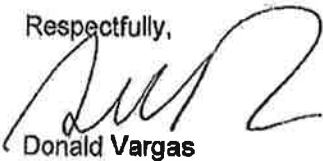
June 2, 2020

Page 2

5. In addition to IID's recorded easements, IID claims, at a minimum, a prescriptive right of way to the toe of slope of all existing canals and drains. Where space is limited and depending upon the specifics of adjacent modifications, the IID may claim additional secondary easements/prescriptive rights of ways to ensure operation and maintenance of IID's facilities can be maintained and are not impacted and if impacted mitigated. Thus, IID should be consulted prior to the installation of any facilities adjacent to IID's facilities. Certain conditions may be placed on adjacent facilities to mitigate or avoid impacts to IID's facilities.
6. Any new, relocated, modified or reconstructed IID facilities required for and by the project (which can include but is not limited to electrical utility substations, electrical transmission and distribution lines, etc.) need to be included as part of the project's CEQA and/or NEPA documentation, environmental impact analysis and mitigation. Failure to do so will result in postponement of any construction and/or modification of IID facilities until such time as the environmental documentation is amended and environmental impacts are fully analyzed. Any and all mitigation necessary as a result of the construction, relocation and/or upgrade of IID facilities is the responsibility of the project proponent.

Should you have any questions, please do not hesitate to contact me at 760-482-3609 or at dvgargas@iid.com. Thank you for the opportunity to comment on this matter.

Respectfully,



Donald Vargas
Compliance Administrator II

Enrique B. Martinez – General Manager
Mike Pacheco – Manager, Water Dept.
Marilyn Dal Bosque Gilbert – Manager, Energy Dept.
Sandra Blain – Deputy Manager, Energy Dept.,
Jesus Martinez – Engineer Principal, Energy Dept., Transmission Planning
Jamie Asbury – Asst. General Counsel
Vance Taylor – Asst. General Counsel
Robert Laurie – Outside Counsel
Michael P. Kemp – Superintendent, Regulatory & Environmental Compliance
Laura Cervantes. – Supervisor, Real Estate
Jessica Humes – Environmental Project Mgr. Sr., Water Dep