

## CITY COUNCIL ITEM NO. 11 - ERRATA MEMO

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Highlighted below reflects changes to the Jimenez Change of Zone Staff Report and Resolution. Added text is shown in underline; deleted text is shown in ~~strikethrough~~.

### **Staff Report, Page 1 & 2:**

Site Size: ~~19,474 sq. ft./0.447 acres~~ 16,625 sq. ft./0.38 acres

### **Staff Report, Page 2 & 3:**

Density: ~~18 dwelling units per acre~~ 21 dwelling units per acre

### **Resolution, Page 1 & 2:**

Density: ~~18 dwelling units per acre~~ 21 dwelling units per acre

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END

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALEXICO, CALIFORNIA, DENYING UNIFORM APPLICATION NO. 2023-03 FOR A ZONE CHANGE FROM R1 (RESIDENTIAL SINGLE FAMILY) TO RA (RESIDENTIAL APARTMENT) AND A GENERAL PLAN AMENDMENT FROM LDR (LOW DENSITY RESIDENTIAL) TO HDR (HIGH DENSITY RESIDENTIAL) AT 947 HEBER AVENUE**

**WHEREAS**, on March 3, 2023, Gerardo and Lupe Jimenez (Applicants) submitted Uniform Application No. 2023-03 for a zone change from Residential Single Family (R1) to Residential Apartment (RA) to facilitate a proposed eight-unit apartment project at 947 Heber Avenue (APN 058-271-006); and

**WHEREAS**, Section 1.6 of the City of Calexico General Plan requires that both the Zoning Ordinance and General Plan maintain consistency thus necessitating a General Plan Amendment from Low Density Residential (LDR) to High Density Residential (HDR); and

**WHEREAS**, the subject property previously contained a single-family home which was lost in a fire and then demolished in 2023; and

**WHEREAS**, the subject property is located within a low-density residential neighborhood consisting of well-maintained homes with significant landscape coverage on estate lots ranging from a ¼ acre to ½ acre with densities ranging from 2 to 4 units per acre; and

**WHEREAS**, the proposed eight-unit multifamily development would result in a density of 21 dwelling units per acre; and

**WHEREAS**, a Planning Commission meeting was held on April 22, 2024, and upon hearing and considering all findings for and against, and analyzing the information submitted by staff and considering any written comments received regarding the proposed project, the Planning Commission tabled the project to a future Planning Commission date; and

**WHEREAS**, at a duly noticed public hearing on November 20, 2024, the Imperial County Airport Land Use Commission determined the project to be inconsistent with the Airport Land Use Compatibility Plan; and

**WHEREAS**, by Ordinance No. 1241, enacted on February 4, 2025 and effective March 5, 2025, the City Council assumes the role and duties of the Planning Commission; and

RESOLUTION NO. \_\_\_\_\_

**WHEREAS**, a public hearing notice for the project was published in the Calexico Chronicle on March 5, 2025, mailed to 32 property owners within 500 feet of the subject property on March 5, 2025, and posted at City Hall; and

**WHEREAS**, on March 19, 2025, the City Council held a duly noticed public hearing on Uniform Application No. 2023-03; and

**WHEREAS**, the City Council considered all recommendations by staff and public testimony.

**NOW, THEREFORE BE IT RESOLVED**, the City Council of the City of Calexico, California, after considering the evidence presented at the public hearing, finds as follows:

**SECTION 1:** This action denying Uniform Application No. 2023-03 is exempt from the requirements of CEQA and the State CEQA Guidelines pursuant to Section 15270(a) of the CEQA Guidelines as CEQA does not apply to projects which a public agency rejects or disapproves.

**SECTION 2:** The project would be inconsistent with the objectives and policies of the General Plan as follows:

In accordance with Objective 1 of the General Plan Land Use Element, “the land use distribution should be such that the integrity of the existing land use is maintained and/or enhanced.” As the proposal is a spot zone, without a comprehensive rezone of the entire neighborhood it neither preserves the integrity of the existing land use nor enhances the existing land use. In accordance with Policy 1.a. of the General Plan Land Use Element, “[a]ppropriate densities shall be established for new development projects so that they will be compatible with the existing surrounding development and future expected development.” The proposed project’s density of 21 dwelling units per acre would not be compatible with existing surrounding development with a present density range of 2-4 dwelling units per acre. As the entire surrounding neighborhood would remain in the R1 zone, the proposed development would also not be compatible with future expected development for the area.

In accordance with Policy 8.a. of the General Plan Land Use Element, “[m]ultiple-family residential land uses shall be located in areas where compatible with existing land uses and in close proximity to circulation, transit availability, commercial areas, and provision of public services.” The proposed project would not fully meet this policy as it is clearly incompatible with the existing low density land uses within the immediate vicinity of the site and is not proximate to transit or commercial areas. The proposed density of the project (21 dwelling units per acre) would be significantly out of character with the surrounding neighborhood in terms of building scale, landscape coverage, and vehicle trip generation. While a typical single-family home generates approximately 10 vehicle

RESOLUTION NO. \_\_\_\_\_

trips per day, the proposed development would generate approximately 64 vehicle trips per day (ITE Trip Generation Manual, 11th Edition).

In accordance with Policies 8.b. and 8.c of the General Plan multiple-family projects should provide “sufficient open space to balance the developed areas of the site” and provide “recreational uses and activities such as playgrounds, picnic areas and pools.” The proposal includes minimal landscaping and no recreational amenities for future tenants and, as such, does not meet these criteria.

Furthermore, the proposed use would be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity for the reasons stated above. The General Plan is designed to protect the public health, safety, or welfare of the public, and the project would over-intensify a single site within an established neighborhood primarily consisting of low-density single-family homes.

**SECTION 3:** Uniform Application No. 2023-03 for a Zone Change from R1 (Residential Single Family) to RA (Residential Apartment) and a General Plan Amendment from LDR (Low Density Residential) to HDR (High Density Residential) at 947 Heber Avenue is hereby denied.

**SECTION 4:** This resolution sets forth the City Council's findings in support of its denial of Uniform Application No. 2023-03.

**PASSED, ADOPTED, AND APPROVED** at a regular meeting of the City Council of the City of Calexico, California on the 19th day of March, 2025, by the following vote:

\_\_\_\_\_  
Diana Nuricumbo, Mayor

ATTEST:

\_\_\_\_\_  
Veronica L. Alvarado, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Carlos Campos, City Attorney

RESOLUTION NO. \_\_\_\_\_

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

I, Veronica L. Alvarado, City Clerk of the City of Calexico, California, do hereby certify that the foregoing Ordinance was adopted at a regular meeting of the City Council of the City of Calexico held on the 19th day of March, 2025, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

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Veronica L. Alvarado  
City Clerk