

EXHIBIT K

ORDINANCE NO. 794

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IMPERIAL, CALIFORNIA,
APPROVING ANNEXATION IM 5-15, GENERAL PLAN AMENDMENT, PRE-ZONE AND
TEXT AMENDMENT FOR THE RUSSELL COURT SUBDIVISION**

WHEREAS, Property Owner's Ray D. Roben Sr; Roben LLC; Stephen J. & Vicki L. Urih owners ("Applicants/Permittees"), have submitted to the City of Imperial an application for annexation of 29.98 acres with parcel numbers 064-254-084, 064-254-085, 064-254-086, 064-254-087, 064-254-088, 064-020-043, 064-013-003, & 064-013-004, inclusive of discretionary permit applications for a Tentative Tract Map and Land Use and Zoning actions consisting of General Plan Amendment, Pre-Zone and Text Amendment ("Project"); and

WHEREAS, the proposed Project intends to accommodate 126 single-family units and 66 residential apartment units and will necessitate a General Plan Amendment to accommodate the increased densities in land use from Residential Low Density to Low Medium Density Residential and Multiple Family (Rental) Residential; and

WHEREAS, the proposed Project will also necessitate a Pre-zone of R-1 Single-Family and RA-Residential Apartment and Zoning Text Amendment to allow reduced lot widths from 65' minimum to 55' width minimums within the R-1 Single-Family Zone; and

WHEREAS, the proposed actions are generally consistent with the City of Imperial's adopted General Plan Goals, Objectives and Policies absent the changes in densities referenced herein; and

WHEREAS, the proposed Project complies with the provisions of the California Environmental Quality Act (CEQA) and a Mitigated Negative Declaration was adopted for the Project; and

WHEREAS, a Public Hearing Notice was published in the Imperial Valley Press, a newspaper of general circulation and also mailed to all property owners within 300 feet of the project site at least ten days prior to the Imperial City Council taking action; and

WHEREAS, the City Council held a Public Hearing on April 19, 2017 and upon hearing and considering all testimony and arguments for and against, analyzing the information submitted by staff and considering any written and oral comments received, the City Council considered all facts relating to the to the proposed annexation project.; and

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF IMPERIAL DOES
ORDAIN AS FOLLOWS:**

Section 1. In view of all the evidence and based on the foregoing findings and conclusions, the City Council hereby conditionally approves the Annexation, General Plan Amendment, Pre-Zone and Text Amendment of the Russell Court Development contingent upon LAFCo approval, satisfactory actions on IC Airport Land Use Compatibility consistency and a satisfactory Tax and Fiscal Impact Agreement.


Section 2. The City of Imperial Land Use Map and Zoning Map are hereby amended to include annexed territory and land use and zoning designations as stipulated.

Section 3. The text of Chapter 24 of the City of Imperial Municipal Code (Zoning Code) is hereby amended as noted in the proceeding table:


Section	Text					
24.03.100 E.	R-1 Residential Single Family Zone This zone is intended as an area for single family residential development on minimum lot sizes of 5,500 square feet and maximum densities of 6.0 units per net acre.					
24.03.120 Property Development Standards: R Zones A. General Requirements		RR	RL	R-1	RC	RA
	2. Net Lot Area (in sq.)	1 acre	20,000	5,500	7,500	7,500
	3. a. Lot width (in feet)	110	100	65 55	150 int. 70 cor.	150 int. 165 cor.

Section 4. The effective date of this ordinance shall take effect 30 days after its passage and adoption pursuant to California Government Code Section 36937 and shall supersede any conflicting provision of any City of Imperial ordinances.

PASSED, ADOPTED AND APPROVED by the City Council of the City of Imperial, this 3rd day of May, 2017.


James Tucker, Mayor

ATTEST:


Debra Jackson, City Clerk

STATE OF CALIFORNIA)
COUNTY OF IMPERIAL)ss
CITY OF IMPERIAL)

I, Debra Jackson, City Clerk of the City of Imperial, do hereby certify that the foregoing Ordinance No. 794 had its 1st reading on April 19, 2017 and was passed by the following roll call vote:

AYES: AMPARANO, DALE, PECHTL, SAMPSON, AND TUCKER
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE **MOTION CARRIED 5-0**

I, Debra Jackson, City Clerk of the City of Imperial, do hereby certify that the foregoing Ordinance No. 794 had its 2nd reading on May 3, 2017 and was passed by the following roll call vote:

AYES: AMPARANO, DALE, GRAN, PECHTL, SAMPSON, AND TUCKER
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE **MOTION CARRIED 5-0**


DEBRA JACKSON, CITY CLERK
CITY OF IMPERIAL, CALIFORNIA

CERTIFICATE

OF

CITY CLERK

I, Debra Jackson, City Clerk of the City of Imperial DO HEREBY CERTIFY THAT the foregoing is a true and correct copy of Ordinance No. 794 adopted by the City Council of the City of Imperial at their regular meeting of May 3, 2017.


Debra Jackson
City Clerk
City of Imperial

Dated: May 4, 2017