

NILAND URBAN AREA PLAN

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Approved By:

Board of Supervisors

TRACKING SHEET

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NOTE: For the Most Current Zoning Designations, Please see Imperial County Land Use Ordinance (Title 9) Division 5.

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I. INTRODUCTION

A. Preface

The Ultimate Land Use Plan, approved, on June 25, 1973, superseded and cancelled the Land Use Element adopted on April 26, 1969. In turn, the recently adopted General Plan has superseded the 1973 Ultimate Land Use Plan which had two land use designations for the "Urban" area. The number of acres designated "Urban" in 1973 totaled approximately 1,131 acres. The number of acres placed in "Rural Residential" designation was 3,392 acres at a density of one dwelling unit per one-half acre.

The 1973 plan indicated that the Niland area was designated for significant growth. "The Rural Residential Land Use (was) normally allowed outside of urban categories. This classification (was) designed to allow construction of residences in rural settings. Heavy industry areas are deemed to be best suited for manufacturing type activities include areas not suited for agriculture... These heavy industry areas should be zoned for manufacturing. However, pending the availability of substantial industry, other less intensive land uses shall be deemed consistent with these classifications...".

The 1973 plan's purpose was to "...show in a very general way the best uses that could be made of all the land within the County, without necessarily projecting when or how a particular use will come into being. It is a statement of the land use that is desired now and could exist at some time in the future, within the provisions of current Federal and State law. The Ultimate Land Use Plan will be used as a basis for preparation and adoption of the Current Land Use Plan. Current Land Use Plans will be based on and help implement this plan are to be prepared. These Plans will cover smaller areas of the county and will show the best desired land use of smaller parcels of land than possible in this plan...".

There were a number of current Land Use Plans prepared after the 1973 Ultimate Land Use Plan was adopted by the Board of Supervisors; a total of nine were completed. However, no Current Land Use Plan was prepared for the Niland area.

B. Purpose

The purpose of the Niland Urban Area Plan is to implement the Land Use Element of the revised General Plan and to identify the goals, standards, and policies for the area that will guide the physical growth of Niland, including the necessary public facilities, to support such growth. The Land Use Element of the Imperial County General Plan (adopted November 9, 1993) designates the townsite of Niland as an "Urban Area" with approximately 1,290 acres surrounding the townsite. Urban Areas are characterized by a full level of urban services, in particular public water and sewer systems, and contain a broad range of residential, commercial, and industrial uses.

This plan is incorporated into the Land Use Element of the County General Plan and is intended to guide the land use decisions for the townsite and the area surrounding Niland and the area is illustrated on Figure 1 and Figure 2. It shall have the full force and effect that the County General Plan as authorized and required by Section 65300 et. seq. of the California Government Code.

In order to protect existing land uses and future property rights and investments, the dominate existing land uses will dictate the overlay of land use designations and for future zone implementation. The Land Use Element, Urban Area Policy, states that "...existing County zoning regulations and agricultural, commercial, and industrial zones enable residential development which conflicts with planned uses envisioned by the General Plan and results in land use conflicts and loss of potential County fiscal benefits from land zoned for commercial or industrial uses...County zoning maps shall be amended to the Urban Area designation; and the County Zoning Ordinance shall be amended to prohibit residential as a principal use in commercial and industrial zones..."

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II. BACKGROUND

A. Location and Setting

Niland is located in the northern half of the Imperial Valley at approximately 146 feet below sea level and east of the Salton Sea on State Highway 111. The unincorporated area is bounded on the west by Nieto Road, on the north by the railroad tracks, and the north line of which is approximately 1,000 feet north of Beal Road, on the east by the extensions of Cuff Road and Memphis Avenue, and on the south by the Noffsinger and Alcott Roads.

The Niland Urban Area Plan is the only townsite in the Imperial Valley that is located directly adjacent to the Southern Pacific Railroad line. In 1877, the railroad was built from Los Angeles to Yuma and at that time Niland was a whistle stop call "Old Beach" and gave visitors from the east their first glimpse of Imperial Valley. In 1906, the Imperial Valley spur line was built south called the "Dinkey Line" and the new name of "Imperial Junction" was given to Niland.

The initial township was founded by Ed Welch and William Olcott who purchased the original tract of 160 acres using government scrip. In March 1914, the townsite was established with the current "Niland" which was in reference to the Valley of the Nile and the fertility of the land surrounding the townsite. From 1914 to 1925, roads and laterals for irrigation had to be put in and once water was available agriculture activities commenced. In January 1932, the first well for carbon dioxide, known as "dri-ice" was drilled southwest of Niland by Imperial Products Corporation on 840 acres near the Salton Sea. The use of the "dri-ice" in Niland was used for the shipment of vegetables to market and developed into a large enterprise through the efforts of the late Carl Einhart lasting until refrigerated trucking was developed.

For many years during the winter, the primary crop was the "tomato" and other crops such as grains, alfalfa, squash (many varieties), okra, sweet peas, to name a few. In 1940, the Niland Tomato Festival was begun and is the oldest festival of its kind in the county. Currently, it is called the "Niland Tomato and Sportsman Festival". In 1966, a permanent building and site for the festival was built on 10 acres west of State Highway 111 and the Niland Elementary School.

However, in the 50's when the federal government cut the tariff on imported tomatoes from Mexico (which was unsuccessfully fought by Valley farmers) local farmers could not compete and many went out of business. This ended a very prosperous era for many local farmers in the area. Today, agriculture is the dominate land use in the area around Niland with aquaculture (fish farming) also becoming important as well as expanded employment opportunities in the nearby State Prison, increasing recreational/tourist trade, geothermal facilities, and supporting services for the above. The area is surrounded by land zoned/used for agriculture with a "Geothermal Overlay Zone" on lands one-half mile to the south west and north of the townsite.

One of the unique features of the area is the so-called "Slabs", a 640-site approximately four miles east of the townsite where for years between one and five thousand recreational vehicles, mostly from out of state, would park and spend the winter. There are a number of residents who remain at the Slabs throughout the

year. The Slabs is owned by the State Teachers Retirement Association and the State Land Commission had in the past a number of bids by prospective purchasers.

B. Population

In 1970, the population census looked at the number of residents at 681 with this number increasing to 1,042 in the 1980 census and in the last census in 1990 the population had increased to 1,183.

In 1991/1992, a survey of the townsite was done by the Imperial County Economic and Development Department through a consultant, Laurin Associates, who was hired to do the survey. Of those responding to the written survey, two-person households account for 40% of all the households surveyed with 10% containing five or more persons. The Laurin Associates survey also indicated that 11% received 100% of their income from farm labor. This indicates that only a fraction of the population earned their entire living from agriculture. The survey does not indicate the total number of those working in agriculture for part of their income.

C. Local Economy

Land use within the townsite boundaries is primarily residential with a majority of the commercial activities existing along State Highway 111 which consists of a gas station, Chamber of Commerce/Community building (which include the swap meet area), grocery stores, restaurants, a bar, 3 grocery stores, motel, and a mobile home park. Community/private facilities include a post office, the Niland Fire Department, Niland Community Building, churches, Woman's Club, Chamber of Commerce building, North Shore Motel, five restaurants, County Sheriff's Substation, Niland Sanitation District, Grace Smith Elementary School, five R.V./Mobile home parks, and a new medical clinic (Clinicas de Salud del Pueblo).

Niland's economy is primarily based, and will be in the foreseeable future, on employment in various areas such as agriculture, the State Prison, geothermal, recreational/tourist, and supporting service enterprises for highway travelers and seasonal visitors to the area. In the event there is another prison built or another geothermal power plant, the economic picture may improve for local residents in the area.

D. Water/Sewer/Utilities/Public Facilities

A private corporation wholly-owned by stockholders, Southern California Water Company, supplies potable water to both Niland and Calipatria. The water for Niland is from the East Highline Canal (gates 45 and 46). The water treatment plant is a series of storage and settling ponds and water flows to the townsite of Niland from a gravity flow system. The pumping capacity for potable water for Niland is estimated at 1.152 million gallons with a storage capacity of 150,000 gallons. The cost for water is \$1.23 per month for 748 gallons (per meter) with no connection charge if a water main is available.

Sewage treatment is handled by the Niland Sanitation District formed in 1945 which consists of a Board of Directors of five members, elected at large for four year terms. The district maintains primary and secondary sewage treatment with sewer collection lines and outfall to evaporation ponds.

There have been two areas annexed (1989) through the Local Agency Formation Commission. One was located on the west side of Highway 111, the Niland Apartments, consisting of 3.3 acres, which has 38 apartment units. The other annexation was north of 1st Street, the Oasis Mobile Village (Mobile Home Park) of approximately 27 acres, containing 62 spaces, and also includes small warehouses.

Three new aeration ponds have been constructed to hold approximately 5.63 million gallons of treated waste that were completed in 1994. The expansion of the treatment plant was financed by the Rural Development Administration, U.S. Department of Agriculture funds which is administered by Farmers Home Administration. The current plant capacity is 250,000 gallons per day with a peak flow of 235,000 gallons per day. With the new pond additions the capacity of the treatment plant was increased to 315,000 gallons per day and a peak flow of approximately 450,000 per day. New hookups are charged at a flat rate basis, \$1,200 per initial hookup and a \$16.50 per residence per month assessment. The new plant capacity can serve a population of approximately 2,000 persons.

There is no storm drainage/flood control system other than the natural and the Imperial Irrigation District drainage system which flows westward to the Salton Sea.

The Niland Street Lighting District, County Service Area 1, is maintained by the Imperial County Department of Public Works. Imperial Irrigation District supplies the electrical power to the townsite and maintains all existing lines and the existing IID Substation located north of Beal Road.

Southern California Gas Company supplies natural gas from Riverside County to the Mexican border and has two high pressure transmission main lines with the latest line installed after appropriate processing of permits and environmental reviews were completed.

Pacific Bell provides telephone service to the area. Cable television service is provided by the Premier Cable Company which also services the Bombay Beach/Hot Mineral Spa area.

The County Sheriff's Substation is located in the township providing police protection service to area residents. The Sheriff has cooperative agreements with the cities of Calipatria and Brawley to provide backup support in certain emergencies on an "as available" basis.

Fire protection is handled by the Niland Fire District with a Fire Chief and Captain (Salaried) and volunteer fire fighters. The Fire Insurance Classification for the townsite is "Rating 7".

The County Department of Public Works maintains the streets and County roads in the area. Any street improvements, abandonments, or dedications for any purposed development would be handled through the appropriate County permit process.

The nearest County solid waste landfill used by local residents is located on federal land approximately three miles to the northeast of the townsite. The maximum capacity of the landfill is 1,275,000 cubic yards. The fill rate is approximately one ton per day (22 cubic yards daily) with no recycling being done at this time.

A medical clinic has been established in Niland (outreach services by Clinicas de Salud del Pueblo), south of Main Street, and just west of the Pacific Bell Telephone building.

E. Schools

Niland has one elementary school (K - 8), Grace Smith Elementary School, located on Fourth Street with high school students attending Calipatria High School (9 - 12). In 1988, enrollment in the Unified School District was 1,191 in a system with a maximum approved capacity for approximately 1,700 students (both primary and secondary). In 1993, the enrollment was 1,500 in the District. Imperial Valley College is a two year junior college which services students throughout Imperial County. San Diego State University (Imperial Valley Campus) provides classes for a variety of degrees located in Calexico for those pursuing a Bachelors Degree. Masters programs are also available at San Diego State University, and other college extension programs in Imperial Valley.

F. Circulation

State Highway 111 is a north-south state highway which dissects the townsite which connects Palm Springs to the north and Calexico to the south. Interstate 8 is located approximately 35 miles to the south and connects San Diego to the west and Yuma, Arizona to the east. At State Highway 111 and the intersections of Main Street and First Street, certain widening, curbing, and paving improvements have been made to ease entry/exit onto the state highway. State Highway 111 is an undivided two lane highway which is generally about 30 feet wide. The speed limit on Highway 111 is 55 miles per hour and shoulder parking is generally prohibited. It is not expected that any additional highways, roads, or streets will be required in the near future. The average daily trips into Niland from the south was at 6,500 based on 1988 existing traffic volume counts estimated by a consultant by the Calipatria State Prison which is well within existing roadway capacities.

Rail transportation is the Southern Pacific Railroad, main line to Oregon, New Orleans, and other points to the southeast. Niland is the junction of the rail line south to El Centro and Mexicali and the main line from the Los Angeles area to Phoenix and points east.

Bus service to Niland is by Greyhound and public transit to/from Niland is provided through Imperial County Transit (under contract with the County Department of Public Works).

Air travel is provided by the Imperial County Airport located in Imperial (Boley Field) approximately 28 miles south which has general aviation facilities and provides passenger service to various cities in California and Arizona. The Brawley Municipal Airport, located 18 miles south, has general aviation facilities.

G. Existing Land Uses

The existing land uses of the urban area consists primarily of single family homes which include a significant number of mobile homes on individual lots. Most of the commercial uses are along the west and east side of State Highway 111 in what is

know as "new town". Other commerce and commercial property is located along Niland Avenue and light industrial property is located to the north and south of the railroad tracks. Industrial uses are located to the east of the townsite and consists of the Southern Pacific Tank Farm and associated pipe lines which parallel the railroad right-of-way. As stated previously, agricultural activities surrounding the townsite continues to be one of the dominate land uses in the area.

There are five mobile home/recreational vehicle parks located in Niland: Bea's Motel and Trailer Park, La Siesta, Niland Trailer Park, Oasis Mobile Village, and the Oleander Trailer Park. Government/Special public facilities are throughout the townsite as discussed previously.

Existing uses which are not in conformance with Niland Zoning Map #11/11A, and the Niland Urban Area Plan will be reviewed after adoption of the Zoning Ordinance by the Board of Supervisors.

In order to protect existing and future property rights for those areas within commercial and industrially designated land use areas, questionnaires were sent to those residents residing within the boundary of Main Street to the north, 7th Street/Noffsinger to the south and Commercial to the east and Memphis to the west and to residents at the southwest corner of the intersection of Noffsinger and State Highway 111.

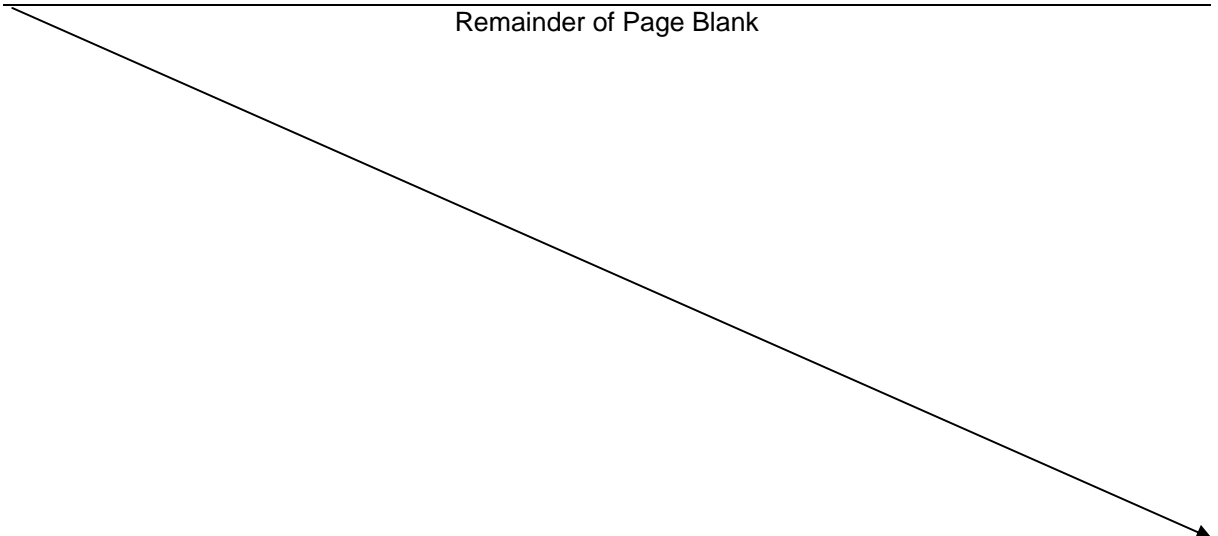
The questionnaires requested each parcel owner to indicate whether the "Light Industry" or "Commercial" designation in the 1994 Plan should be changed to a land use designation of "Low Density Residential" or whether the land use designation should remain the same for this proposed revision.

The questionnaire to the residents south of Noffsinger were asked whether they would like to change their parcels from "Low Density Residential/Commercial" to the land use designation of "Medium Density Residential".

H. Existing Zoning

There are nine existing zones in the urban area as follows: Agriculture (A-1, A-2), Manufacturing/Industrial (M-1, M-2), Commercial (C-1, C-2), Residential (R-1, R-4, R-4-T).

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III. EXISTING CONDITIONS AND TRENDS

A. Preface

The revised plan provides a framework and a guide for land use decisions in the future. The plan can be helpful for private citizens/government officials in their planning and development activities. People can then make better decisions about their own needs if they have an idea of those areas being planned for future growth. This plan is intended to be consistent with the goals, objectives and policies of the Land Use Element and other General Plan Elements.

When implemented, the Urban Area Plan will result in the reclassification of some agricultural zoned lands to residential, commercial and government/special public purposes. The Urban Boundary designates approximately 1,290 acres as part of the new urban area, which is significantly less than the total of approximately 4,520 acres which was designated Urban and Rural Residential in the 1973 Ultimate Land Use Plan for the Niland area. This is a significant reduction in land use impacts and would substantially lessen environmental impacts to adjacent lands as infill occurs within the new boundary.

Future developments would be required to tie into the existing water and sewer systems unless a development project (for example a subdivision) makes potable water/sewage available to each lot by installing an independent water and/or sewer treatment facility.

B. Land Use Issues

The following points out a few of the existing land uses which may change when the plan is implemented. Appropriate amendments to this plan can be made as new issues arise in the future. First, agriculture and related activities are expected to continue to be present in the immediate area of the townsite. Whether this will continue indefinitely is unknown at this time and will depend on market driven forces and economic conditions. Secondly, residential lots which are currently vacant will likely be sold or utilized as single family residences (conventional/manufactured housing) within the townsite.

There are potential economic growth opportunities, particularly in the event that another prison is built near the existing prison and one/more geothermal power plants are built in the future.

In the event that the Salton Sea problem of increasing salinity, selenium buildup, and changing shoreline are resolved, the fishing/recreation/tourist attraction of the Sea and the resulting increase in visitors to the area could provide additional employment and income to local businesses.

The analysis of existing land uses in the urban boundary will provide an opportunity to identify issues associated with existing and planned land uses which are addressed in this plan.

1. Agriculture and related activities are expected to continue to be the primary land use in the immediate area of the townsite. Whether this will continue indefinitely is unknown at this time.
2. Lots which are currently vacant will likely be sold and single family dwelling units (conventional/manufactured housing) are likely to continue to be built. Any new residential subdivisions, commercial, or industrial developments proposed shall conform to the County's Land Use Element and other revised General Plan Elements as to the land use type, lot size and density of the development.
3. Significant economic growth is not anticipated in the near future. As discussed previously, there are factors which may increase the potential for development in the event that an additional prison, geothermal power plant or visitors to the Salton Sea increases which could provide additional revenue to the local business community.
4. There are areas of the townsite which have land uses which are not in conformance with existing zones. For example, the following: There are C-1, C-2, and M-1 zoned property which now have on-site single family dwellings and recreational vehicle parks which limit future commercial and industrial growth. The existing Zoning Ordinance permits existing non-conforming land uses and irregular lot sizes to remain. However, any new development is required to conform to the General Plan, Land Use Element, the Niland Urban Area Plan, and revised Zoning Ordinance provisions.

C. Population Growth

From 1970 to 1990 the population increased by 502 (1,183/1990 - 681/1970). Projected growth will be at an annual rate of 2 percent for the entire area, including the townsite to an estimated 1999 population of 1,320. (This assumes a permanent resident population of 1,200 and a 2 percent per annum increase). In the event there are new geothermal facilities and/or a new prison built, there may be a higher rate of increase in Niland's population. New development should be carefully assessed so that growth does not expand beyond the ability of the townsite to sustain the necessary services needed to maintain a high quality living environment.

D. Agriculture

No significant changes in existing agricultural activities outside the urban area are expected. There are areas within the new urban boundary which are zoned agricultural which are now designated "low density", "light agriculture", and "medium agriculture" areas.

The County General Plan and the Niland Urban Area Plan recommend retention of existing agricultural lands under cultivation. Outside of the urban area, the General Plan designation is "agriculture", and this area should remain in agricultural use with a 40 acre minimum lot size.

E. Housing

The 1990 census data indicates that the percentage of one and two person households are even: both represent 31.1% of the households and "large" households represents 11% of the total. The census figures for renters was 40.8%, with homeowners at 59.2% of the total. Rentals for one and two bedroom houses and single wide mobile home range from \$175.00 to \$500.00 per month. In the 1992 survey done by the Economic Development Department, the housing survey reviewed the housing condition of dwelling units in the townsite and found that 67% were basically found with 33% needing rehabilitation/repair of some type (from minor to a condition of dilapidation).

Any review, development and funding for housing must be consistent with the County's Housing Element, which was adopted by the Board of Supervisors in 1990 and has been revised. Imperial County's Valley of Imperial Development Alliance through the "Overall Economic Development Plan" prepared and approved by the Board of Supervisors is involved in securing community development block grants funds for areas such as Niland.

The County Housing Element has two primary purposes: (1) provide an assessment of County housing needs, both current and future, and of any constraints in meeting these needs; and, (2) provide a strategy which establishes housing goals and objectives with programs to accomplish them. The Element outlines housing needs, characteristics, special needs, and present goals, policies and implementation measures. The Element at this time does not specify an allocation of "assisted" housing that should be built in Niland, and this Plan is intended to conform to the goals of the Housing Element.

F. Water/Sewer Facilities

Existing water and sewer facilities may not be significantly impacted by development within the planning area unless some unforeseen projects are proposed. The projected population increase to 1,320 is well within the capacities of the water/sewer facilities.

G. Sheriff's Substation

In the event that there is a substantial increase in population then the Sheriff's Office may require an additional officer/patrol car to help patrol the area. Appropriate mitigation fees shall become part of a major projects approval by the County.

H. Fire Department

As stated for the Sheriff, in the event there is substantial population growth in the future, it may impact the fire fighting ability of the fire department which shall require appropriate fees as a mitigation measure prior to project approval.

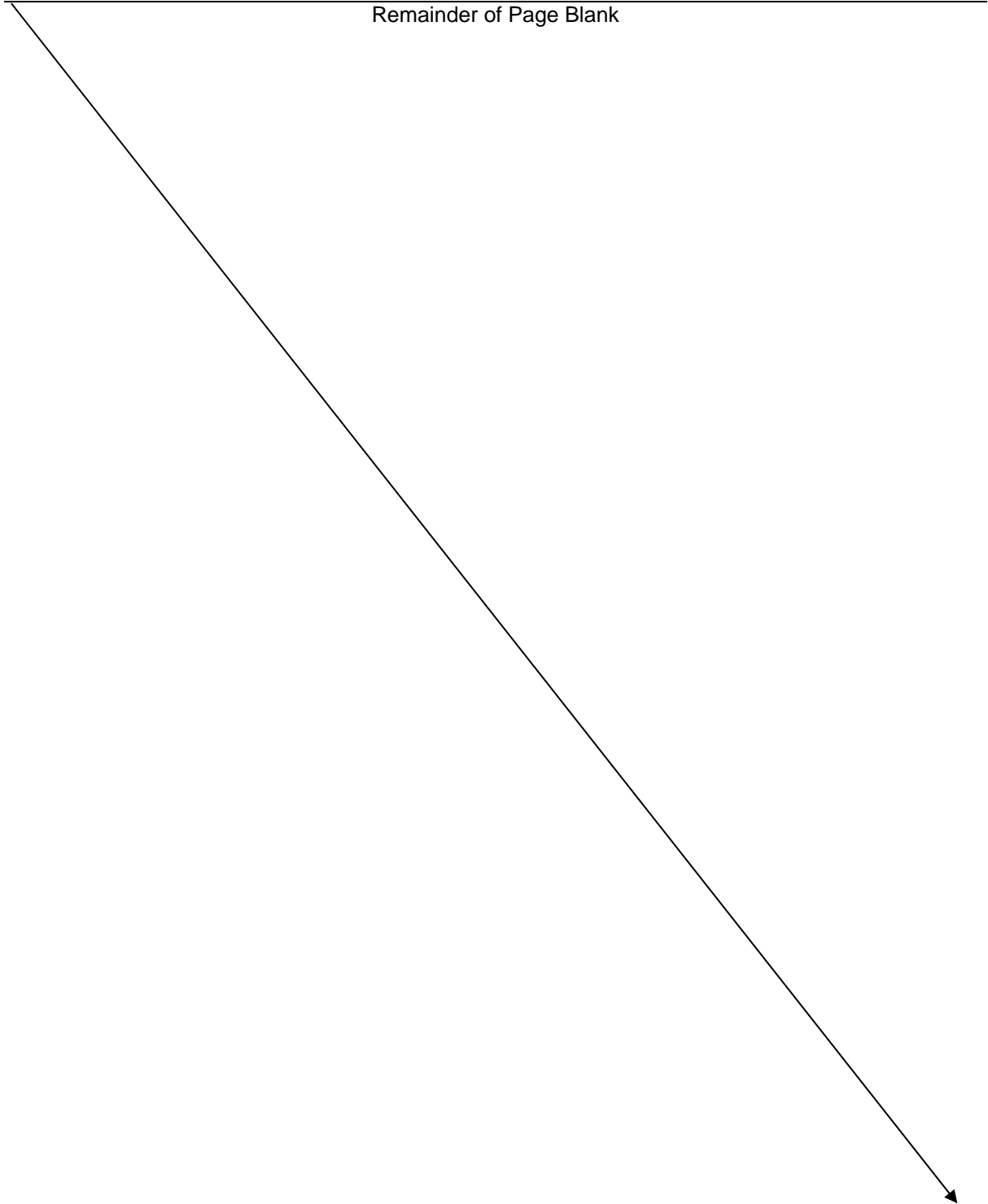
I. School Facilities

For future projects or developments in the townsite, appropriate mitigation fees may be part of project mitigation and approval by the County.

J. Circulation

Notwithstanding future growth, it is recommended that State Highway 111 continue to be designated as the town's major route, as part of the Circulation Element. The highway and collector streets provide access points to practically all of the proposed land uses reviewed and accommodated by this plan.

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IV. GOALS AND OBJECTIVES

A. Preface

The Plan's Goals and Objectives together with the implementation programs and policies 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. They are important guidelines for land use decision-making. However, it is recognized that there are other social, economic, environmental, and legal considerations involved in land use decisions and these Goals and Objectives should be used as guidelines and not doctrine.

B. Housing

Housing Conservation and Maintenance of Existing Housing Stock

Goal 1: Promote the inclusion of energy conservation features in new and existing housing as required.

Objective 1.1 Ensure that the quality, safety, and liability of the housing stock in the Niland Urban Area is continually maintained or upgraded, and that dilapidated housing which cannot be improved is appropriately and where necessary replaced.

Objective 1.2 Upgrade affordable low and moderate income housing to meet the needs of these residents who cannot afford safe housing through the improvement of existing housing units by bringing them up to code as found necessary.

Objective 1.3 Ensure existing and projected housing needs of all income levels, including the County's share of the region's housing needs, are met.

C. Circulation

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 throughout the Niland Urban Area with minimum disruption to the environment.

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 1.2 Ensure safe and coordinated traffic patterns, continuous growth, and promote a planned and consistent development around the township area.

Objective 1.3 Finance or seek funding for circulation system maintenance projects.

Alternative Modes of Transportation

Goal 2: Develop alternative transportation strategies designed to reduce traffic volumes and improve traffic flow.

Objective 2.1 Ensure the safety of the traveling public, including pedestrians and bicyclists.

Objective 2.2 Attempt to reduce motor vehicle air pollution.

D. Noise

Noise Environment

Goal 1: Provide an acceptable noise environment for existing and future residents in the Niland Urban Area.

Objective 1.1 Adopt noise standards which protect sensitive noise receptor from adverse impact.

E. Safety

Land Use Planning and Public Safety

Goal 1: Include public health and safety considerations in land use planning.

Objective 1.1 Ensure that data on geological hazards is incorporated into the land use review process, and future development process.

Objective 1.2 Reduce fire hazards by the design of new developments.

Emergency Preparedness

Goal 2: Minimize potential hazards to public health, safety, and welfare and prevent the loss of life and damage to health and property resulting from both natural and human-related phenomena.

Objective 2.1 Ensure the adequacy of existing emergency preparedness and evacuation plans to deal with identified hazards and potential emergencies.

Objective 2.2 Minimize injury, loss of life, and damage to property by implementing all state codes where applicable.

Objective 2.3 Prevent and reduce death, injuries, property damage, and economic and social dislocation resulting from natural hazards, including flooding, land subsidence, earthquakes, other geological phenomena, levee or dam failure, urban and wildland

fires and building collapse by appropriate planning and emergency measures.

Objective 2.4 Reduce vehicle accidents through appropriate standards.

F. Agriculture

Preservation of Important Farmland

Goal 1: All Important Farmland, including the categories of Prime Farmland, Farmland of Statewide Importance, Unique Farmland, and Farmland of Local Importance, as defined by Federal and State agencies should be preserved for agricultural uses.

Objective 1.1 Maintain existing agricultural land uses outside of the urban area and allow only those land uses in agricultural areas that are compatible with agricultural activities.

Objective 1.2 Conserve Important Farmland for continued farm related (non-urban) use and development while ensuring its proper management land use.

Objective 1.3 Discourage the location of development adjacent to productive agricultural lands.

Objective 1.4 Allow conversion of agricultural land to non-agricultural uses only where a clear and immediate need can be demonstrated based on population projections and lack of other available land for such non-agricultural uses.

Development Pattern and Locations on Agricultural Land

Goal 2: Adopt policies that prohibit "leapfrogging" or "checkerboard" patterns of non-agricultural development in agricultural areas and confine future urbanization to the Niland Urban Area.

Objective 2.1 Do not allow the placement of new nonagricultural land uses such that agricultural fields or parcels become isolated or more difficult to economically and conveniently farm.

Objective 2.2 Encourage the infilling of development in the urban area as an alternative to expanding urban boundaries.

Agricultural and Non-Agricultural Land Use Regulations

Goal 3: Limit the introduction of conflicting uses into farming areas, including residential development of existing parcels which may create the potential for conflict with continued agricultural uses of adjacent property.

Objective 3.1 The primary use of any parcel designated "Agriculture" on the Land Use Plan shall be agricultural production. Residential

uses in such areas must recognize that this primary use of the land may create nuisances such as flies, odors, dust, noise, night light, and chemical spraying.

Objective 3.2 Enforce the provisions of the Imperial County Right-to-Farm Ordinance (No. 1031).

Objective 3.3 Enforce the provisions of the State nuisance law.

Objective 3.4 As a general rule, utilize transitional land uses around urban areas as buffers from agricultural uses. Such buffers may include rural residential uses, industrial uses, recreational areas, roads, canals, and open space areas.

Water Availability and Conservation

Goal 4: Maximize the inherent productivity of Imperial County's agricultural resources by ensuring future availability of adequate and affordable irrigation water and by managing water such that it is used effectively and not wasted.

Objective 4.1 The County must favor efforts to ensure adequate irrigation water for agricultural areas.

Objective 4.2 Coordinate with the appropriate agencies for the availability of water to meet future agricultural needs.

Public Relations and Education

Goal 4: Establish positive relations with the general public and inform the general public that the County's economy is intricately dependent upon agricultural production.

Objective 4.1 Continue to make information accessible to the public regarding pesticides used and areas treated, as currently provided by the Agricultural Commissioner's Office.

Objective 4.2 Maintain existing procedures provided by the Agricultural Commissioner's Office and the Right-to-Farm Ordinance that allow for public input without disruption of agricultural operations.

G. Conservation

Goal 1: Environmental resources shall be conserved for future generations by minimizing environmental impacts in all land use decisions.

Objective 1.1 Recognize that the degradation of one natural resource will have a concomitant negative effect upon the total resource base, including water, vegetation, air, wildlife, soil, and minerals.

Objection 1.2 Develop standards to protect significant natural resource areas for the purpose of enhancing both the planning and decision-making process.

Objective 1.3 Provide for the most beneficial use of land based upon recognition of natural constraints.

Objective 1.4 Encourage the acquisition of scientific knowledge by encouraging the preservation of important ecological, archaeological, and other scientific sites.

Preservation of Biological Resources

Goal 2: The County will preserve the integrity, function, productivity, and long-term viability of environmentally sensitive habitats, and plant and animal species.

Objective 2.1 Conserve wetlands, fresh water marshes, and riparian vegetation.

Objective 2.2 Protect significant fish, wildlife, plant species, and their habitats.

Objective 2.3 Protect unique, rare and endangered plants and animals and their habitats.

Objective 2.4 Use the environmental impact report process to identify, conserve and enhance unique vegetation and wildlife resources.

Objective 2.5 Attempt to identify, reduce, and eliminate all forms of pollution which adversely impact vegetation and wildlife.

Objective 2.6 Adopt noise standards which protect sensitive noise receptors from adverse impacts.

Conservation of Energy Sources

Goal 3: The County shall seek to achieve maximum conservation practices and maximum development of renewable alternative sources of energy.

Objective 3.1 Define and assure adequate energy supplies for the Niland Urban Area.

Objective 3.2 Encourage the utilization of alternative passive and renewable energy resources.

Objective 3.3 Minimize possibility of energy shortage and resulting hardships.

Objective 3.4 Encourage compatibility with National and State energy goals and urban plan goals.

Objective 3.5 Support Imperial Irrigation Districts energy conservation programs.

Preservation of Water Resources

Goal 4: The County will conserve, protect, and enhance the water resources in the planning area.

Objective 4.1 Protect all bodies of water, e.g. Salton Sea, and water courses for their continued use and development.

Objective 4.2 Regulate development in or adjacent to water bodies and courses, protect water bodies and minimize property damage.

Objective 4.3 Ensure the use and protection of the waterways in the planning area. Ensure proper drainage and provide accommodation for storm runoff from urban and other developed areas in manners compatible with requirements to provide necessary agricultural drainage.

Objective 4.4 Protect and improve water quality and quantity for all water bodies in Imperial County.

Objective 4.5 Eliminate potential surface and groundwater pollution through regulations as well as educational programs.

Protection of Air Quality

Goal 5: The County shall actively seek to improve and maintain the quality of air in the region.

Objective 5.1 Cooperate with all federal and state agencies in the effort to attain air quality objectives.

H. Water

Adequate Domestic Water Supply

Goal 1: The County will secure the provision of safe and healthful sources and supplies of domestic water adequate to assure the implementation of the County General Plan and the long-term continued availability of this essential resource.

Objective 1.1 The efficient and cost-effective utilization of local and imported water resources through the development and implementation of urban use patterns.

Objective 1.2 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.

Protection of Surface Waters

Goal 2: Long-term viability of the Salton Sea, Colorado River, and other surface waters in the County will be protected for sustaining wildlife and a broad range of ecological communities.

Objective 2.1 The continue viability of the agricultural sector as an important source of surface water for the maintenance of valuable wildlife and recreational resources in the County.

Adequate Agricultural Irrigation Water Supply

Goal 3: The County will secure the provision of safe and healthful sources and supplies of agricultural irrigation water adequate to assure the continuation of agricultural land uses as established by the County General Plan and the long-term continued availability of this essential resource.

Objective 3.1 The efficient and cost-effective utilization of local and imported water resources through the development and implementation of innovative agricultural use patterns.

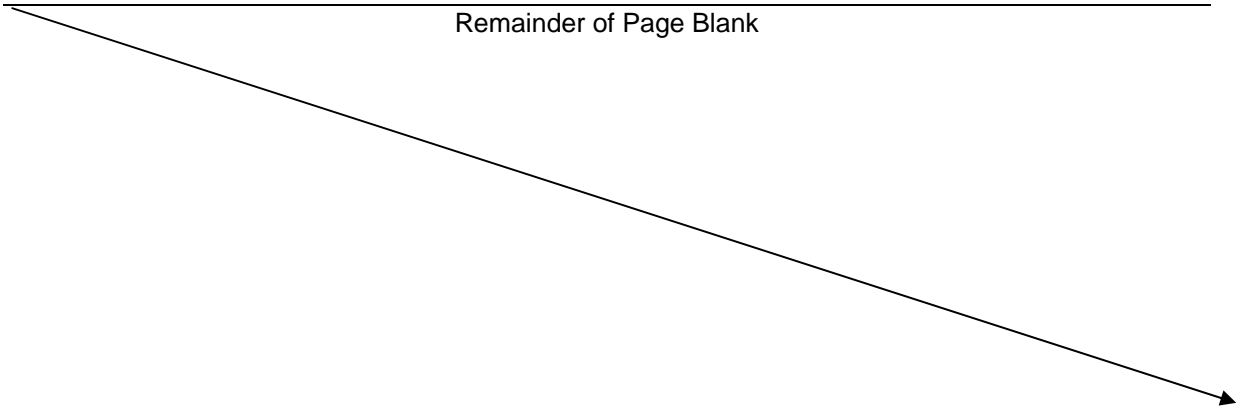
Coordinated Water Management

Goal 4: Water resources shall be managed effectively and efficiently through inter-agency and inter-jurisdictional coordination and cooperation.

Objective 4.1 Encourage and provide for the management and wise use of water resources for contact and non-contact recreation, groundwater recharge, hydroelectric energy production, and wildlife habitat as well as for domestic and irrigation use.

Objective 4.2 Aid in the protection and enhancement of limited water resources so as to provide for the indefinite use and maximum enjoyment.

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V. IMPLEMENTATION PROGRAMS AND POLICIES

A. Land Use Designations and Standards

In order to provide for a clear distribution of new development and preservation of agricultural lands, the following Land Use Designations and Standards have been defined in the Land Use Element and this Plan. Where uses are indicated as permitted in the Land Use category, limitations on such uses may be required by implementing zoning, e.g. limiting the location/intensity of such a use, or by requiring a Conditional Use Permit and site specific environmental assessment, or other forms of discretionary review.

Land use designations:

1) Low Density Residential: A land use area that would be planned for low density type of residential developments, typically consisting of one-family dwelling units (either conventional or manufactured housing) situated on individual lots with a density up to 7 dwelling units per acre with public facilities/services available or to be concurrently provided and which is compatible with the existing character of the community.

For those areas outside the existing townsite and, Sanitation District boundary, which are currently zoned "A-1" (1 dwelling unit per 1/2 acre), without the necessary infrastructure, i.e. water/sewer services, the lot size will be limited to 1/2 acre. The keeping and raising of farm animals in this area, (Suez Tract) is permitted under the current "A-1" regulations, or as revised in the future. The property owner at the northwest intersection of State Highway 111 and Alcott Road requests the designation of "Light Agricultural" for his 17.5 acre parcel.

2) Medium Density Residential: A land use area that would be planned for medium density type of residential developments, typically consisting of duplex or multiple family dwelling units (conventional or manufactured housing) situated on individual lots with a density of up to 20 dwelling units per acre with public facilities/services available or to be concurrently provided and which is compatible with the existing character of the community.

On April 19, 1994, the Board of Supervisors approved a change from Low Density to Medium Density on the western portion of Lot 55, APN 021-210-05-01 (approximately 4 acres) pursuant to a request by the property owner. The property owner now requests the entire 4.52 acre parcel to be designated as "Medium Density Residential".

3) High Density Residential: A land use area that would be planned for high density residential developments, typically consisting of apartment dwelling units up to 29 dwelling units per acre with public facilities/services available or to be concurrently provided and which is compatible with the existing character of the community.

4) General Commercial: A land use area that would be planned for larger highway/commercial uses adjacent to State Highway 111 which would allow, e.g. retail outlets, truck stop, service stations, regional centers, home

improvement stores, business/construction support services, personal/business storage facilities, commercial recreation, health clubs/spas, medical/financial/professional offices and facilities, hotels/motels, automobile/equipment sales and services, which may be restricted by location in certain zones, or by other limitations of implementing zoning.

5) Neighborhood Commercial: A land use area that would be planned for commercial uses which provide for the sale of convenience goods, such as food, restaurants, drugs and sundries, and personal services which meet daily needs of a local neighborhood trade area. A convenience grocery store is usually a principal tenant.

6) Government/Special Public: A land use area that depicts existing governmental land uses including but not limited to schools, fire department, sheriff's substation, churches, community buildings/lands, and other public related facilities.

7) Light/Medium Industrial: A land use area that would be planned for light or medium industrial facilities, and storage, distribution, and administrative facilities, for uses engaged in manufacturing, processing, assembling, packaging, treatment, or fabrication of material or products within an enclosed building. Implementing zoning may restrict use of certain products, processes or manufacturing equipment due to external effects such as noise, odors, smoke, or dust. Uses which involve compounding of radioactive materials, manufacturing of certain hazardous gases or chemicals, petroleum refining or large petroleum storage facilities, or manufacturing of explosives would not be permitted.

For certain parcels to the west of Commercial Avenue and east of Memphis Avenue and from Main Street to Seventh Street, the land use designation is proposed to be changed from "Light Industry" to "Low Density Residential".

8) Recreational: A land use area that would be planned for lands related to, but not limited to, recreation, typically public park areas, picnic areas, athletic facilities, and other similar recreational land uses.

9) Light Agricultural: A land use area that would be planned for agricultural crop production such as field, forage, tree groves, vines, and other plant crops intended to provide food or fiber, as well as flowers and filed or container plants including ornamental, landscape, agricultural, and native plants. Animal keeping, including aquaculture (fish farms), would not be a primary use, but may be allowed as a secondary or incidental use to be regulated by implementing zoning as to types of animals, numbers of animals per acre, minimum lot size for animal keeping, or setbacks from property lines for animal enclosures.

10) Medium Agriculture: A land use area that would be planned for all agricultural crop production described above and permits animal keeping, including aquaculture, as a primary use. Implementing zoning may regulate types of animals, number of animals per acre, minimum lot size for animal keeping, or setbacks from property lines for animal enclosures. Incidental uses such as produce stands or on-site packing and processing of agricultural crops, may be permitted with limitations by implementing zoning.

Residential Development Standards (Land Use Element): Residential Land Uses at a population density of one to a maximum of 29 dwelling units per acre; residential building intensity is determined by available public facilities/services and physical and environmental factors which may effect the site; new residential development must be consistent with the existing character of the community. The "low density" designation will allow a density of up to 7 dwelling units per acre. The "medium density residential" designation will allow multiply family dwelling units with a density to have up to 20 dwelling units per acre. The "high density residential" designation will allow apartment units of up to 29 dwelling units per acre.

Commercial Development Standards (Land Use Element): Low to high density commercial non-residential/non-industrial enterprises and other land uses including professional offices, neighborhood/regional and general commercial areas (e.g. service stations, restaurants, grocery stores, motels, and other retail/wholesale establishments); maximum floor area ratio not greater than 2:1 (i.e. two square feet of gross building area per one square foot of area within the lot or building site); building height maximum of 50 feet; a minimum of 10% of the lot area shall be landscaped (or greater for discretionary projects). Those lots which involve a mobile home park will be changed to the "medium density residential" e.g. the Oasis Mobile Village. Bea's Motel and Trailer Park will be designated as "high density residential."

Industrial Development Standards (Land Use Element): The standards for light and medium industrial land uses; maximum floor area ratio not greater than 3:1 (i.e. three square feet of gross building area per one square foot of area within the lot or building sites); building heights maximum of 50 feet; industrial uses should located in areas where high noise levels will not impact existing or planned noise sensitive land uses; significant impacts associated with proposed land use must be mitigated; industrial land uses within this category should locate in areas having access to major transportation systems; a minimum of 10% of lot area shall be landscaped (or greater for discretionary projects).

Agricultural Land Use Standards (Land Use Element): Agricultural land uses within this category consist of light and medium agricultural uses; agricultural land uses located within the urban area category may be subject to limitation with respect to animal keeping, set backs, building heights, and other regulations of the revised County Zoning Ordinance. Those lots which are currently zoned "A-1" within the townsite (east of Highway 111) will be changed to "government/special public" for the lots involving the school, the churches, the sheriff substation, and the fire station.

B. Implementation of Policies and Programs

During the review of any proposed development proposal, the County will evaluate the adequacy of, and potential project impact on, public facilities serving the Niland Urban Area including the following.

- 1) Water Service:** New nonagricultural development is required to be serviced by the Southern California Water Company, unless other arrangements are proposed.
- 2) Sewer Service:** Before new parcels are created or additional housing development is approved by discretionary action by the County or other

governmental agencies, developers should be required to hook into the Niland Sanitation District.

3) Other Public Facilities: Any new development that also impacts fire facilities, local schools, and County roadways serving the Niland Urban Area may be required to pay for such impacts in the form of mitigation fees prior to project approval.

4) Plan Amendments: The Plan can be amended four times per year.

5) Other Requirements: In the course of review of future developments other conditions and limitations may be required as part of a discretionary action by the County Planning Commission and/or County Board of Supervisors.

Agriculture

Policy

No significant changes in existing agricultural activities outside the urban area are expected in the near future.

Program

- The County General Plan and Niland Urban Plan will allow agricultural activities to continue in the area.

Industry

Policy

The County supports existing industrial uses to the east of the townsite consisting of the Southern Pacific Tank Farm and associated pipe lines in the railroad right-of-way.

Program

- No M-2 zone or uses will be allowed in the urban area pursuant to the Land Use Element of the General Plan.
- Certain parcels zoned “M-1” to the west of the Southern Pacific Railroad will be designated “Low Density Residential” due to single-family residences on these parcels and as requested by landowners.

Commercial Development

Policy

The Niland Urban Area Plan has sufficient lands zoned and designated for commercial uses to serve the current and projected needs of the community. The Niland Chamber of Commerce has changed the zone on their land west of State Highway 111 to C-2 commercial.

Program

- No new commercial areas are expected to be necessary in the near future.

Residential

Policy

The existing townsite will remain essentially the same.

Program

- Existing residential uses located on commercially zoned property can remain unless the Zoning Ordinance dictates otherwise.

C. The Plan

The 1973 Ultimate Land Use Plan identified Niland as an "Urban" area, which totaled approximately 1,131 acres and was surrounded by a land use designation of "Rural Residential", which totaled approximately 3,392 (4,523 total acres).

The 1993 Land Use Element identified Niland and the surrounding area as an "Urban" area with the area surrounding the townsite approximately 1,290 acres.

The residents of Niland were provided with a preliminary draft of a option to review at the public meeting which was held on December 21, 1993, at the Niland Community Building. The general consensus at this meeting was that it remain much the same as it currently exists.

Correspondence relating to the Plan's text and input on the land use map has been received. Another community meeting was scheduled for January 19, 1994, at 7:00 p.m. at the Niland Community Building for input on the draft Plan and Maps.

The revision of the 1994 Plan was commenced on May 28, 1996, as directed by the County Planning Director, and meetings scheduled for informing the residents of the revision process was held by way of mailed questionnaires and three published notices.

The revised Figures 1 and 2 show the land use designations for the area surrounding the townsite and those parcels within the townsite itself.

VI. PUBLIC/STAFF INVOLVEMENT/ENVIRONMENTAL

Public Involvement

Public meetings were held in Niland at the Niland Community Center on December 21, 1993, and on January 19, 1994, to provide the residents an opportunity to express their desires for the future land uses in the townsite and surrounding area.

The residents were informed that they could also provide input on the Plan at both the County Planning Commission and Board of Supervisors meetings when the Plan would ultimately be reviewed and adopted.

The revision of the 1994 Plan included meetings and questionnaires sent to residents requesting input on the land use designations for their property.

The input from a majority of affected residents was that the Land Use designation should be changed. This input has been reflected in the revised Plan and will remain as proposed unless significant information to the contrary is received.

Staff Involvement

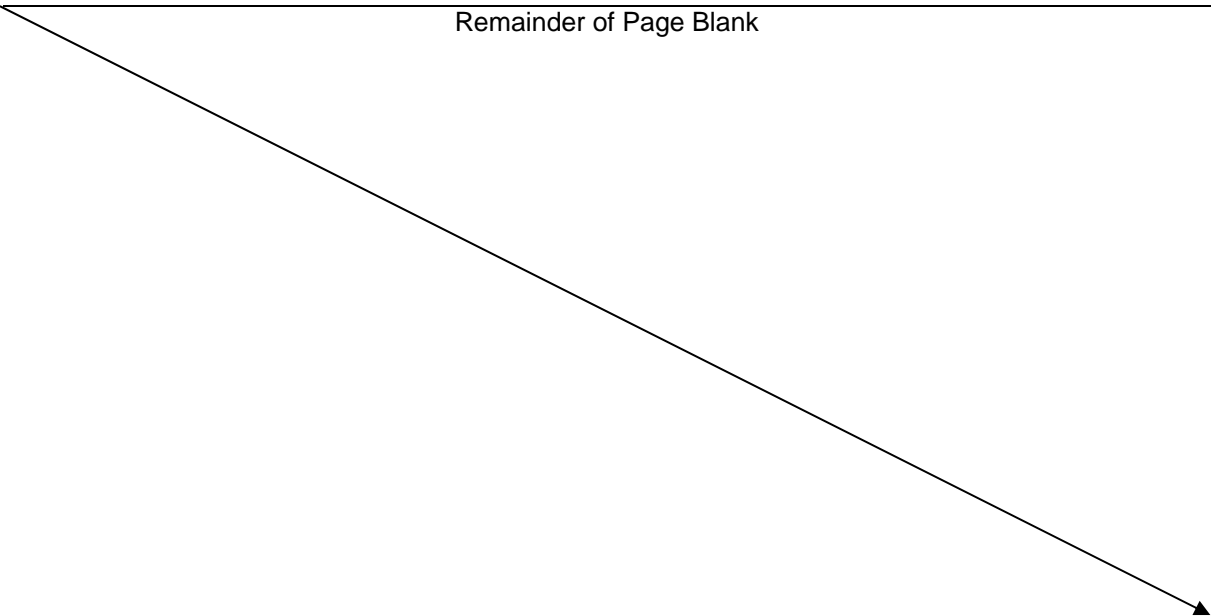
The staff of the Planning/Building have been involved in this revision and preparation of the revised Niland Urban Area Plan and a special thanks and acknowledgement of their efforts is necessary.

Environmental Review

The preparation of the revised Niland Urban Area Plan is to implement the Land Use Element of the revised General Plan. The area impacted is the townsite and approximately 1,290 acres surrounding Niland.

The revised 1994 Plan was environmentally reviewed by the County Environmental Evaluation Committee on September 13, 1996, and no significant impacts were found due to this revision.

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VII. ORGANIZATIONS AND PERSONS CONSULTED

Public Notice of the preliminary meeting for public input by Niland residents was provided twice in the Imperial Valley Press on December 11th, and December 19th, and held at the Niland Community Building (west of State Highway 111 on the Chamber of Commerce grounds) on December 21, 1993.

Public Notice and posting of notices of the second meeting in Niland was published on January 9, 1994. The second meeting in the community was scheduled for January 19th, at 7:00 p.m. as part of the Niland Chamber of Commerce regular meeting.

As part of the revision process, a meeting was held on Thursday, June 27, 1996, at 7:30 PM in the Niland Community Building to discuss the questionnaires sent to affected land owners west of the railroad on the proposed changes to the Plan. Only those land owners whose parcels would be affected were sent a questionnaire and notice of the meeting. Other changes were proposed in the townsite and subsequent public meetings were scheduled later in the fall.

Three notices were placed in the Imperial Valley Press regarding the proposed revision of the the Plan.

In order to adequately address the issues relating to the revised Niland Urban Area Plan, the Planning/Building Department staff consulted with affected landowners and/or requested information from the following organizations and individuals:

State

CALTRANS Planning (San Diego Office)
Department of Fish and Game

County of Imperial

Supervisor Brad Luckey, District #4
Agricultural Commissioner
Assessor's Office
Jose Rodriguez
County Administrative Office
County Counsel's Office
Environmental Health Services
Public Works Department
Sheriff's Department (El Centro)
Sheriff's Substation (Niland)

School District

Grace Smith Elementary School
Calipatria Unified School District
James Hanks

Niland Community

Chamber of Commerce
Dave Harrison, President
Fire Department
Mike Aleksick, Fire Chief
Lynn Mara, Captain
Niland Sanitation District
Steve Patton

Others

Southern California Water Company
Jerry Porter (Calipatria Office)
Michael Nisenboym (Big Bear Lake Office)
Southern Pacific Pipelines

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VIII. REFERENCES

County

Annual Mobile Home Park Report (1993)
Community and Economic Development Department
Housing Condition Survey (1992)
Community and Economic Development Department
Overall Economic Development Program (1993)
County Ultimate Land Use Plan (1973)
Housing Element (1990)
Imperial County Water Element (1970)
Revised General Plan and Program EIR (1993)
Agricultural Element
Geothermal/Transmission Element
Water Element
Circulation/Scenic Highways Element
Conservation/Open Space Element
Land Use Element
Overview
Noise Element
Seismic and Public Safety Element
Zoning Maps (11 and 11A)

State

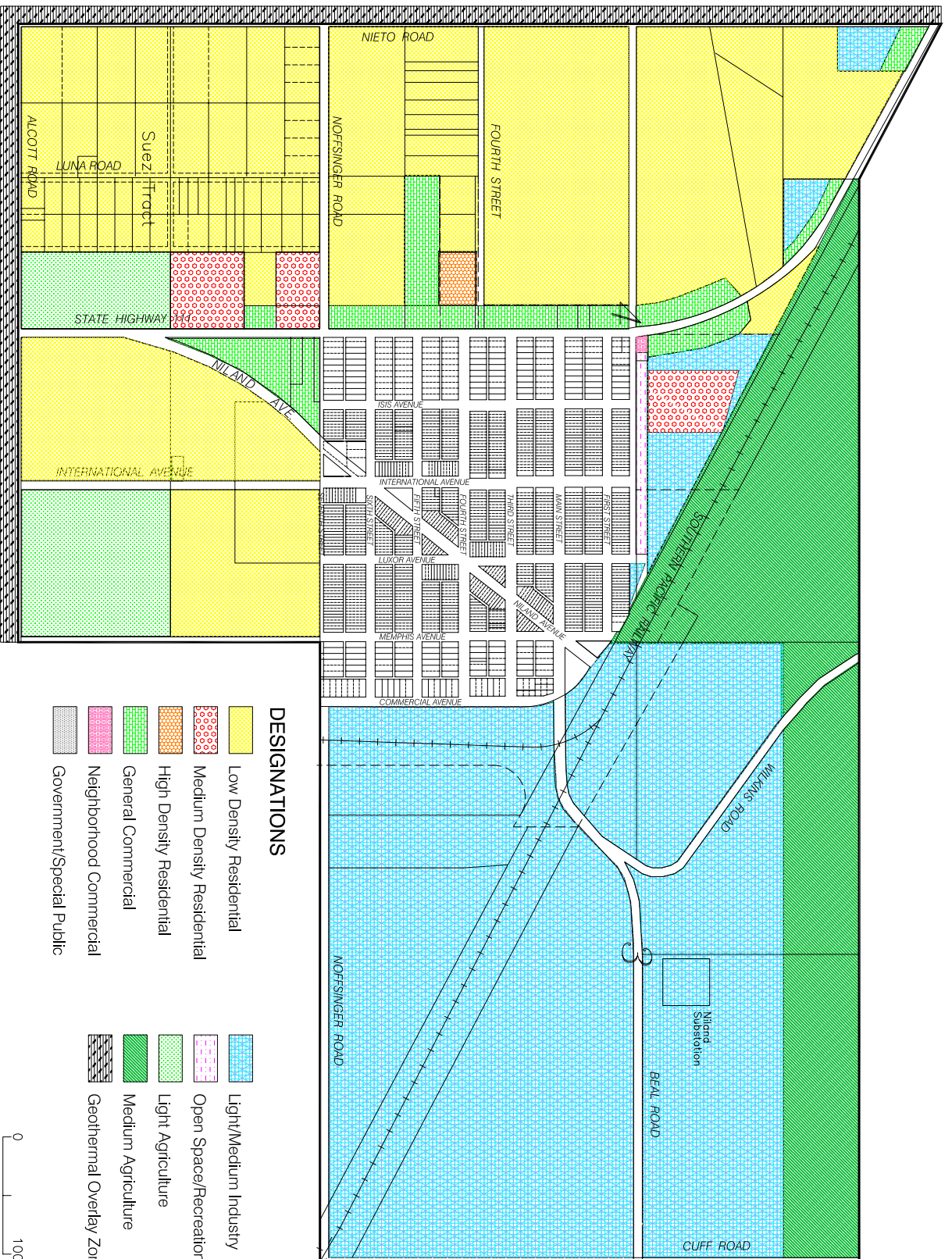
Calipatria State Prison EIR (1988)
Census Data (1990)
Department of Finance Projections (1993)

Other

Salton Sea Anomaly Master Environmental Impact Report and Magma Power
Plant #3 (49 MW) (1981)
Niland Sanitation District Projections

S: CD/JM/GA: NILAND URBAN AREA PLAN

Niland Urban Area Map



Imperial County General Plan

Approved April 19, 1994 by Minute Order # 11 B

Updated: August 27, 2004

Land Use Element

Townsite of Niland Niland Urban Area Map

Figure 2

