



BUSINESS ADVISORY COMMITTEE
Monday, May 4, 2015 at 5:30pm
383 Main Street, City of Brawley
Administrative Building Council Chambers

Committee Members:

Sean Wilcock, Chairperson
Alan Huber, Vice-Chairperson
Sarah Chairez
Lupe Navarro
Audrey Noriega
Monica Torres
Kenny Robertson

Ex-officio Members:

Donnie Wharton, Council Member
Rosanna B. Moore, City Manager
Jason Zara, Executive Director

Agenda

Call to Order & Roll Call

Approval of the Agenda

Public Comments

Presentations

- Introduction of new Committee Members Monica Torres and Kenny Robertson

New Business

- Discussion regarding RV and Mobile Home Park project located at the Northwest corner of River Drive and North Palm Avenue

Committee Member Comments/Remarks

Adjournment

COUNCIL AGENDA REPORT
City of Brawley

Meeting Date: May 5, 2015

City Manager: RBW

PREPARED BY: Gordon R. Gaste, AICP CEP

PRESENTED BY: Gordon R. Gaste, AICP CEP

SUBJECT: Appeal for a Zone Change (ZC14-01)/General Plan Amendment GPA14-01/Site Plan (SP14-02)/Conditional/Use Permit (CUP14-02)/Parcel Map (PM14-01) - River Palm Mobile Home and RV Park/Mini-Storage/Convenience Market

PLANNING COMMISSION RECOMMENDATION: Deny the Zone Change (ZC14-01)/General Plan Amendment GPA14-01/Site Plan (SP14-02)/Conditional/Use Permit (CUP14-02)/Parcel Map (PM14-01) - River Palm Mobile Home and RV Park/Mini-Storage/Convenience Market.

DISCUSSION: The applicant is requesting a rezoning to MHP (Mobile Home Park), C-1 (Neighborhood Commercial) and M-1 (Light Manufacturing) in order to permit a mobile home and RV park, a convenience store and a mini-storage facility. The property is currently zoned R-1 (Residential Single Family). The project also includes a General Plan Amendment changing the land use from Low Density Residential to Medium Density Residential, Commercial and Light Manufacturing and a parcel map subdividing the lot into three parcels. The site is currently vacant and is 24.49 acres in size. Access is proposed via River Drive, North Palm Avenue and Duarte Street. The applicant is also required to obtain a conditional use permit for the mini-storage facility.

The first submittal was denied by the Planning Commission on November 12, 2014. The applicant subsequently submitted a revised plan which was heard on February 4, 2015. The Planning Commission also denied the revision of the project as submitted. On April 3, 2015, a third application was heard by the Planning Commission. Following the Planning Commission's denial, the applicant has submitted an application for appeal to the City Council.

FISCAL IMPACT: N/A

ATTACHMENTS: Expanded Staff Report, Environmental Initial Study, Draft Mitigated Negative Declaration, Locations Maps, Site Plan, Parcel Map.

CITY COUNCIL STAFF REPORT

Zone Change/General Plan

Amendment/Site Plan/

Conditional/Use Permit/Parcel

Map/Variance: ZC14-01/GPA14-01/SP14-02/CUP14-02/PM14-01/VAR14-03
River Palm Mobile Home and RV Park/Mini-Storage

Property Owner: RSG Capital, LLC

Applicant/

Representative: David L. Ramirez, P.E.

Legal Description: Lot 8, Subdivision of Tract 77, Township 13 South, Range 14 East, S.B.M. excepting the South 40 feet, City of Brawley, County of Imperial, State of California, APN 047-060-31

Location: Northwest corner of River Drive and North Palm Avenue

Area: 24.49 Acres (1,066,784 Square Feet)

Existing Zoning: R-1 (Residential Single Family)

Proposed Zoning: MHP (Mobile Home Park) / C-3 (Heavy Commercial)

Existing Use: Parcel 1: Vacant

Proposed Use: Parcel 1: Mobile Home and RV Park
Parcel 2: Mini-Storage

Surrounding Land Uses:

North - M-1 (Light Manufacturing) / Vacant

South - R-1 (Residential Single Family) / Single Family Dwellings

East - R-1 (Residential Single Family) / Vacant

West - M-1 (Light Manufacturing) / Vacant

Current General Plan Designation: Low Density Residential

Proposed General Plan Designation: Medium Density Residential, Commercial

CEQA Status: Mitigated Negative Declaration

CITY COUNCIL MEETING, MAY 5, 2015,
6:00 P.M., CITY COUNCIL CHAMBERS, 383 MAIN STREET,
BRAWLEY, CALIFORNIA

Zone Change/General Plan Amendment/Site Plan/Conditional Use Permit/Variance
ZC14-01/GPA14-01/SP14-02/CUP14-02/VAR14-03

General Information:

The applicant is requesting a rezoning to MHP (Mobile Home Park) and C-3 (Heavy Commercial) in order to permit a mobile home and RV park, and a mini-storage facility. The property is currently zoned R-1 (Residential Single Family). The site is currently vacant and is 24.49 acres in size. Access is proposed via River Drive, North Palm Avenue and Duarte Street. The applicant is also required to obtain a conditional use permit for the mini-storage facility. Additionally, the applicant is requesting a variance to allow for a chain link fence with landscaping on the western property line rather than the required masonry wall. There are previous zoning conditions currently imposed on this property for a single family tentative tract map.

Staff Recommendation:

The Planning Commission (PC), on August 2, 2014, recommends approval of this request for rezoning, general plan amendment, site plan, conditional use permit, variance and adoption of the proposed Mitigated Negative Declaration on the basis of the whole record before it, including the initial study and any comments received, that there is no substantial evidence that the project will have a significant effect on the environment and that the Mitigated Negative Declaration reflects the City of Brawley's independent judgment and analysis. The following conditions shall apply:

1. The Developer shall comply with all local, state & federal laws, rules, regulations, ordinances, resolutions and standards applicable to this Project, whether specified herein or not. Where conflicts occur, the most stringent requirements as interpreted by the City shall apply.
2. Obtain City Engineer's review and approval (stamp & signature) for all final maps, improvement plans, studies, soils reports, cost estimates, designs, calculations, Subdivision Agreement(s), related documents, and amounts of fees required for this Project.
3. Obtain, pay for and comply with all permits required from the Imperial Irrigation District (IID) for improvements within, adjacent or across these agencies rights of way and/or facilities, as required to serve this Project.
4. Offer for dedication all rights of way, easements or parcels of land required for the improvements of streets, underground pipelines, utilities and the storm drainage retention basin.
5. Approval or conditional approval of the site plan shall not constitute the waiver of any requirement of the City's ordinances or resolutions, regulations or standards; except, where a condition herein specifically provides a waiver.
6. Landscaping will be required as per Sec. 27.180 of the Zoning Ordinance and the Brawley Landscaping Ordinance.
7. Provide sewer and water, curb and gutter, sidewalk, street and other improvements to City standards before City issues certificate of occupancy for any structure for each parcel. This includes half street improvements to the northern half of River Drive, the western half of North Palm Avenue and the south half of Duarte Street.
8. Hydraulics, drainage and grading details to City standards provided to the City Engineer. Project must comply with local, state and federal storm drainage discharge permits regulations. 100 percent retention shall be provided. The retention basin shall also be landscaped (xeriscape permitted).
9. Applicant/Property Owner shall obtain an encroachment permit from the Department of Public Works for any new, altered or unpermitted driveways necessary to access each of the parcels from a public street.
10. High Pressure Sodium street safety lighting shall be provided at 300 ft. maximum spacing and at all street intersections, according to the IID Standards. Streetlights shall be of 150 watts at street intersections and of 75 watts elsewhere.
11. Stop signs, stop bars and legend, shall be provided at locations determined by the City Engineer.
12. All private drainage and all private facilities, which are installed, operated, and maintained within Imperial Irrigation District right of way, require an IID encroachment permit.

Zone Change/General Plan Amendment/Site Plan/Conditional Use Permit/Variance:
ZC14-01/GPA14-01/SP14-02/CUP14-02/VAR14-03

13. Developer shall provide the Project's electrical load calculations to the Imperial Irrigation District Power Department in order to determine the electrical power facilities needed and their cost.

14. Developer shall provide to the Project, underground utility services such as natural gas, telephone and cable television in coordination with the corresponding utility company.

15. The type, quantity and location of new fire hydrants shall be subject to the review and approval of the City Engineer and the Fire Chief. Fire hydrants shall be no farther apart than what is required by the Uniform Fire Code, table A-III-B-I. Installation of fire hydrants shall be prior to construction of each respective phase of the development.

16. Applicant/Property Owner shall defend, indemnify, and hold harmless the City of Brawley, or its agents, officers and employees from any claim, action or proceedings against the City or its agents, officers, or employees to attack, set aside, void or annul, an approval by the Development Review Committee, Planning Commission or City Council concerning the project. The City of Brawley shall promptly notify the applicant of any claim, action or proceedings and shall cooperate fully in the defense.

17. The applicant shall pay any and all amounts as determined by the city to defray all costs for the review of reports, field investigations, or other activities related to compliance with this permit/approval, city ordinance and/or any other laws that apply.

18. Any person or party who succeeds to the interest of the present owner by sale, assignment, transfer, conveyance, exchange or other means shall be bound by the conditions of approval.

The Planning Commission (PC), on August 2, 2014 voted to recommend of this request for rezoning from R-1 (Residential Single Family) to MHP (Mobile Home Park) and C-3 (Heavy Commercial) and adoption of the proposed Mitigated Negative Declaration on the basis of the whole record before it, including the initial study and any comments received, that there is no substantial evidence that the project will have a significant effect on the environment and that the Mitigated Negative Declaration reflects the City of Brawley's independent judgment and analysis. The following conditions shall apply.

The recommendation is based on the following findings:

1. The proposal is prepared in accordance with the California Environmental Quality Act (CEQA) pursuant to Section 15164(b).
2. The location of the project and surrounding land uses make it unlikely the project will cause significant environmental impacts.
3. Approval of the Mitigated Negative Declaration, zone change, general plan amendment, site plan, conditional use permit and variance will not be detrimental to the public welfare or detrimental to the health and safety of the residents of the City of Brawley.
4. The zone change, general plan amendment, site plan, conditional use permit, variance and Mitigated Negative Declaration are consistent with the character of the area for the types of surrounding land uses.

The **General Plan Land Use Map** designates this property for **Low Density Residential** land uses. **Medium Density Residential** and **Commercial** land uses are required for the intended use.

MHP (Mobile Home Park) zoning permits a mobile home and RV parks and **C-3 (Heavy Commercial) zoning** permits mini-storage facilities which are **compatible** with adjacent development

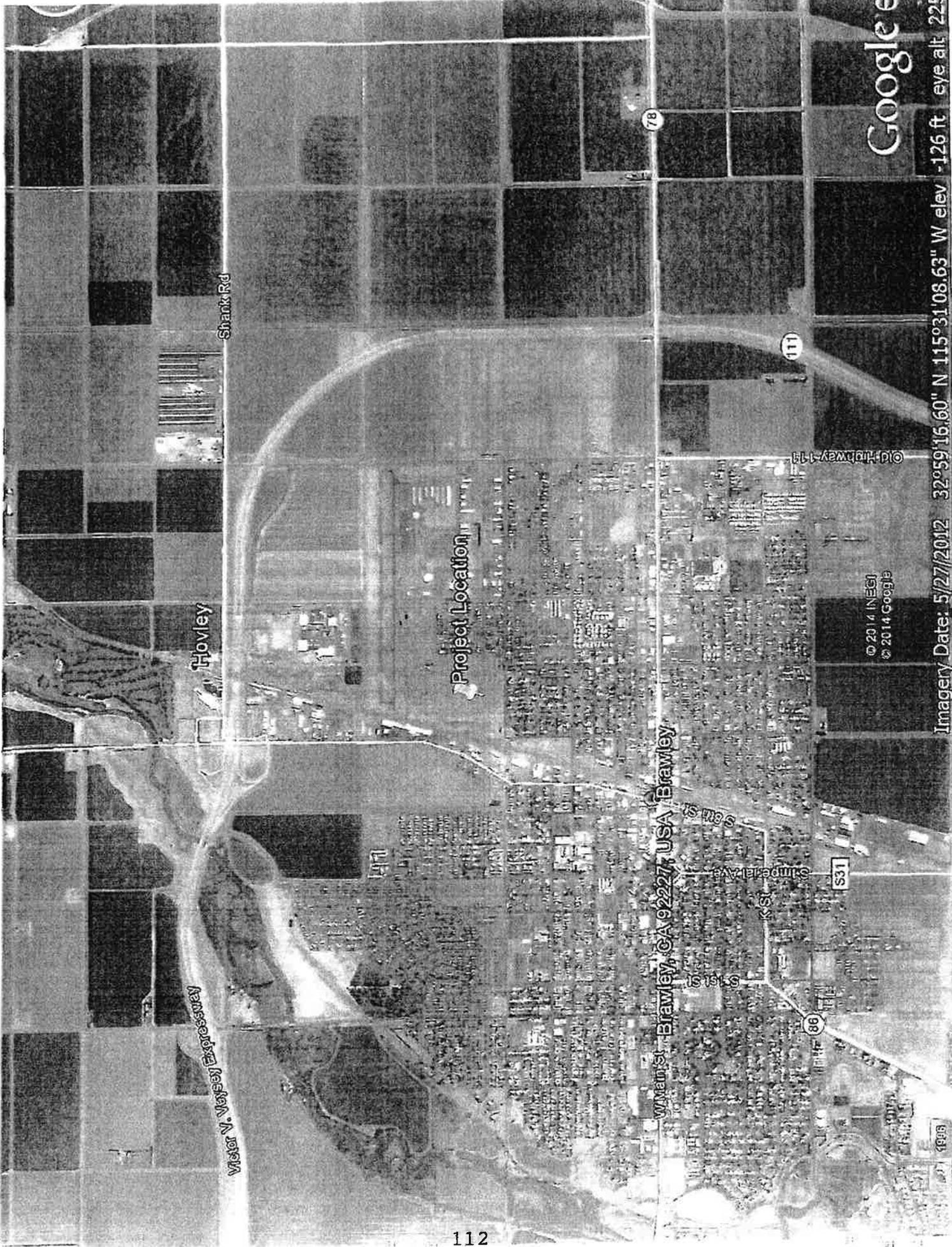
Zone Change/General Plan Amendment/Site Plan/Conditional Use Permit/Variance:
ZC14-01/GPA14-01/SP14-02/CUP14-02/VAR14-03

The Council must determine the following:

- A. The proposed Site Plan/Zone Change/General Plan Amendment/Conditional Use Permit/Variance protects the best interest, health, safety and welfare of the public in general
- B. The proposed use of this property complies with all of the standards and conditions applicable in the zoning district in which it is proposed to be located; complies with any special standards applicable to the particular type of development being proposed, or to the particular area in which the development is proposed; complies with any special approvals required in connection with such development or area.
- C. The proposed Site Plan/Zone Change/General Plan Amendment/Conditional Use Permit/Variance is in accordance with and in furtherance of the Brawley General Plan, any special neighborhood plans or policies adopted by the City regarding the development area, or any approved concept plan.
- D. The proposed Site Plan/Zone Change/General Plan Amendment/Conditional Use Permit/Variance is adequately served by and will not impose an undue burden upon the public improvements and rights - of - way by which it will be served or benefited, or which exist or are planned for installation within its boundaries or their immediate vicinity.
- E. Any impacts of the proposed Site Plan/Zone Change/General Plan Amendment/Conditional Use Permit/Variance on adjacent property are adequately mitigated with the design, proposed construction and phasing of the site development.
- F. The development of the Site Plan/Zone Change/General Plan Amendment/Conditional Use Permit/Variance mitigates substantial environmental problems.
- G. The proposed new use provides adequate landscaping and/or screening where needed to reduce visibility to adjacent uses.
- H. The proposed Site Plan/Zone Change/General Plan Amendment/Conditional Use Permit/Variance is compatible with adjacent structures and uses.
- I. The Site Plan/Zone Change/General Plan Amendment/Conditional Use Permit/Variance is not materially detrimental to the enjoyment or valuation of the property adjacent to the site.

ATTACHMENT: Environmental Initial Study, Draft Negative Declaration, Location Maps, Site Plan, Parcel Map.

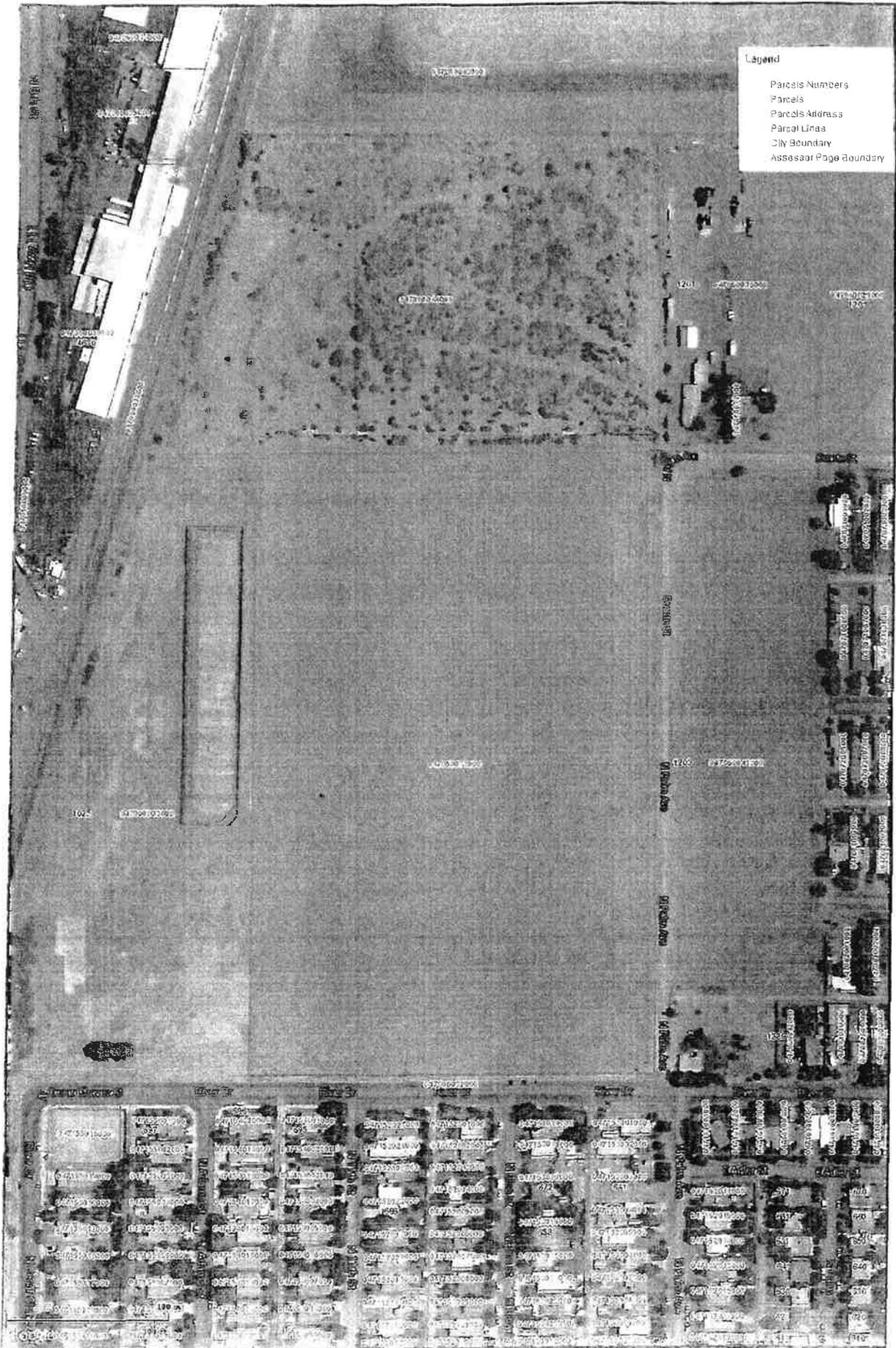
NOTE TO THE PROPERTY OWNER: CITY COUNCIL POLICY REQUIRES THAT THE APPLICANT OR REPRESENTATIVE BE PRESENT AT THE PUBLIC HEARING FOR THIS ITEM. PLEASE DIRECT ANY QUESTIONS CONCERNING THIS REPORT TO THE PLANNING DEPARTMENT AT (760) 344-8822



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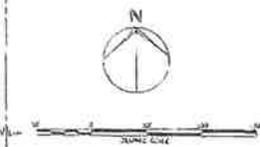
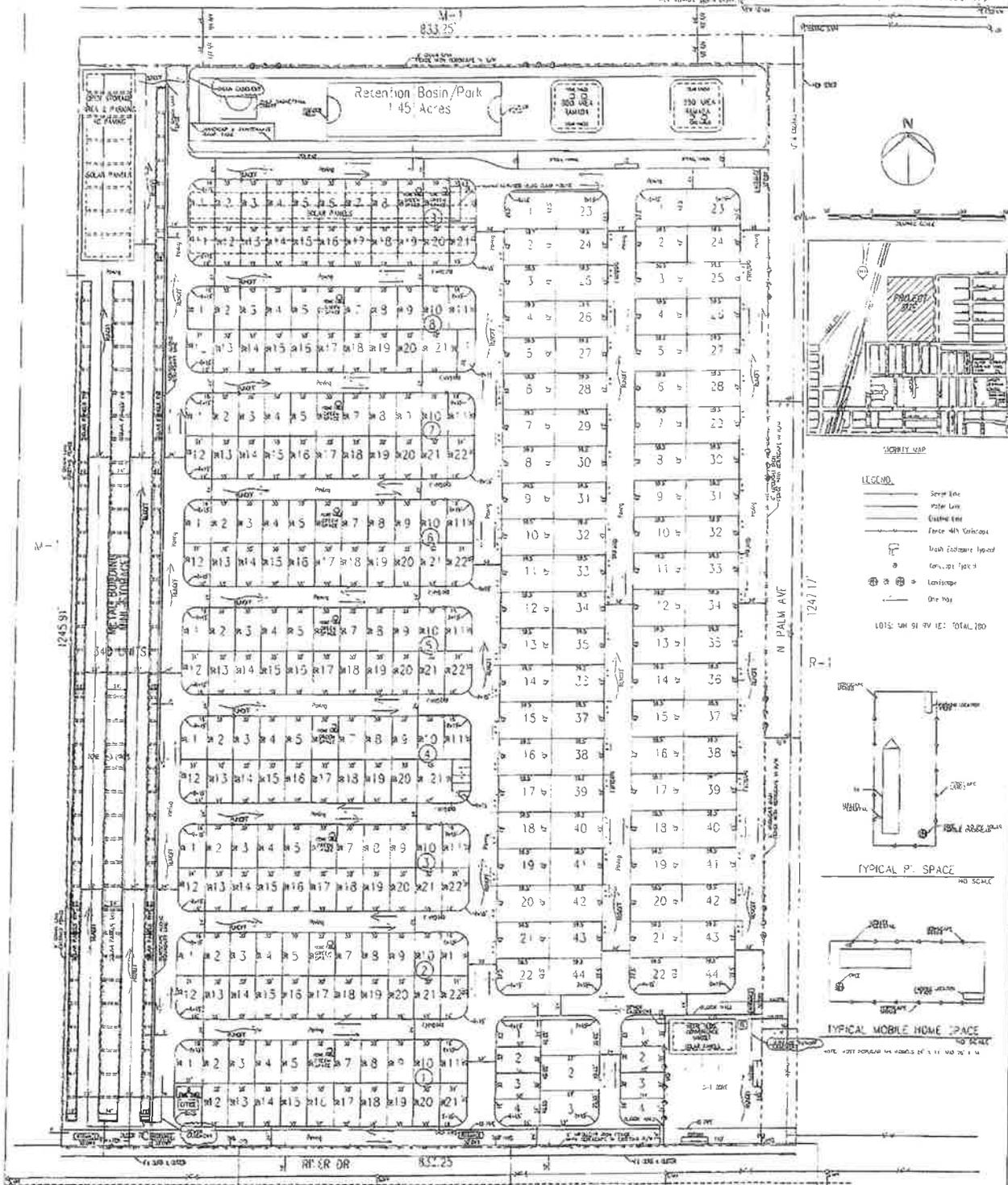
Google

Imagery Date: 5/27/2012 32°59'16.60" N 115°31'08.63" W elev -126 ft eye alt 225

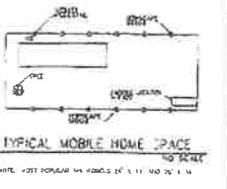
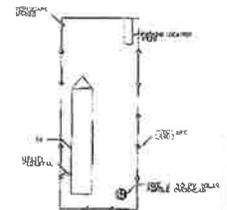


SITE MAP PARCEL NO. 047-060-031

IN THE CITY OF BRAMLEY, COUNTY OF IMPERIAL, STATE OF CALIFORNIA

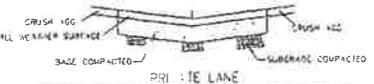
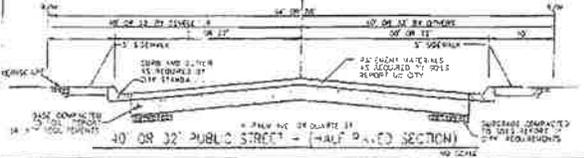


- LEGEND**
- Sewer Line
 - Water Line
 - Existing Line
 - Force M/A Vertical
 - Drain Footprint Layout
 - Foundation Footprint
 - ⊗ Landmark
 - One Way
- LOTS: 141 91 74 12: TOTAL 280



LEGAL DESCRIPTION

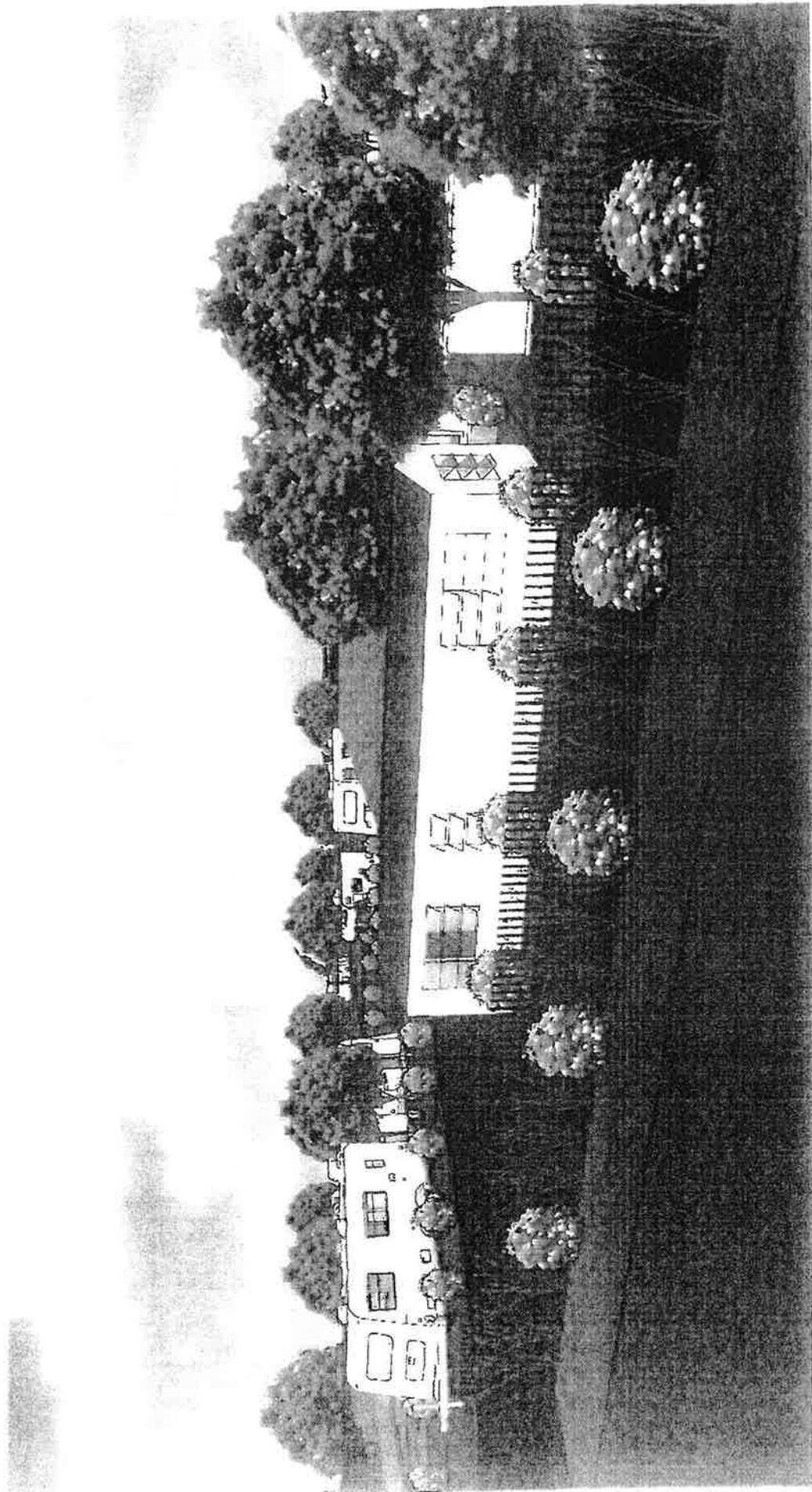
THAT PORTION OF TRACT 17, COMMENCE 13 SOUTH, RANGE 14 EAST, SO. 1/4 IN THE CITY OF BRAMLEY, COUNTY OF IMPERIAL, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF SHOWN ON LICENSED SURVEYOR'S MAP RECORDED IN BOOK 1, PAGE 73, IN THE OFFICE OF THE COUNTY RECORDER OF IMPERIAL COUNTY, APRIL 21, 1923, AS TO 3, EXCEPTING THEREFROM THE 2.70 AC. FEET OF SAID LOT 4 AS NOW, AND TO THE CITY OF BRAMLEY OF RECORD RECORDED IN BOOK 15, 1986, RESTRICTED TO 5% OF ORIGINAL RECORD.

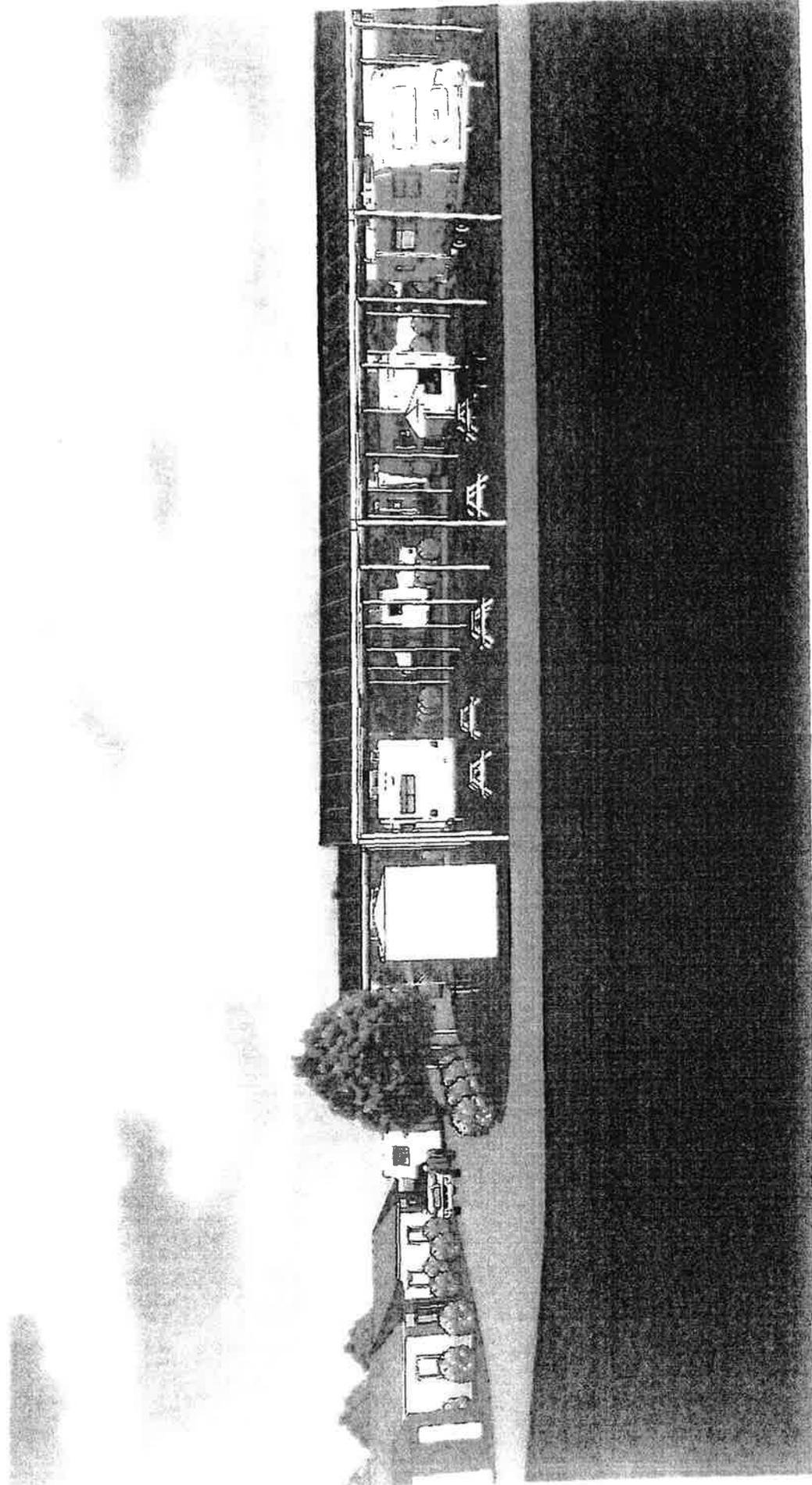


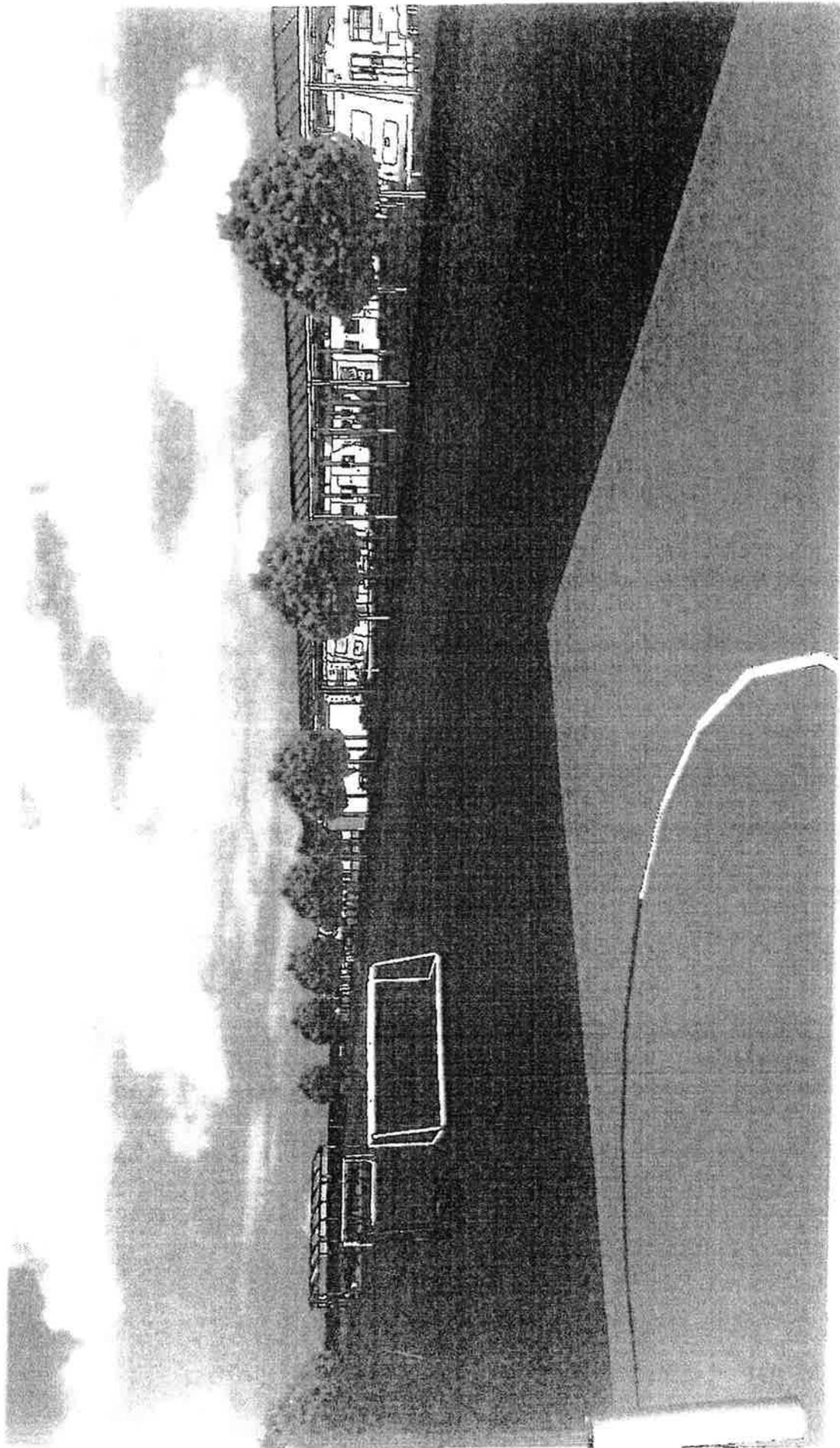
NO SCALE

Parcel # 047-060-031
PALM RIVER HOME (RV) PARK (ZONE UHP)
METAL BUILDING SHOP-STORAGE (ZONE C-3 CUP)
CONVENIENCE MARKET (ZONE C-1)

Sheet 1 of 1







City of Brawley

CEQA Environmental Information Study

1. **Project title:** ZC14-01/GPA14-01/SP14-02/CUP14-02/PM14-01/ (Zone Change/General Plan Amendment/Site Plan/Conditional Use Permit/Parcel Map) – River Palm Mobile Home and RV Park/Mini Storage/Convenience Market

2. **Lead agency names and addresses:**

City of Brawley
Planning Department
400 Main St.
Brawley, CA 92227
(760) 344-8822
(760) 344-0907 (FAX)

3. **Contact person:** Gordon R. Gaste, AICP CEP, Planning Director

4. **Project location:** Lot 8, Subdivision of Tract 77, Township 13 South, Range 14 East, S.B.M. excepting the South 40 feet, City of Brawley, County of Imperial, State of California, APN 047-060-31

5. **Project sponsor's name and address:**

RSG Capital, LLC
512 Broadway Street
El Centro, CA 92243

6. **General plan designation:** Low Density Residential

7. **Zoning:** R-1 (Residential Single Family)

8. **Description of project:** The applicant is requesting a rezoning to MHP (Mobile Home Park), C-1 (Neighborhood Commercial) and M-1 (Light Manufacturing) in order to permit a mobile home and RV park, a convenience store and a mini-storage facility. The property is currently zoned R-1 (Residential Single Family). The project also includes a General Plan Amendment changing the land use from Low Density Residential to Medium Density Residential, Commercial and Light Manufacturing and a parcel map subdividing the lot into three parcels. The site is currently vacant and is 24.49 acres in size. Access is proposed via River Drive, North Palm Avenue and Duarte Street. The applicant is also required to obtain a conditional use permit for the mini-storage facility. There are previous zoning conditions currently imposed on this property for a single family tentative tract map.

9. **Surrounding land uses and setting:**

<i>North</i> -	M-1 (Light Industrial) / Vacant
<i>South</i> -	R-1 (Residential Single Family) / Single Family Dwellings
<i>East</i> -	R-1 (Residential Single Family) / Vacant
<i>West</i> -	M-1 (Light Industrial) / Vacant

The setting is adjacent to development and planned for urban uses in the General Plan.

10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.)

City of Brawley:

- Site Plan Review
- Zone Change
- General Plan Amendment
- Parcel Map
- Conditional Use Permit

County of Imperial:

- Mobile Home Permits
- Airport Land Use Commission

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

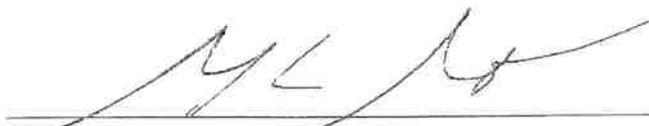
- | | | |
|--|---|--|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forestry Resources | <input checked="" type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology /Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials | <input checked="" type="checkbox"/> Hydrology / Water Quality |
| <input checked="" type="checkbox"/> Land Use / Planning | <input type="checkbox"/> Mineral Resources | <input checked="" type="checkbox"/> Noise |
| <input type="checkbox"/> Population / Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input checked="" type="checkbox"/> Transportation / Traffic | <input type="checkbox"/> Utilities / Service Systems | <input checked="" type="checkbox"/> Mandatory Findings of Significance |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



 Signature

4-22-15

 Date

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
 - a) the significance criteria or threshold, if any, used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significance

Issues (and Supporting Information Sources):

Potentially Significant Impact

Less Than Significant with Mitigation Incorporation

Less Than Significant Impact

No Impact

I. AESTHETICS -- Would the project:

a) Have a substantial adverse effect on a scenic vista?

There are no scenic vistas or designated scenic highways in the project area that could be affected by the project; therefore, there will be no impact.

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

There are no scenic resources on the proposed project site; therefore, there will be no impact.

c) Substantially degrade the existing visual character or quality of the site and its surrounding

The proposed project is consistent with the general plan, zoning ordinance and surrounding land uses and would not degrade the existing visual character or quality of the site; therefore, there will be no impact.

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Lighting in the area is associated with existing development. Light for the proposed project would be consistent with City of Brawley standards as it is an existing structure. All lighting is shielded from residential areas.

II. AGRICULTURE RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range

Issues (and Supporting Information Sources):

Potentially Significant Impact

Less Than Significant with Mitigation Incorporation

Less Than Significant Impact

No Impact

Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Resources Board. Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

The proposed project is designated low density residential within an urbanized area that is currently adjacent to development. Also, the property has not been farmed in over a decade. With a general plan amendment and a zone change, there would no impact to agriculture due to the implementation of the project.

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

The proposed project site is not designated or zoned for agricultural uses. Additionally, there are no Williamson Act contracts on the project site or in the vicinity. Therefore, there would be no impact.

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

The project site is located within an urban area with no timberland activity occurring within the project vicinity. There would not be any direct, indirect, or cumulative impacts to the environment which could cause conversion of timberland to non-timberland uses.

d) Result in the loss of forest land or conversion of forest land to non-forest use?

The project site is located within an urban area with no forest land activity occurring within the project vicinity. There would not be any direct, indirect, or cumulative impacts to the environment which could cause conversion of forest land to non-forest uses.

Issues (and Supporting Information Sources):

Potentially Significant Impact

Less Than Significant with Mitigation Incorporation

Less Than Significant Impact

No Impact

e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

The project site is located within an urban area with no agricultural activity occurring within the project vicinity. There would not be any direct, indirect, or cumulative impacts to the environment which could cause conversion of farmland to non-agricultural uses or forest land to non-forest uses.

III. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

a) Conflict with or obstruct implementation of the applicable air quality plan?

The regional plan for Brawley is the Air Quality Attainment Plan for Imperial County. The California Air Resources Board (CARB) provides criteria for determining whether a project conforms to the Air Quality Attainment Plan. The Air Quality Analysis indicates less than significant impacts that would be mitigated and would not obstruct the implementation of the air quality attainment plan for Imperial County.

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

Emissions due to operation of the project will emit some CO₂. The proposed project is classified as a Tier 2 project (to be verified with APCD). According to the ICAPCD CEQA Air Quality Handbook, Tier 2 projects are required to implement all standard and discretionary mitigation measures. Construction emissions are shall be restricted to less than the ICAPCD thresholds for all criteria pollutants.

c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

Issues (and Supporting Information Sources):

Potentially Significant Impact

Less Than Significant with Mitigation Incorporation

Less Than Significant Impact

No Impact

The proposed project would contribute air emissions in an air basin which is in non-attainment of standards. The ICAPCD's Operational Development Fee (Rule 310) would be required to provide. (1) off-site mitigation; (2) an operational development fee, or (3) a combination of both for any future site development. These measures for the proposed project would reduce cumulative impacts to a level that is less than significant.

d) Expose sensitive receptors to substantial pollutant concentrations?

Same as III b).

e) Create objectionable odors affecting a substantial number of people?

The project would not generate objectionable odors. Therefore, there would be no impact.

IV. BIOLOGICAL RESOURCES. Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

The site was surveyed for the existence of burrowing owls or any other protected or sensitive species. No sensitive species were found. A follow-up survey shall be performed prior to construction activities. If these species are present, avoidance, minimization and mitigation shall be performed.

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or US Fish and Wildlife Service?

No riparian habitat or sensitive communities are present.

Issues (and Supporting Information Sources):

Potentially Significant Impact

Less Than Significant with Mitigation Incorporation

Less Than Significant Impact

No Impact

c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

There are no wetland resources as defined by the Clean Water Act located on-site and therefore there will be no impact.

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

The site will be surveyed for the existence of burrowing owls or any other protected or sensitive species. If these species are present mitigation measures could include avoidance and/or relocation measures.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

The project would not conflict with any local policy or ordinance protecting biological resources; thus, there would be no impact.

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

There are no Habitat Conservation Plans or Natural Community Conservation Plans on or within the vicinity of the project site. Therefore, there would be no impact.

V. CULTURAL RESOURCES. Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in '15064.5?

The vacant parcel is adjacent to existing urban development which would not be considered historical as defined by the four criterion listed by the California Register of Historic Resources therefore, creating no impacts.

Issues (and Supporting Information Sources):

Potentially Significant Impact

Less Than Significant with Mitigation Incorporation

Less Than Significant Impact

No Impact

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5?

The site is adjacent to existing development and has been disturbed and there are no identified archaeological resources located on the project site.

c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

The site is adjacent to existing development and has been disturbed and there are no identified paleontological resources located on the project site.

d) Disturb any human remains, including those interred outside of formal cemeteries?

The site is adjacent to existing development that has been disturbed and the proposed project will not impact any human remains. Additionally, there are no known cemeteries located within the vicinity of the project site. Thus, there would be no impact.

VI. **GEOLOGY AND SOILS.** Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

There are no faults identified by the Alquist-Priolo Fault Zoning Map on or within the vicinity of the project site. The project site is within a seismically active area; however, all structures shall be in adherence to the California Building Code.

Issues (and Supporting Information Sources):	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
<p>ii) Strong seismic ground shaking?</p> <p><i>The project area is seismically active, and development would require implementation of project design measures and adherence to the California Building Code. The current and proposed buildings are designed to reduce the impacts to a level that is less than significant.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>iii) Seismic-related ground failure, including liquefaction?</p> <p><i>The project would implement project design measures required by the California Building Code and any other required ground improvement measures needed to reduce the level that has no impact.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>iv) Landslides?</p> <p><i>Due to the completely flat and level nature of the project site, there is no potential for a landslide incident and would have no impact.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>b) Result in substantial soil erosion or the loss of topsoil?</p> <p><i>Soil at the project site could be subject to wind and water erosion during construction. Erosion control requirements and Best Management Practices would be incorporated into the project design at the time of development that produces less than significant impacts.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?</p> <p><i>The project shall meet the requirements of geotechnical report for construction which will mitigate impacts to a less than significant level.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?</p> <p><i>The project shall meet the requirements of a geotechnical studies for construction which has no impact to expansive soils.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues (and Supporting Information Sources):

Potentially Significant Impact

Less Than Significant with Mitigation Incorporation

Less Than Significant Impact

No Impact

e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

The project site would be connected to City wastewater disposal systems and onsite treatment system. Pretreatment shall be required to meet Public Works standards, and therefore, there would have less than significant impacts.

VII. GREENHOUSE GAS EMISSIONS.

Would the project:

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

The project will generate some additional traffic which will have less than significant impacts. Any Mitigation per the APCD shall be required to produce a level which has a less than significant impact.

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Same as VII a).

VIII. HAZARDS AND HAZARDOUS MATERIALS. Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Hazardous materials would not be transported for this project. Therefore, it would have no impact.

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Same as VIII a).

Issues (and Supporting Information Sources):

Potentially Significant Impact

Less Than Significant with Mitigation Incorporation

Less Than Significant Impact

No Impact

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

The project is greater than one-quarter mile from a schools and will not emit or handle any hazardous materials. Therefore, there will be no impact

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

The project site no longer contains any hazardous materials that are compiled pursuant to the Government Code that would create a potential hazard to the public. The Department of Toxic Substances Control has certified the project area has been mitigated. Therefore, there are no impacts.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

The proposed project is within the D zone of the Brawley Municipal airport land use plan and considered a normally accepted use requiring only a deed notice. Thus, the impact would be less than significant.

f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

The project site is not within two miles of a private airport and there would be no impact.

g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

The project is an existing urban parcel and shall comply with any emergency response and evacuation plan, and therefore, would have no impact.

Issues (and Supporting Information Sources):

Potentially Significant Impact

Less Than Significant with Mitigation Incorporation

Less Than Significant Impact

No Impact

h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

The project site is not located adjacent to wildlands; therefore, there would be no impact.

IX. HYDROLOGY AND WATER QUALITY. Would the project:

a) Violate any water quality standards or waste discharge requirements?

The proposed project shall adhere to all applicable regulations regarding water discharge and water quality per the Brawley Pre-Treatment Ordinance and Regional Water Quality Control Board (RWQCB). An approved, landscaped retention basin shall be incorporated bringing impact to less than significant.

b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

Groundwater is not used in Brawley, nor in the surrounding agricultural area, because it is too brackish for agricultural use or human consumption. Therefore, the proposed project would use City water rather than ground water; and as such would not result in the net deficit of aquifer volume or a lowering of the water table.

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?

Since drainage patterns have already been established in this urban area, and all drainage shall be per the Retention Basin Calculations and Public Works standards, no significant alteration is expected; therefore the impact would be less than significant.

Issues (and Supporting Information Sources):

Potentially Significant Impact

Less Than Significant with Mitigation Incorporation

Less Than Significant Impact

No Impact

d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

Additional paved surface area will have some effect on runoff and drainage. An on-site retention basin is proposed per the drainage study for the project creating a less than significant impact.

e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

The project site is currently undeveloped land. The proposed project would increase the amount of impervious surface at the project site. Contaminants from parking lots and other paved areas would create new sources of polluted runoff from the project site. The implementation of BMPs (Best Management Practices) and a SWPPP (Storm Water Pollution Prevention Plan) shall be required prior to construction. The project shall incorporate a retention basin per the drainage study to properly manage stormwater onsite, therefore, there would be a less than significant impact.

f) Otherwise substantially degrade water quality?

No other issues would substantially degrade the water quality that would create any impacts.

g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

The project is not located within a 100-year flood hazard area as mapped by a Flood Insurance Rate Map. Therefore, there would be no impacts.

Issues (and Supporting Information Sources):

Potentially Significant Impact

Less Than Significant with Mitigation Incorporation

Less Than Significant Impact

No Impact

h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?

The project is not located within a 100-year flood hazard area as mapped by a Flood Insurance Rate Map. Therefore, there would be no impacts.

i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

The project is not located in an area identified to be at risk of flooding from dam or levee failure and there would be no impact.

j) Inundation by seiche, tsunami, or mudflow?

The project site is located inland and is far from any large water bodies. Therefore, the risk of inundation is considered to be very low and there would be no impact.

X. LAND USE AND PLANNING. Would the project:

a) Physically divide an established community?

The project site is an infill of a parcel designated for urban development and would not divide an established community.

b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

The project shall be required to complete a Zone Change and General Plan Amendment to become consistent with the Zoning Ordinance and General Plan. Therefore, there would be no significant impact with this mitigation.

Issues (and Supporting Information Sources):

Potentially Significant Impact

Less Than Significant with Mitigation Incorporation

Less Than Significant Impact

No Impact

c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

The site is not subject to a habitat conservation plan or natural community conservation plan, and does not contain any significant vegetation, habitat or wildlife resources. Therefore, there would be no impact

XI. MINERAL RESOURCES. Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

The project site is not within an area identified as containing mineral resources, therefore, there would be no impact.

b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

There are no mineral resource recovery sites within the vicinity of the project site identified in the General Plan and thus, there would be no impact.

XII. NOISE. Would the project result in:

a) Exposure of persons to generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

The noise levels will need to be acceptable for the type of land use and surrounding land uses. Noise levels would increase due primarily to traffic. Separation from residential land uses and industrial land uses typically require a masonry wall and landscape buffer bringing the impact to less than significant. M-1 zoning has a zero side yard setback and the back of the mini-storage building will face a private street. Therefore, a masonry wall is not required when a street separates the properties. Also, the back of the building will act as the buffer between the different land uses. A Deed Notice is also required for properties in the D Zone of the County Airport Land Use Plan.

Issues (and Supporting Information Sources):

Potentially Significant Impact

Less Than Significant with Mitigation Incorporation

Less Than Significant Impact

No Impact

b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

The project will produce minor noise levels, but will remain within the parameters of a residential area and will not have a significant affect to any sensitive receptors. Therefore, the impact is less than significant.

c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

See XII a).

d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

See XII a).

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

The project is located within the Brawley Municipal airport land use plan. However, the noise level in Zone D is of acceptable standards and have a less than significant impact in the project area.

f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

The project is not located within two miles of a private airstrip. There would, therefore, be no impact.

XIII. POPULATION AND HOUSING. Would the project:

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

The proposal will induce some population growth with the addition of new trailers and recreational vehicles; however, the growth is seasonal and will not be above projected population growth and capacity.

b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

There is no existing housing on-site. Therefore, there would not be a displacement of existing housing or people as a result of this project.

c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

See XII b).

XIV. PUBLIC SERVICES.

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Fire protection?

The project is protected by a newly constructed fire station nearby and therefore have no impact.

Issues (and Supporting Information Sources):

Potentially Significant Impact

Less Than Significant with Mitigation Incorporation

Less Than Significant Impact

No Impact

Police protection?

The site is already served by police service and the proposed project is not of a type or scale that could affect the ability of the City to provide police protection, therefore, there would be no impact.

Schools?

The project will create additional residences, but those types of residences will not contain a significant amount of school age individuals. Therefore, there will be a less than significant impact.

Parks?

The project may create an additional need for a park. The project will have some onsite recreational opportunities and Quimby Fees will also be collected.

Other public facilities?

The need for electrical service and other utilities will be required. Close coordination between these agencies is essential.

XV. RECREATION.

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

The project will create additional residences, but those types of residences will not contain a significant amount of school age individuals. Therefore, there will be a less than significant impact.

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

Any construction or expansion of recreational facilities will not have an adverse physical effect on the environment.

XVI. TRANSPORTATION/TRAFFIC.

Would the project:

a) Conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account for all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?

The project will somewhat increase traffic in the region around the project site. The traffic study indicates the Level of Service (LOS) to remain at A upon build-out of the project. Mitigation includes paving of all driving, maneuvering and parking areas and appropriate striping and signage.

b) Conflict with an applicable congestion management program, including, but not limited to level of service standard and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

See XV a).

c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

The proposed project would not result in a change of air traffic patterns and therefore, would have no impact.

d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

The project shall be reviewed by the City's engineering division for compliance with City standards and requirements to not create any

Issues (and Supporting Information Sources):

Potentially Significant Impact

Less Than Significant with Mitigation Incorporation

Less Than Significant Impact

No Impact

design impacts.

e) Result in inadequate emergency access?

Implementation of the project would not result in inadequate emergency access, as it is adjacent to an existing development and designed to meet the City of Brawley standards and would have multiple ingress/egress points.

f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

The project would not conflict with adopted policies, plans, or programs supporting alternative transportation. Thus, there would be no impact.

XVII. UTILITIES AND SERVICE SYSTEMS. Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

The proposed project would adhere to all applicable regulations regarding water discharge and water quality per the Brawley Pre-Treatment Ordinance and Regional Water Quality Control Board (RWQCB) requirements and would have a less than significant impact with appropriate mitigation.

b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

The proposed project would be serviced by the existing capacity of the City of Brawley's water and wastewater facilities. The proposed project shall adhere to all applicable regulations regarding water discharge and water quality per the Brawley Pre-Treatment Ordinance and Regional Water Quality Control Board

Issues (and Supporting Information Sources):

Potentially Significant Impact

Less Than Significant with Mitigation Incorporation

Less Than Significant Impact

No Impact

(RWQCB) requirements and would have a less than significant impact with appropriate mitigation.

c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

The proposed project would utilize an onsite storm water retention basin designed to accommodate this site. This facility would result in a less than significant impact.

d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

The new use will require additional water, but will not exceed the capacity parameters set by the City, therefore, the impacts will be less than significant.

e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

See XVII b).

f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

The Allied Imperial Landfill has capacity sufficient for the next 15 years. There would be no impact.

g) Comply with federal, state, and local statutes and regulations related to solid waste?

The project would comply with all applicable federal, state, and local statutes and regulations pertaining to solid waste.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE.

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

The Biological Study show no presence of endangered or protected species and therefore, have a less than significant impact on any form of wildlife.

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

The project will contribute additional carbon dioxide (CO2) and effluent into the wastewater system, but shall be mitigated per APCD, City of Brawley and RWQCB requirements and standards. Therefore, a less than significant cumulative impact is expected with the mitigation incorporation.

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

The project will contribute additional carbon dioxide (CO2) and effluent into the wastewater system, but shall be mitigated per APCD, City of Brawley and RWQCB requirements and standards. Therefore, a less than significant cumulative impact is expected with the mitigation incorporation.

XVIII. EARLIER ANALYSES.

Earlier analyses may be used where, pursuant to the tiering, program EIR or other CEQA process, on or more effects have been adequately analyzed in an earlier EIR or Negative Declaration per Section 15063(c)(3)(D).

1. City of Brawley General Plan and Mitigated Negative Declaration (2008)
2. City of Brawley Water Master Plan (1999)
3. City of Brawley Wastewater Master Plan (1999)
4. Hydrology and Retention Basin Calculations (August 2014)
5. Geotechnical Report (July 2014)
6. Air Quality Report (August 2014, APCD may require revisions)
7. Assessment of Greenhouse Gas Emissions and Impacts from EMD (August 2014, APCD may require revisions)
8. Biological Resources Evaluation (July 2014).
9. Traffic Study (August 2014)
10. Department of Toxic and Substance Control Certification Letter (November 2006)

CITY OF BRAWLEY
MITIGATED NEGATIVE DECLARATION FOR ZONE CHANGE/GENERAL PLAN
AMENDMENT/SITE PLAN/CONDITIONAL USE PERMIT/PARCEL MAP (ZC-14-
01/GPA14-01/SP14-02/CUP14-01/PM14-01) – RIVER PALM MOBILE HOME AND RV
PARK/MINI STORAGE/CONVENIENCE MARKET

I. DESCRIPTION OF PROJECT

A rezoning to MHP (Mobile Home Park), C-1 (Neighborhood Commercial) and M-1 (Light Manufacturing) in order to permit a mobile home and RV park, a convenience store and a mini-storage facility. The property is currently zoned R-1 (Residential Single Family). The project also includes a General Plan Amendment changing the land use from Low Density Residential to Medium Density Residential, Commercial and Light Manufacturing and a parcel map subdividing the lot into three parcels. The site is currently vacant and is 24.49 acres in size. Access is proposed via River Drive, North Palm Avenue and Duarte Street. The applicant is also required to obtain a conditional use permit for the mini-storage facility. There are previous zoning conditions currently imposed on this property for a single family tentative tract map.

II. DESCRIPTION OF ENVIRONMENTAL SETTING

<i>North -</i>	M-1 (Light Industrial) / Vacant
<i>South -</i>	R-1 (Residential Single Family) / Single Family Dwellings
<i>East -</i>	R-1 (Residential Single Family) / Vacant
<i>West-</i>	M-1 (Light Industrial) / Vacant

The setting is adjacent to development and planned for urban uses the General Plan.

III. ENVIRONMENTAL IMPACT AND PHYSICAL EFFECT

The Brawley Planning Director prepared a CEQA draft Initial Study and the Brawley Development Review Committee (DRC) reviewed the project on July 10, September 4 and October 2, 2014. The DRC and the applicant's representatives provided input.

1. There is no substantial evidence in light of the whole record before the public agency that the project, as revised, may have a significant effect on the environment.
2. Feasible mitigation measures or alternatives will be incorporated to revise the proposed project, before the Mitigated Negative Declaration is released for public review, such that the potential significant effects are eliminated or reduced to a level of insignificance.
3. The project is consistent with the general plan, any specific plans and zoning ordinance for the City of Brawley.
4. The project is designated for heavy manufacturing land uses, is designated for urban development and is consistent with environmental plans and goals of the community.

5. The project will not have a demonstrable negative aesthetic effect because development standards included in the Brawley Zoning Ordinance will assure a high quality of architectural and landscape design.
6. The City will provide adequate public services to serve the project and will perform any improvements required.
7. The developer will provide adequate public services to serve the project and will perform any improvements required.
8. There are no unusual geologic hazards or flooding problems that would not be adequately addressed by compliance with city development requirements and the California Building Code (CBC).

VI. POTENTIAL SIGNIFICANT IMPACTS

AIR QUALITY

The regional plan for Brawley is the Air Quality Attainment Plan for Imperial County. The California Air Resources Board (CARB) provides criteria for determining whether a project conforms to the Air Quality Attainment Plan. The Air Quality Analysis indicates less than significant impacts that would be mitigated and would not obstruct the implementation of the air quality attainment plan for Imperial County.

Emissions due to operation of the project will emit some CO₂. The proposed project is classified as a Tier 2 project (to be verified with APCD). According to the ICAPCD CEQA Air Quality Handbook, Tier 2 projects are required to implement all standard and discretionary mitigation measures. Construction emissions shall be restricted to less than the ICAPCD thresholds for all criteria pollutants.

The proposed project would contribute air emissions in an air basin which is in non-attainment of standards. The ICAPCD's Operational Development Fee (Rule 310) would be required to provide; (1) off-site mitigation; (2) an operational development fee; or (3) a combination of both for any future site development. These measures for the proposed project would reduce cumulative impacts to a level that is less than significant.

BIOLOGICAL RESOURCES

The site was surveyed for the existence of burrowing owls or any other protected or sensitive species. No sensitive species were found. A follow-up survey shall be performed prior to construction activities. If these species are present, avoidance, minimization and mitigation shall be performed.

GREENHOUSE GAS EMISSIONS

The project will generate some additional traffic which will have less than significant impacts. Any Mitigation per the APCD shall be required to produce a level which has a less than significant impact.

HYDOLOGY AND WATER QUALITY

The proposed project shall adhere to all applicable regulations regarding water discharge and water quality per the Brawley Pre-Treatment Ordinance and Regional Water Quality Control Board (RWQCB).

The project site is currently undeveloped land. Additional paved surfaces will have some effect on runoff and drainage. The proposed project would increase the amount of impervious surface at the project site. Contaminants from parking lots and other paved areas would create new sources of polluted runoff from the project site. The implementation of BMPs (Best Management Practices) and a SWPPP (Storm Water Pollution Prevention Plan) shall be required prior to construction. An approved, landscaped retention basin shall be constructed per the approved drainage study, bringing impact to less than significant.

LAND USE PLANNING

The project shall be required to complete a Zone Change and General Plan Amendment to become consistent with the Zoning Ordinance and General Plan. Therefore, there would be no significant impact with this mitigation.

NOISE

The noise levels will need to be acceptable for the type of land use and surrounding land uses. Noise levels would increase due primarily to traffic. Separation from residential land uses and industrial land uses typically require a masonry wall and landscape buffer bringing the impact to less than significant. M-1 zoning has a zero side yard setback and the back of the mini-storage building will face a private street. Therefore, a masonry wall is not required when a street separates the properties. Also, the back of the building will act as the buffer between the different land uses. A Deed Notice is also required for properties in the D Zone of the County Airport Land Use Plan.

TRANSPORTATION AND TRAFFIC

The project will somewhat increase traffic in the region around the project site. The traffic study indicates the Level of Service (LOS) to remain at A upon build-out of the project. Mitigation includes paving of all driving, maneuvering and parking areas and appropriate striping and signage.

UTILITIES AND SERVICE SYSTEMS

The proposed project would be serviced by the existing capacity of the City of Brawley's water and wastewater facilities. The proposed project shall adhere to all applicable regulations regarding water discharge and water quality per the Brawley Pre-Treatment Ordinance and Regional Water Quality Control Board (RWQCB) requirements and would have a less than significant impact with appropriate mitigation.

MANDATORY FINDINGS OF SIGNIFICANCE

The project will contribute additional carbon dioxide (CO₂) and effluent into the wastewater system, but shall be mitigated per APCD, City of Brawley and RWQCB requirements and standards. Therefore, a less than significant cumulative impact is expected with the mitigation incorporation.

VII. REASONS TO SUPPORT FINDING OF A MITIGATED NEGATIVE DECLARATION

On the basis of this analysis, it is determined that any environmental impacts of this project are nonexistent or would not be potentially significant.

A MITIGATED NEGATIVE DECLARATION IS THEREFORE APPROVED FOR THIS PROJECT.



Gordon R. Gaste, AICP CEP
Planning Director
City of Brawley

Issue Area	Impact	Mitigation Measure	Schedule for Implementation			Monitoring Agency	Monitoring Mechanism				Compliance Monitoring and Reporting	
			Pre-Construction	During Construction	Post Construction		Shown in Conditions	Shown on Plans	Installed on Site	Req'd	Req'd	Verified Date/Init
Air Quality	<p>1. The regional plan for Brawley is the Air Quality Attainment Plan for Imperial County, the California Air Resources Board (CARB) provides criteria for determining whether a project conforms to the Air Quality Attainment Plan.</p> <p>2. Emissions due to operation of the project will emit some CO2. The proposed project is classified as a Tier 2 project (to be verified with APCD). According to the ICAPCD CEQA Air Quality Handbook, Tier 2 projects are required to implement all standard and discretionary mitigation measures.</p> <p>3. The proposed project would contribute air emissions in an air basin which is in non-attainment of standards. The ICAPCD's Operational Development Fee (Rule 310) would be required to provide: (1) off-site mitigation; (2) an operational development fee; or (3) a combination of both for any future site development.</p>	<p>1. The Air Quality Analysis indicates less than significant impacts through mitigation and would not obstruct the implementation of the Air Quality Attainment Plan for Imperial County.</p> <p>2. Maximum daily construction emissions are projected to be less than the ICAPCD thresholds for all criteria pollutants except ROG. Mitigation measures would reduce the air quality impacts to a level of insignificance.</p> <p>3. The development fee for the proposed project would reduce cumulative impacts to a level that is less than significant.</p>	X	X		City of Brawley Planning; APCD	SP, MND				A, B, C	a, b
Biological Resources	The site was surveyed for the existence of burrowing owls and other protected or sensitive species.	No sensitive or protected species were found. A follow up survey shall be performed prior to construction activities. If these species are present, avoidance, minimization and mitigation shall be performed.	X			City of Brawley Planning; CDFW	SP, MND				A	a
Greenhouse Gases	The project will generate some additional traffic which would not generate significant additional greenhouse gas emissions causing significant impacts.	Mitigation per the APCD shall be required to produce a level which has a less than significant impact with recommended mitigation.	X	X		City of Brawley Planning; APCD	SP, MND				A, B, C	a, b

Hydrology and Water Quality	<p>1. The project will introduce new effluent into the wastewater system stream.</p> <p>2. The project site is currently undeveloped land. Additional paved surfaces will have some effect on runoff and drainage. The project would increase the amount of impervious surface at the project site. Contaminants from parking lots and other paved areas would create new sources of polluted runoff from the project site.</p>	<p>1. The project shall adhere to all requirements of the City of Brawley Pre-Treatment Ordinance and State discharge requirements per the RWQCB bringing the project to a less than significant impact with the appropriate mitigation.</p> <p>2. The implementation of BMPs (Best Management Practices) and a SWPPP (Storm Water Pollution Prevention Plan) shall be submitted prior to construction. An approved, landscaped retention basin shall be constructed per the approved drainage study, bringing the impacts to less than significant.</p>	X	X	X	City of Brawley Planning and Public Works, RWQCB	SP, MND	A, B, C, D, E	a, b, c
Land Use Planning	<p>The project is proposing a zoning and land use change to the property.</p>	<p>The project shall be required to complete a zone change and General Plan Amendment to become consistent with the Zoning Ordinance and the General Plan to reduce the impacts to less than significant.</p>	X			City of Brawley Planning	SP, RC, MND	A	a
Noise	<p>The noise levels shall be acceptable for the type of land use and surrounding land uses per the General Plan</p>	<p>1. M-1 zoning has a zero side yard setback and the back of the mini-storage building will face a private street. Therefore, a masonry wall is not required when a street separates the properties. Also, the back of the building will act as the buffer between the different land uses.</p> <p>2. A Deed Notice is also required for the properties in the D Zone of the County Airport Land Use Plan.</p>	X	X	X	City of Brawley Planning and Community Development Services (Building Division); Imperial County ALUC	SP, RC, MND	A, B, C	a
Transportation and Traffic	<p>The project will somewhat increase traffic in the region around the project site.</p>	<p>1. The traffic study and General Plan Infrastructure Element indicate the Level of Service (LOS) to remain at A upon build-out of the project.</p> <p>2. Mitigation includes construction of North Palm Avenue and fair share contribution to Duarte Street. Also, paving included is paving of all driving maneuvering and parking areas as well as appropriate striping and signage upgrades will bring the impacts to a less than significant level.</p>	X	X	X	City of Brawley Planning and Public Works	SP, MND	A, B, C	a

Utilities and Service Systems	The proposed project would be serviced by the existing capacity of the City of Brawley's water and wastewater facilities.	The proposed project shall adhere to all applicable regulations regarding water discharge and water quality per the Brawley Pre-Treatment Ordinance and Regional Water Quality Control Board (RWQCB) requirements and would have a less than significant impact with appropriate mitigation.	X	X	X	City of Brawley Public Works, RWQCB	SP, MND	A, B, C, D, E	a, b, c
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Shown in Conditions of Approval:

- SP - Site Plan
- RC - Required by Code
- MND - Mitigated Negative Declaration

Monitoring Frequency:

- A - Prior to Construction
- B - Throughout Construction
- C - On Completion
- D - Operating
- E - On Violation

Reporting Frequency:

- a - Once, On Completion
- b - On Violation
- c - Ongoing



Linda S. Adams
Secretary for
Environmental Protection



Department of Toxic Substances Control

Maureen F. Gorsen, Director
5796 Corporate Avenue
Cypress, California 90630



Arnold Schwarzenegger
Governor

November 22, 2006

Mr. Mark Brearley, Ph.D., R.G.
Senior Staff Geologist
Union Oil Company of California
P.O. Box 399
Edmonds, WA 98020

CERTIFICATION OF THE OFFSITE REMOVAL ACTION TO ADJACENT TO THE FORMER PUREGRO COMPANY FACILITY, 1025 RIVER DRIVE, BRAWLEY, CALIFORNIA

Dear Dr. Brearley:

The Department of Toxic Substances Control (DTSC) has reviewed the "Offsite Removal Action Completion Report" (ORACR) for the offsite area, adjacent to the PureGro facility, dated June 2006. The ORACR documents the successful implementation of the Removal Action Workplan (RAW), dated December 2005 and approved by DTSC on March 2, 2006. This work was performed under the Imminent and Substantial Endangerment Determination and Consent Order I&SE-CO 03/04-009 with DTSC. The removal activities met all of the conditions specified in the approved RAW. Therefore, DTSC certifies that the removal action has been completed.

Based on the ORACR, the removal activities were successful in excavating 15,000 cubic yards of pesticide-contaminated soil materials from the eastern portion of the Site and offsite properties. The excavated material was transported to the temporary staging stockpile and placed on the PureGro site to be remediated later as part of the on-site cleanup activities. The off-site pesticide contamination is believed to have originated from the former PureGro facility activities. The Former PureGro Facility operated as an agricultural chemical blending and formulation from the 1940's until 2000.

Upon completion of soil excavation activities and receipt of confirmation sample results, the excavated areas were backfilled and compacted using soil from an offsite source meeting the requirements for "Unclassified Fill". This Fill was free of organics, rubbish,

Mr. Mark Brearley, Ph.D., R.G.
November 22, 2006
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debris, and other objectionable material. Confirmation soil samples were collected and analyzed following the excavation. A risk screening was performed to confirm that the target cleanup goals (cumulative cancer risk in the 10^{-6} risk range or lower) for the site specific contaminants of concern had been achieved.

During backfill operations, elevated concentrations of arsenic were detected in the backfill soils. Approximately 6,000 cubic yards of this backfill soil was subsequently removed from the site. An alternate source of backfill soil was identified. DTSC approved the use of the new source of backfill soil based on the confirmation sampling data.

As with any real property, should previously unidentified contamination be discovered at the property and/or the conditions at the property differ from those presented in the submitted documents, additional assessment, investigation, and/or cleanup maybe required.

If you have any questions regarding this letter or need further clarification, please contact me at (714) 484-5459 or Ms. Rania A. Zabaneh, Project Manager at (714) 484-5479.

Sincerely,



Thomas M. Cota, Chief
Southern California Cleanup Operations Branch - Cypress Office

cc: Mr. Veryl Wittig, P.G., CHG
Senior Hydrogeologist
GeoSyntec Consultants
10875 Rancho Bernardo Road, Suite 200
San Diego, California 92127

Mr. Francisco Soto
City of Brawley
205 South Imperial Avenue
Brawley, California 92227

Mr Mark Brearley, Ph.D., R G
November 22, 2006
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cc: Mr. Rick Snyder
Vice President Operations
Celebrate Homes
2535 W. Cheyenne Ave Suite 100
North Las Vegas, Nevada 89032

Ms. Yvonne Sanchez, Branch Chief
State Wide Compliance - Cypress
Hazardous Waste Management
Department of Toxic Substances Control

Mr. J.T. Liu, P.E., Unit Chief
Southern California Cleanup Operations Branch - Cypress Office
Department of Toxic Substances Control

Mr. Scott Warren, RG
Senior Engineering Geologist
Geological Services Unit
Department of Toxic Substances Control
5796 Corporate Avenue
Cypress, California 90630

Ms. Leticia Hernandez
Public Participation Specialist
Department of Toxic Substances Control
5796 Corporate Avenue
Cypress, California 90630

ORDINANCE NO. 2015-

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRAWLEY, CALIFORNIA,
AMENDING THE BRAWLEY MUNICIPAL CODE TO CHANGE THE ZONING
DESIGNATION FOR SPECIFIED PROPERTIES

THE CITY COUNCIL OF THE CITY OF BRAWLEY, CALIFORNIA, DOES ORDAIN AS
FOLLOWS:

Section 1: The zoning map adopted at Chapter 27, Article III, Section
27.60 of the Brawley Municipal Code is hereby amended as follows:

Lot 8, Subdivision of Tract 77, Township 13 South, Range 14 East,
S.B.M. excepting the South 40 feet, City of Brawley, County of
Imperial, State of California, APN 047-060-031

The current zoning for the Property is R-1 (Residential Single
Family). The zoning for the Property enacted by this ordinance
is MHP (Mobile Home Park), C-1 (Neighborhood Commercial) and M-1
(Light Manufacturing).

APN	ZONE CLASSIFICATION	
	As Amended by this Ordinance	Existing
047-060-031 See Map Exhibits A and B	MHP (Mobile Home Park), C-1 (Neighborhood Commercial), M-1 (Light Manufacturing)	R-1 (Residential Single Family)
- -		
- -		
- -		

Section 2: Effective Date. This Ordinance shall take effect and shall
be in force thirty (30) days after the date of its adoption and prior to the
expiration of fifteen (15) days from the passage thereof, shall be published
at least once in the Imperial Valley Press, a newspaper of general
circulation, printed and published in the County of Imperial, State of
California, together with the names of the members of the City Council voting
for and against the same.

APPROVED PASSED AND ADOPTED, at a regular meeting of the Brawley City
Council of the City of Brawley, held on the 19th day of May, 2015.

CITY OF BRAWLEY, CALIFORNIA

George A. Nava, Mayor

ATTEST:

Alma Benavides, City Clerk

STATE OF CALIFORNIA)
COUNTY OF IMPERIAL)
CITY OF BRAWLEY)

1st Reading

I, *Alma Benavides*, City Clerk of the City of Brawley, California, DO
HEREBY CERTIFY that the foregoing Ordinance No. 2015- was passed and adopted
by the City Council of the City of Brawley, California, at a regular meeting
held on the 5th day of May, 2015 and that it was so adopted by the following
roll call vote:

AYES:
NAYES:
ABSTAIN:
ABSENT:

DATED: May 5, 2015

Alma Benavides, City Clerk

2nd Reading & Adoption

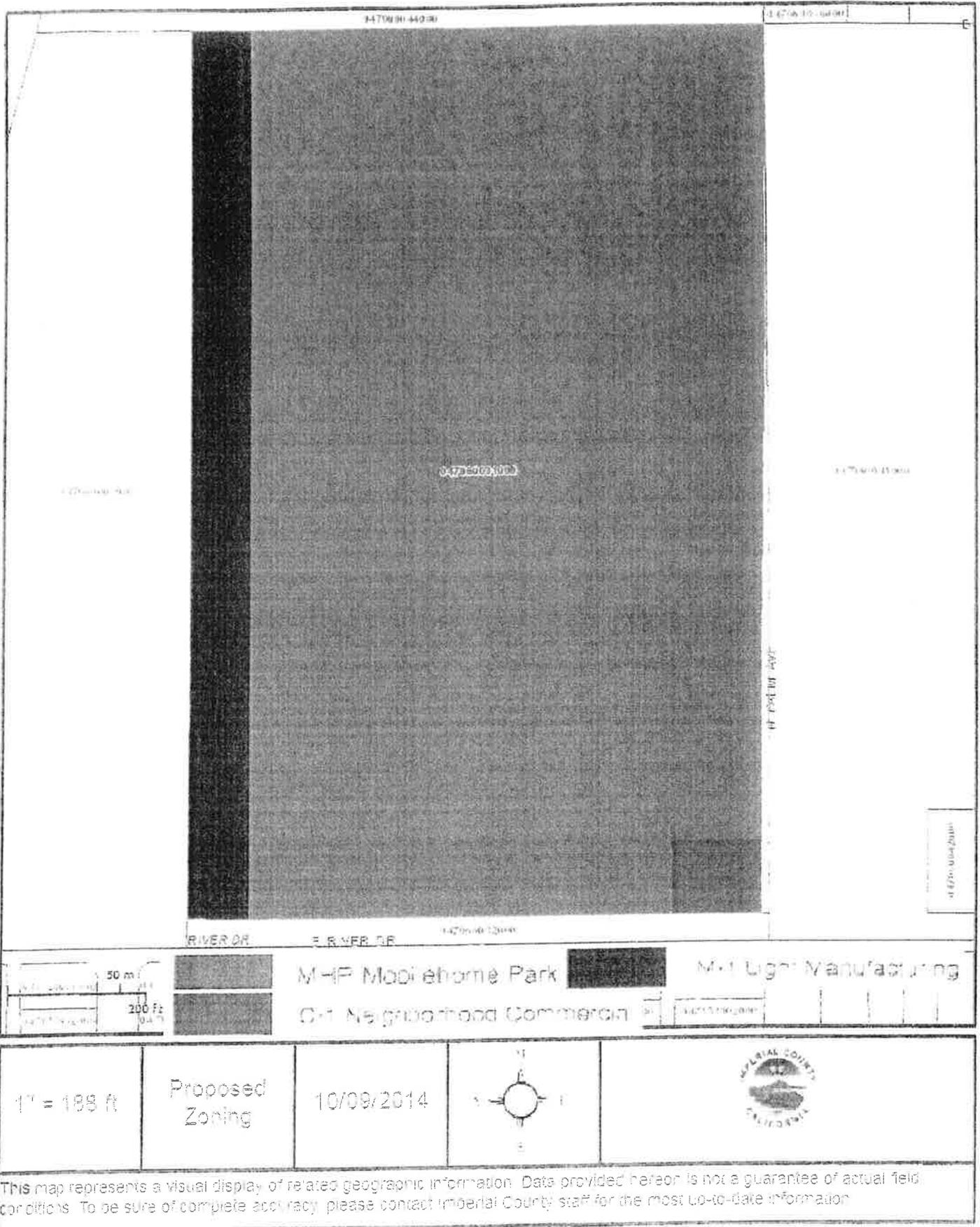
I, *Alma Benavides*, City Clerk of the City of Brawley, California, DO
HEREBY CERTIFY that the foregoing Ordinance No. 2015- was passed and adopted
by the City Council of the City of Brawley, California, at a regular meeting
held on the 19th day of May, 2015 and that it was so adopted by the following
roll call vote:

AYES:
NAYES:
ABSTAIN:
ABSENT:

DATED: May 19, 2015

Alma Benavides, City Clerk

Exhibit B



RESOLUTION NO. 2015-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRAWLEY,
CALIFORNIA, AMENDMENT TO THE CITY OF BRAWLEY GENERAL PLAN.

WHEREAS, three public hearings before the Planning Commission were duly called and noticed and held on November 12, 2014, February 4 and April 3, and noticed on all property owners with a 300' radius to consider an application for a General Plan Amendment; and

WHEREAS, public comments and objections were stated regarding the General Plan Amendment; and

WHEREAS, the City of Brawley Planning Commission recommended denial of the General Plan Amendment; and

WHEREAS, a public hearing before the Brawley City Council was duly called and noticed on April 24, 2015, and held on May 5, 2015, and all property owners within a 300' radius were notified; and

WHEREAS, the City Council heard all of the proponents and/or opponents to the application for a General Plan Amendment; and

WHEREAS, approval of the General Plan Amendment will be beneficial to the general welfare of the City of Brawley; and

WHEREAS, the City Council found the General Plan Amendment in compliance with the California Environmental Quality Act (CEQA); and

WHEREAS, the City Council approved and certified a Mitigated Negative Declaration for CEQA per Article 6.

THEREFORE, BE IT RESOLVED AS FOLLOWS:

The City Council of the City of Brawley, California, finds that the recitals above are true and correct and are incorporated herein by this reference as set forth at length herein. The City Council adopts the following Brawley General Plan Amendment to Figure LUE-1 of the General Plan, and hereto incorporated herein by reference.

APN	GENERAL PLAN	
	Proposed	Existing
047-060-031 See Exhibits A and B	Medium Density Residential, Commercial, Industrial	Low Density Residential

Legal Description:

Lot 8, Subdivision of Tract 77, Township 13 South, Range 14 East, S.B.M. excepting the South 40 feet, City of Brawley, County of Imperial, State of California, APN 047-060-31.

PASSED, APPROVED AND ADOPTED at a regular meeting of the Brawley City Council held on May 5, 2015.

CITY OF BRAWLEY, CALIFORNIA

George Nava, Mayor

ATTEST:

Alma Benavides, City Clerk

STATE OF CALIFORNIA
COUNTY OF IMPERIAL
CITY OF BRAWLEY

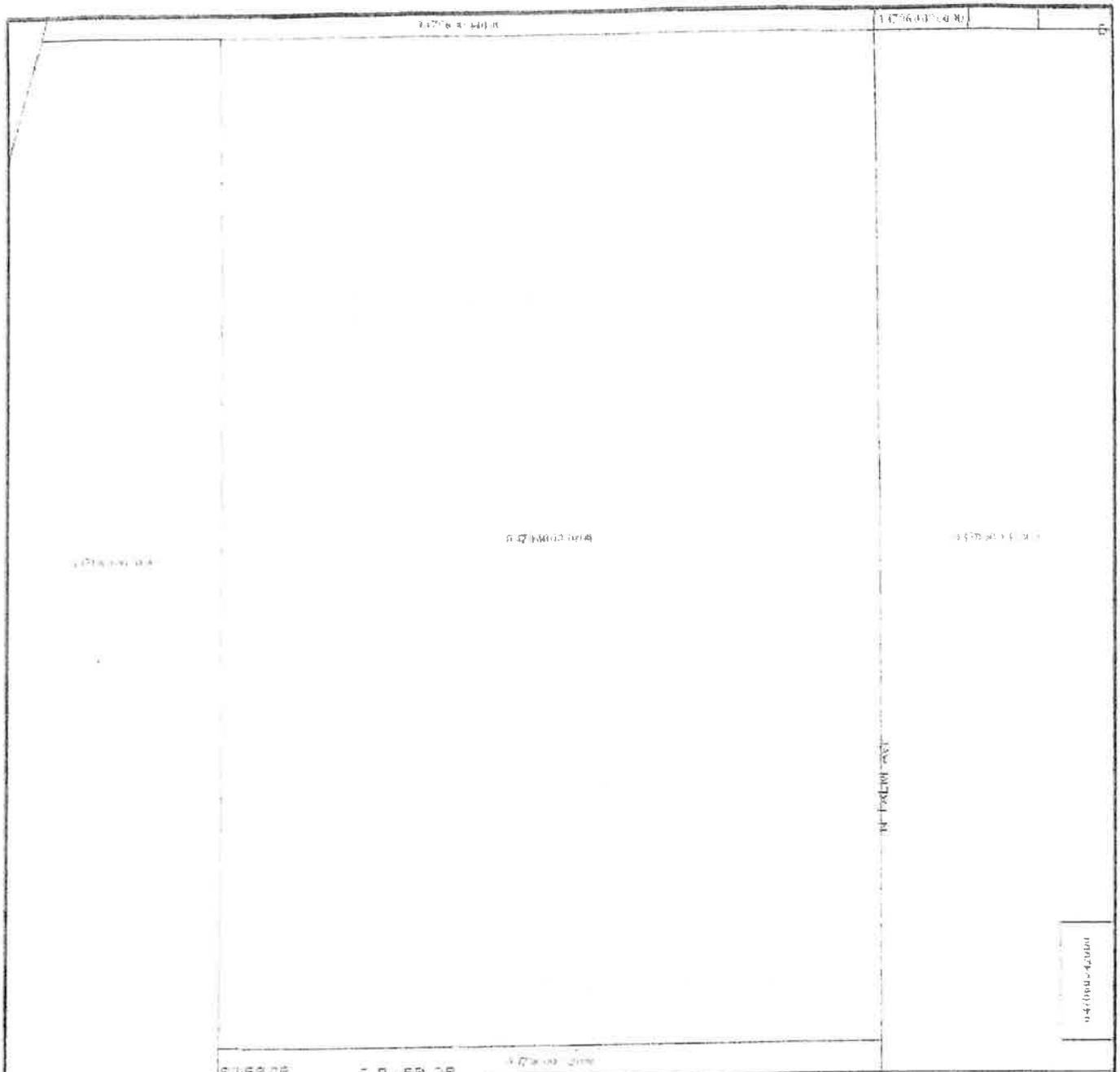
I, ALMA BENAVIDES, City Clerk of the City of Brawley, California, DO HEREBY CERTIFY that the foregoing Resolution No. 2015- was passed and adopted by the City Council of the City of Brawley, California, at an a special meeting held on the 5th day of May 2015, and that it was so adopted by the following roll call vote:

AYES:
NAYES:
ABSTAIN:
ABSENT:

DATED: May 5, 2015

Alma Benavides, City Clerk

Exhibit A

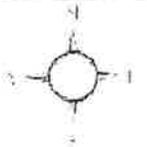


1" = 188 ft

50 m

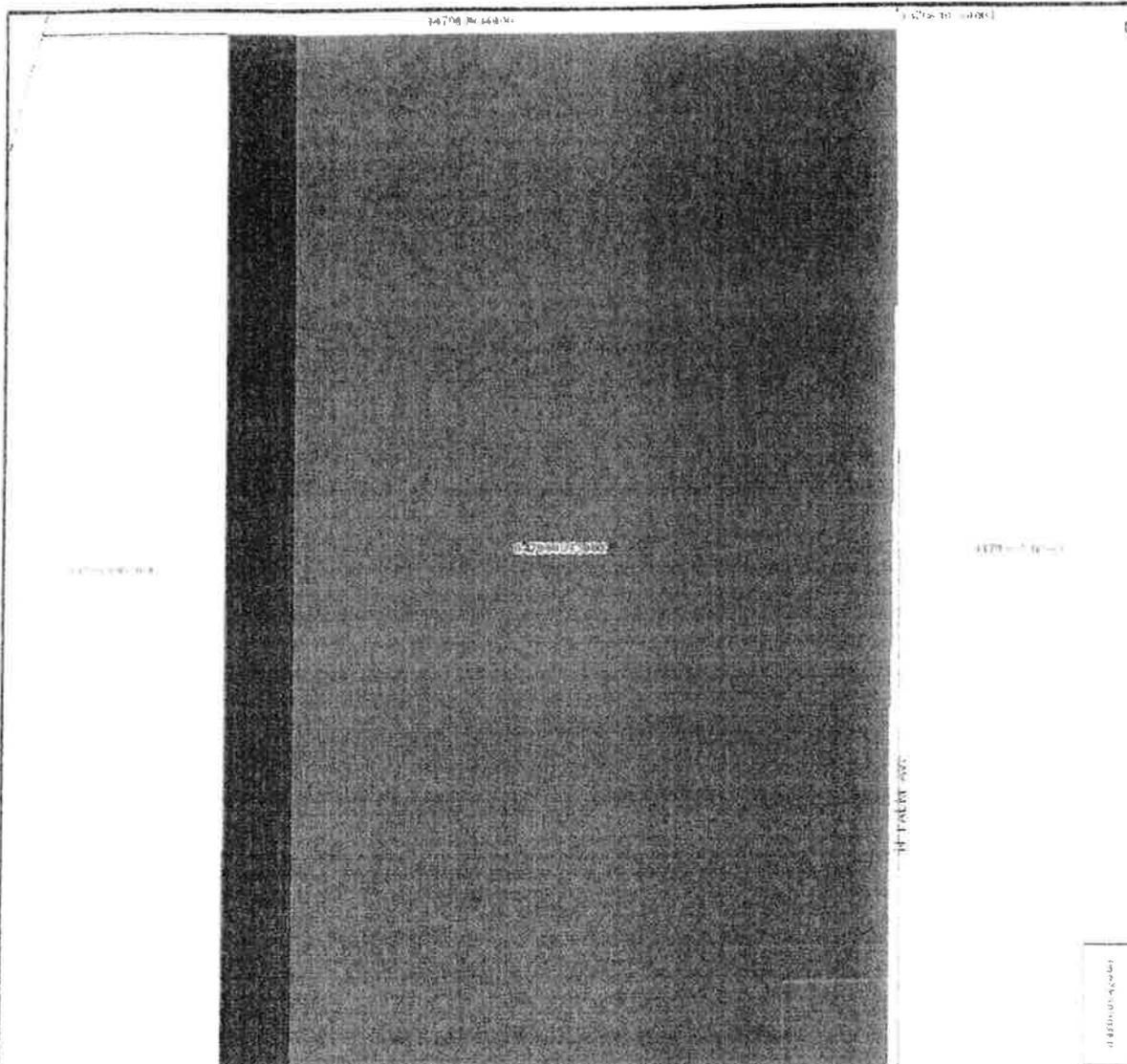
200 ft

Low Density Residential

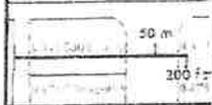
1" = 188 ft	Current Land Use	10/09/2014		
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This map represents a visual display of related geographic information. Data provided hereon is not a guarantee of actual field conditions. To be sure of complete accuracy, please contact Imperial County staff for the most up-to-date information.

Exhibit B



Medium Density Residential
 Commercial Industrial



1" = 188 ft	Proposed Land Use	10/09/2014		
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This map represents a visual display of related geographic information. Data provided hereon is not a guarantee of actual field conditions. To be sure of complete accuracy, please contact Imperial County staff for the most up-to-date information.