

## **CHAPTER SEVEN: IMPLEMENTATION PLAN**

*Divides the construction process into phases that allow for all necessary public facilities to be provided in a cost effective manner and provides recommended enforcement, amendment procedures, maintenance responsibilities, and financing.*



# CHAPTER 7: IMPLEMENTATION PLAN

This section describes mechanisms for implementing the Specific Plan, and is to be consulted whenever there is a question concerning how the plan should be carried out. Because the City of Brawley is the public agency responsible for administration of the Specific Plan area, the tools and procedures described in this section are to be implemented consistent with all city rules, regulations and policies.

## 7.1 Phasing Plan

During the construction of the Rancho-Porter Community, it is important to allow for public facilities and services to be provided in a cost efficient and timely method. The project is assumed to be developed in 4 phases over a period of 5 to 15 years (see **Figure 7-A**). Any changes that may occur during this period should be coordinated with the City of Brawley.

The timing of all phases is contingent on numerous factors, including: market demand, growth in the Imperial Valley, lot redesign, and economic conditions. Other factors that could influence build-out include: the City of Brawley, Caltrans, Imperial County, and the Imperial Irrigation District.

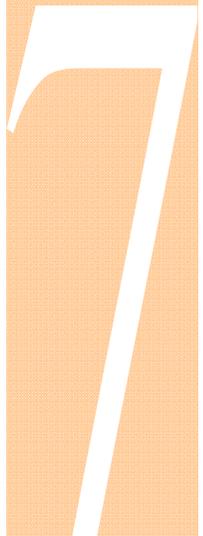
### 7.1.1 Phase 1 2010-2013

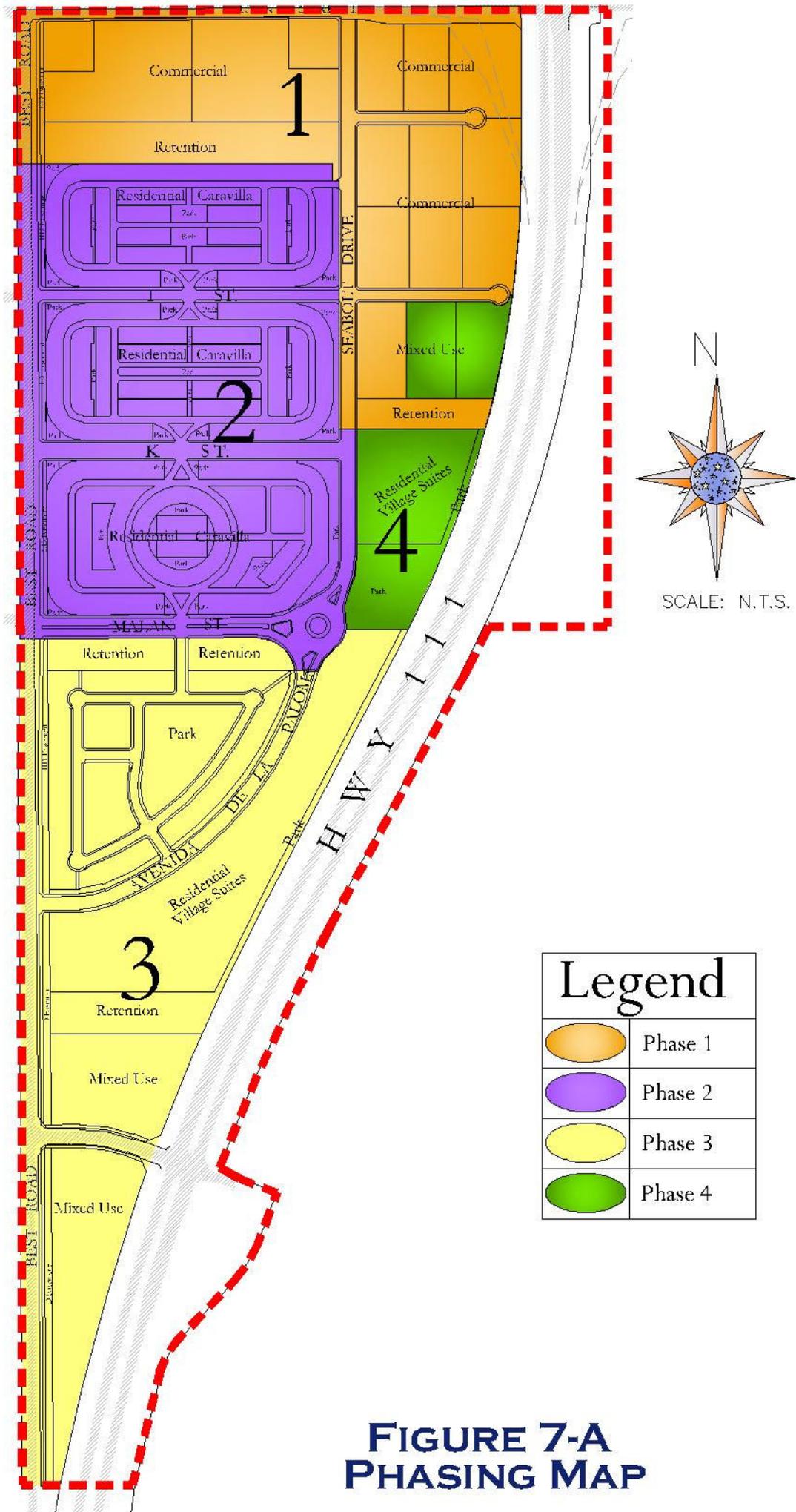
Phase 1 of the Rancho-Porter Community shall incorporate roughly 54 acres. This phase will include regional commercial and the infrastructure to support it (see **Figure 7-B**). **Table 7.1** shows the usage and acreage for Phase 1.

<b>Table 7.1: Phase 1 Land Uses</b>		
<b>Land Use</b>	<b>Acreage</b>	<b>Dwelling Units</b>
Commercial Regional	35.45	n/a
Mixed Use	2.14	26
Retention	7.69	n/a
Easement/ROW	7.33	n/a
<b>Total</b>	<b>52.61</b>	<b>26</b>

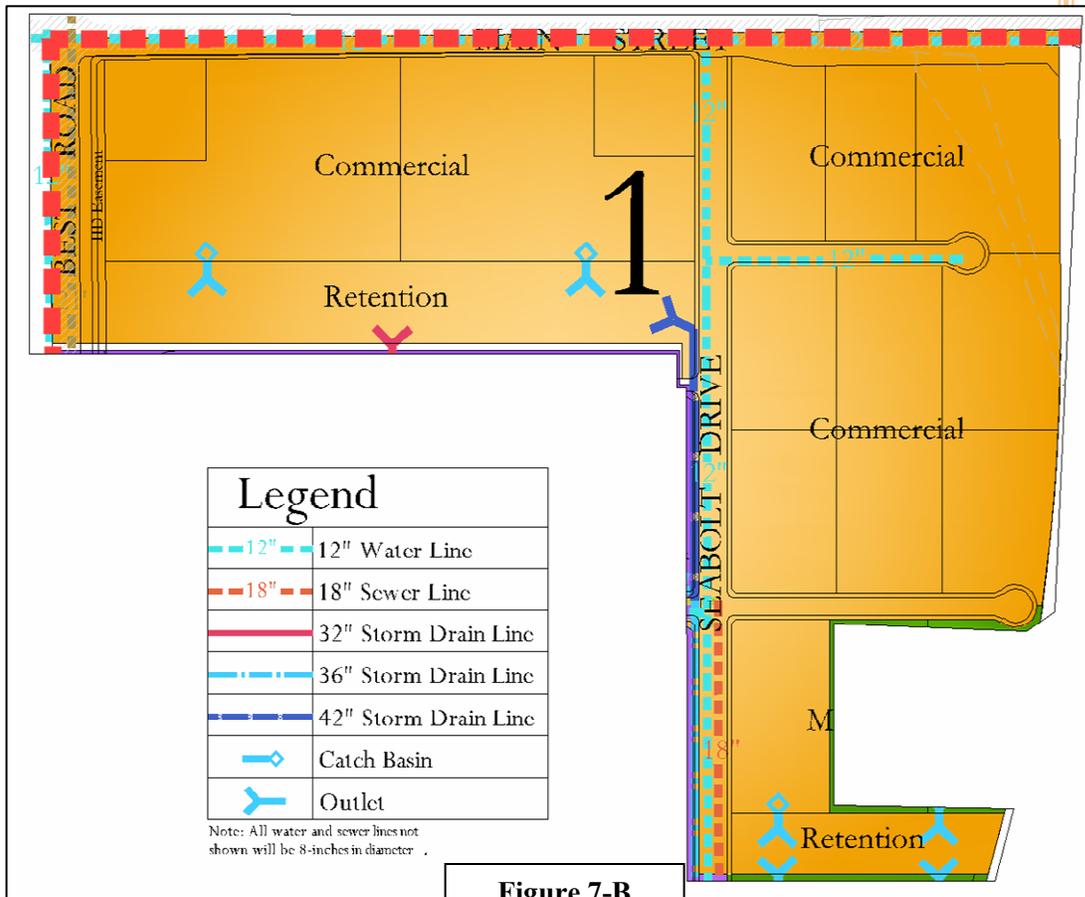
#### 7.1.1.1 Circulation

During construction of Phase 1, access to Rancho-Porter shall be off Main Street via Seabolt Drive. Dedication of right-of-way along Seabolt Drive, from Main Street to “K” Street, and dedication of “I” Street will be required upon build-out of the first phase. The developer shall coordinate with the City of Brawley to ensure all requirements are met before the issuance of the final building permit for this phase.





**FIGURE 7-A  
PHASING MAP**



**Figure 7-B  
Phase 1 Exhibit**

### 7.1.1.2 Infrastructure

Dedication of right-of-way on “I” Street is essential for Phase 1 to move forward, even though the road will not be constructed until Phase 2, because service lines will be located along the street that will supply city services during the first phase.

The potable water for this community will be supplied by either a 12-inch line located on “I” Street or via a 12-inch line located on Main Street. A 12-inch line along Best Avenue and along Seabolt Drive shall tie into these lines. The water line on Seabolt Drive will connect to the commercial lots to service this phase.

Wastewater services will be provided via a 12-inch line along Seabolt Drive. This line will flow south to connect to a 10-inch force main on “I” Street, where it will head west, from there wastewater will flow north on a 21-inch line along Best Avenue.

Storm drainage and supporting facilities such as retention basins shall be incorporated into the tract map and grading plans. During this phase of construction a 7.69 acres of retention basin will be constructed just south of the commercial and

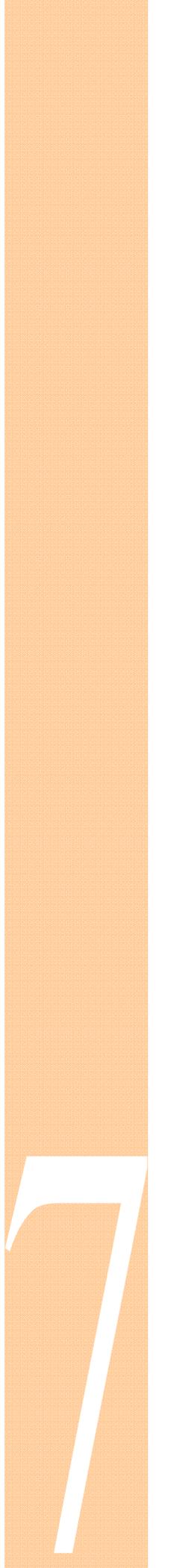
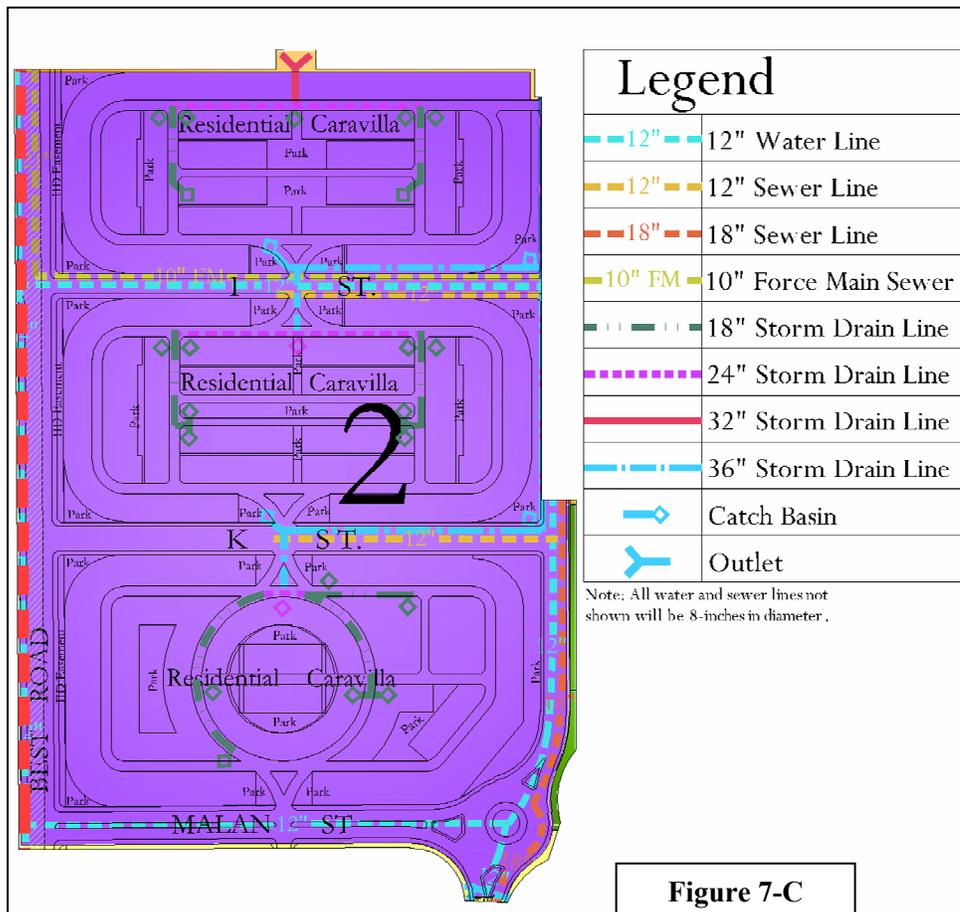


mixed use. However if the commercial overlay is enacted then the retention may shift south along “I” Street, provided it remains the same acreage.

**7.1.2 Phase 2 2013 – 2015**

Phase 2 of the Rancho-Porter Community is approximately 74 acres, and will include mobile home/RV park, retention and parkland (see **Figure 7-C**). If the overlay is incorporated this phase will consist of commercial as well. **Table 7.2** shows the acres and total units that shall be built in Phase 2.

<b>Table 7.2: Phase 2 Land Uses w/out Overlay</b>				
<b>Land Use</b>	<b>Acreeage</b>		<b>Dwelling Units</b>	
	<b>w/o</b>	<b>w/</b>	<b>w/o</b>	<b>w/</b>
Residential Caravilla	50.53	35.12	504	342
Commercial	n/a	17.60	n/a	
Park	7.93	6.79	n/a	
Easements/ Right-of-Way	15.19	14.14	n/a	
<b>Total</b>	<b>73.65</b>		<b>504</b>	<b>342</b>



### 7.1.2.1 Circulation

Access to the community shall be off Seabolt Drive, “I” Street “K” Street and Malan Street. Dedication of right-of-way for will be required for “K” Street and Malan Street and Seabolt Drive up to and including the round-about.

### 7.1.2.2 Infrastructure

Water lines constructed during Phase 1 shall service this phase, unless the 12-inch line along “I” Street has not yet been constructed by the start of the second phase, in which case the line will be constructed to services Phase 2.

A 12-inch wastewater line will be constructed along “I” Street parallel to the force main but flowing in the opposite direction. This line will connect into the 12-inch line along Seabolt Drive and allow for the residential area to tie into the sewer system.

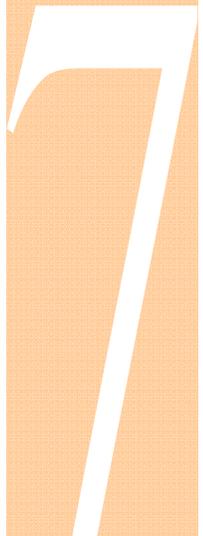
Storm drain lines shall be constructed throughout the Caravilla land use with twin 18-inch lines located on interior streets, these lines will connect to a 24-inch line along the northern most street. In the center of the two 24-inch line, shall be a 32-inch line with an outlet into the retention basin.

In addition to those storm drain lines a 36-inch line shall be constructed on “I” Street to service Phase 3 and run-off on the “I” Street. This line will head east to the parkway along Seabolt Drive were it will connect into a 42-inch storm drain line and head north to the retention basin.

### 7.1.3 Phase 3 2015 – 2017

Phase 3 of Rancho-Porter consists of approximately 69 acres. Phase 3 will include multi-family homes, duplexes; mixed use, a park, and a portion of the retention basin (see **Figure 7-D**). **Tables 7.3** show the usage and acreage for Phase 3.

<b>Table 7.3: Phase 3 Land Uses</b>		
<b>Land Use</b>	<b>Acreage</b>	<b>Dwelling Units</b>
Residential Patio	15.04	110
Residential Village Suites	16.96	289
Mixed Use	14.55	174
Park	4.81	n/a
Retention	8.60	n/a
Easements/Right-of-Way	9.79	n/a
<b>Total</b>	<b>69.75</b>	<b>573</b>



### *7.1.3.1 Circulation*

The main access points to the Rancho-Porter Community during Phase 3 will be off Avenida de La Paloma, Seabolt Drive, and Malan Street. Secondary access points will be on “K” and “I” Streets. Before build-out of Phase 3 all roads shall be dedicated to the City.

### *7.1.3.2 Infrastructure*

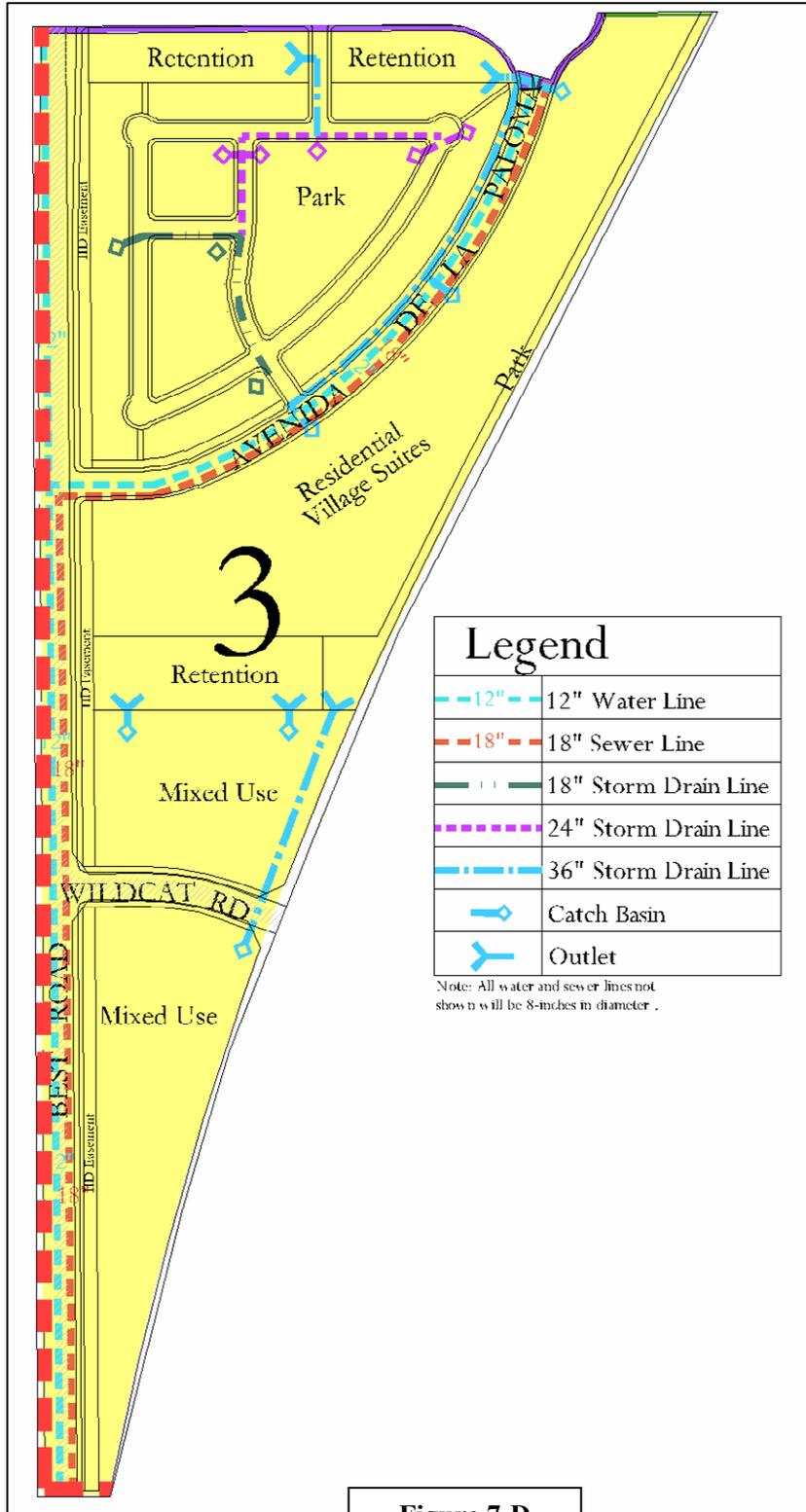
Water lines in Phase 3 will either be 8 or 12-inches in diameter. The 12-inch lines shall be located along Malan Street, Avenida de la Paloma, and Seabolt Drive. These lines will all intersect at the roundabout. All other water lines, to be constructed, not shown in Figure 7-D shall be the 8-inch lines.

Wastewater lines in this phase shall connect to the 10-inch force main constructed in Phase 1 via an 18-inch line. This 18-inch line shall be located along Seabolt Drive through the roundabout along Avenida de la Paloma to Best Avenue. A 12-inch spur will extend half the length of “K” Street from Seabolt Drive to the entrance of the Residential Caravilla.

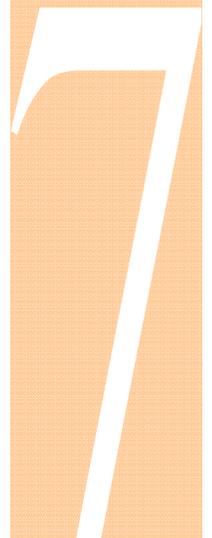
Construction of storm drain lines in this phase within the residential areas will be similar to that of Phase 2, with 18-inch spurs connecting to a centrally located 24-inch line. The main difference is that 36-inch lines will connect to the middle of the 24-inch lines and carry the runoff down “K” Street and the previously constructed line on “I” Street. The 36-inch storm drain line along “K” Street will turn north at the parkway along Seabolt Drive where it will connect to the 42-inch line constructed in the second phase.

A 36-inch storm drain line shall be constructed along Avenida de la Paloma, servicing this road and future phases, where it will deposit runoff into the eastern half of the retention basin. The retention basin shall be approximately 8.60 acres.





**Figure 7-D  
Phase 3 Exhibit**



#### 7.1.4 Phase 4 2018 – 2020

This phase of the Rancho-Porter is approximately 15 acres. Phase 4 will include mixed use, multi-family apartments, and parkland (see **Figure 7-E**). **Table 6.5** shows acres and total units that shall be built in Phase 4.

<b>Table 7.4: Phase 4 Land Uses</b>		
<b>Land Use</b>	<b>Acreage</b>	<b>Dwelling Units</b>
Mixed Use	4.35	52
Residential Village Suites	5.86	100
Park	4.21	n/a
<b>Total</b>	<b>14.42</b>	<b>152</b>

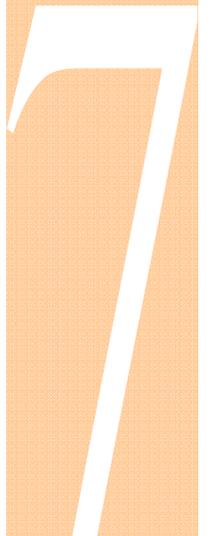
##### 7.1.4.1 Circulation

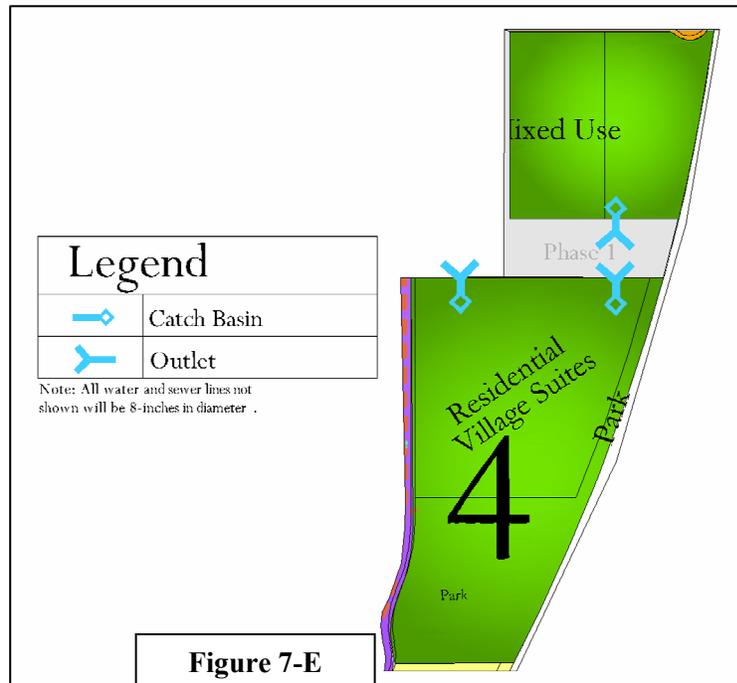
Improvements on all roads shall be complete before build-out of Phase 4.

##### 7.1.4.2 Infrastructure

During the fourth phase, 8-inch water and wastewater lines shall connect into the lines along Avenida de La Paloma and Seabolt Drive constructed in Phase 3.

No new storm drain lines shall be constructed, except for those needed to capture runoff within the Village Suites and carry the runoff to the discharge points.





**Figure 7-E  
Phase 4 Exhibit**

### 7.1.5 All Phases

All necessary circulation and infrastructure facilities shall meet the City of Brawley’s requirements. Best Management Practices (BMPs) shall be incorporated to the maximum extent. Potential urban run-off and water quality issues throughout the development shall be addressed during the grading and tentative map stage. Upon 90 days from the build-out of each phase, all landscaping shall be in place.

## 7.2 Financial Strategy

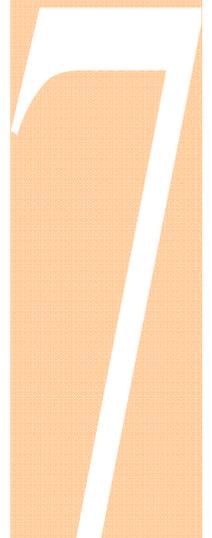
Various development financing measures are available to support the City of Brawley to ensure the Rancho-Porter Community is adopted.

The developers, builders, and future residents of Rancho-Porter will be required to participate in the City of Brawley implemented financing plan. The City and the developer have tentatively agreed to use the following financing options for the Rancho-Porter Community:

- Assessment Districts
- Community Facilities District with Mello-Roos
- General Obligation Bonds
- Fees and Exactions.

Although, they have been tentatively agreed upon; the final decision will be based upon the recommendations of the fiscal impact analysis provided by LAFCo.

### 7.2.1 Assessment District



According to the California Office of Planning and Research,

“Special assessment districts are defined geographical areas which local governments levy assessments to pay for public projects such as streets, sewers, storm drains, landscaping and street lighting. Special assessments pay for projects that are of specific and direct benefit to particular properties. For example, in order to finance the construction of street facilities which provide sole access to an industrial park, a local government may create an assessment district to cover the cost as it relates to the amount of benefit received by each property being assessed. Proposition 218 established common procedures for forming special assessment districts under Section 4, Article XIII D of the California Constitution. Most assessment districts may use their proceeds to secure bonds.”

An Assessment District is a financing mechanism under The California Streets and Highways Code, Division 10 and 12. It enables cities, counties, and special districts to organize for the purpose of aiding in the development or improvement to, or within the district, to designate specific areas as Assessment Districts. The approval of a majority of the landowners based on financial obligations, allows these Districts to issue bonds and collect special assessments to finance the improvements constructed or acquired by the District. Assessment Districts help each property owner pay a fair share of the costs of such improvements over a period of numerous years at reasonable interest rates and insures the cost will be spread to all properties that receive direct and special benefit by the improvements constructed.

Assessment districts typically finance improvements that provide a direct and special benefit such as, streets, sidewalks, curbs and gutters, water, sewer, gas electric, lighting or drainage facilities. Improvements can be anything that provides general public benefits such as parks, schools, libraries, jails, and childcare, however, administrative facilities may not be financed.

An assessment district is financed typically through tax exempt bonds that are issued by the District. The principal and interest obligations on these bonds are repaid each year through the collection of special assessments on the property tax bill. Most of these bonds have a 20 to 30 year maturity.

An “Assessment” means any levy or charge by an agency upon real property that is based upon the special benefit conferred upon the real property by a public improvement or service that is imposed to pay the capital cost of the public improvement, the maintenance, and operation expenses of the public improvement, or the cost of the service being provided. “Assessment” includes, but is not limited to, “Special Assessment,” “Benefit Assessment,” and “Maintenance Assessment.”

An assessment district is created through a petition that is signed by landowners within a specified area. The petition is given to the agency that would be forming the district. If the petition is accepted, a Resolution of Intention is adopted stating that the agency

intends to form an assessment district. The resolution states the name of the district, type of facilities to be financed, sets a time, place for the public hearing, and orders the preparation of an engineer's report. Proposition 218 ballots are mailed to each property owner within the district. If the majority vote is in favor for formation and a public hearing is concluded; the district is formed. There is a 30 day cash collection period where landowners payoff the assessment. Bonds are sold for those who do not wish to payoff the assessments and the assessment district constructs or acquires the proposed improvements.

The following assessment districts could be considered:

- Landscape and Lighting Maintenance District (LLMD)
- Facilities Benefit Assessment
- Fire Suppressor Assessment

#### *7.2.1.1 Assessment District Election*

During the public hearing conducted by the legislative body, the modified Engineer's Report is presented, testimony is received from property owners and ballots are tabulated. Ballots are weighted according to the proportional financial obligation of the affected property. If ballots submitted in opposition to the assessment exceed ballots submitted in favor, there is a majority protest. If there is a majority protest, as determined by the ballots, the legislative body may adopt the resolution confirming the assessments and approving the bond sale.

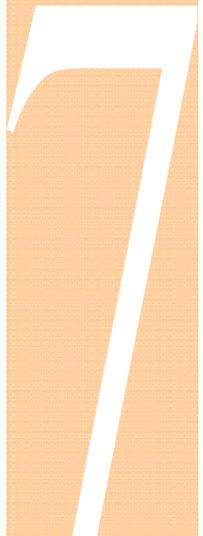
Special assessments are charged through a lien that is placed against the property. This lien is amortized over the life of the bonds collected with the regular property taxes. The special assessment cannot, by law, be based on the value of the property. The special assessment is based on the annual amount of principle and interest due to the bondholders, together with any expenses of administering the district. The assessment is set in the Engineer's Report through determination of direct and special benefit.

The principal and interest obligations on these bonds are repaid each year through the collection of an assessment policy. These bonds are sold competitively or through negotiated sale and may have fixed or variable rates.

#### *7.2.2 Mello-Roos*

The Mello-Roos Community Facilities Act of the California Government Code (Sections 53311 et seq.) enables the City of Brawley to establish a community facilities district (CFD) and to levy special taxes to fund facilities and services for the Rancho-Porter Community.

Proceeds of the Mello-Roos tax can be used for direct funding or to pay off bonds for capital facilities.



The following procedures have been referenced and summarized from the State of California's Office of Planning and Research. Each of the following is considered specifically appropriate for this project:

The property owner of the project area should submit a signed petition (10% of the registered voters residing within the proposed district or by the owners of 10% of the land within the proposed district).

Within 90 days of the initiation of proceedings, the City of Brawley must adopt a resolution of intention which will:

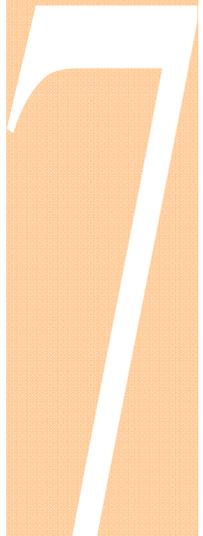
1. Describe the boundaries of the proposed district;
2. State the name of the proposed CFD;
3. Describe the types of facilities and services to be provided or purchased within the district and any incidental expenses;
4. State that a special tax, secured by recordation of a continuing lien on nonexempt property, will be levied annually. It must also specify the rate, method of apportionment, and manner of collection of the special tax in a way which will allow each landowner to estimate their tax liability;
5. Fix a time and place for a public hearing on the district formation;
6. Describe any adjustment in property taxation necessary to pay prior indebtedness; and
7. Describe the proposed voting procedure.

By the time of the public hearing, the agency must have prepared and made available a report explaining the proposed purpose of the district and containing an estimate of costs. (State of California Government Code section 53321)

Advance notice of the hearing must be published in a newspaper of general circulation and a notice mailed to each landowner and registered voter within the proposed district. The notice must contain the text of the resolution of intention, the time and place of the hearing, and a description of the protest procedure. Written or oral protests against the creation of the district, the proposed district boundaries or the particular facilities or services to be funded can be filed prior to or at the public hearing. Proceedings must be abandoned for a period of one year if protests are received from either:

1. 50% or more of the registered voters residing within the proposed district or six of such voters, whichever is more; or
2. The owners of one-half or more of the land in the district.

If the protests relate to particular boundaries, facilities, services, or taxes, the legislative body may revise the proposed district to accommodate those concerns. If, upon conclusion of the hearing (and any continuances thereto), the legislative body



decides to create the CFD it must adopt a resolution of formation. (State of California Government Code section 53321.5)

If there are fewer than 12 voters for the project area, then a vote is held among the current landowners, with each acre of land or portion of an acre counting as one vote. At the time of writing of this document, there were only nine known property owners. Landowner elections may be conducted by mail. An approval requires a two-thirds affirmative vote.

The City of Brawley should work with the developer to ensure prospective property buyers of their special tax obligations under a CFD by requiring:

1. Clearer disclosure of the potential special tax burden at the time of a CFD election;
2. Designation by the legislative body levying the special tax of an agency to respond to public inquiries about current and future special tax levies;
3. Full disclosure of the tax by the agency and sellers to prospective property buyers.

CFD formation proceedings may be initiated in an area proposed for annexation to a city when that city has filed a resolution of intention for annexation with the Local Agency Formation Commission. Actual formation will be contingent upon approval of the proposed annexation (Government Code section 53316). Furthermore, the legislative bodies of two or more local agencies can enter into a joint community facilities agreement or a joint powers agreement in order to finance cooperative improvements or services. Such agreements may also include state or federal agencies. (State of California Government Code section 53313.5)

Upon formation of the CFD and levy of the special tax, a special tax lien will be recorded against all eligible properties in the district (Government Code section 53340). This and the other disclosure requirements noted above ensure that purchasers of taxable properties will have constructive notice of the existence of the special tax.

According to the Mello-Roos Community Facilities Act of the California Government Code,

The tax can be used to finance the purchase, construction, expansion, improvement or rehabilitation of real property with a useful life of five years or more (Government Code section 53313.5). It can pay for the following capital facilities: including, but not limited to: local park, parkway, recreation, and open-space facilities (Government Code section 53313.5(a)); elementary and secondary school sites and structures that meet the building area and cost standards of the State Allocation Board (Government Code section 53313.3(b)); fire stations; highway interchanges; water and sewer systems; libraries (Government Code section 53313.5(c)); child care facilities (Government Code section 53313.5(d)); the undergrounding of utilities; acquisition, improvement, rehabilitation, or maintenance of public or private property for the

purpose of removing or cleaning up hazardous materials (section 53313.5); work found necessary to bring public or private buildings into compliance with seismic safety standards or regulations (Government Code section 53313.5 (h)); any governmental facilities which the legislative body creating the CFD is authorized by law to contribute revenue to, own, construct, or operate (Government Code section 53313.5 (g)); acquisition, improvement rehabilitation, or maintenance of real or other tangible property, whether publicly or privately owned, for the purpose of removal or remediation of any hazardous substance (Government Code sections 53314.6 and 53313.8); and, the repair and abatement of damage caused to privately owned buildings and structures by soil deterioration provided (a) the vote on the question of imposition of the special tax is unanimous, and (b) the work to be financed is certified as necessary by local building codes (Government Code section 53313.5).

A Mello-Roos CFD may also fund the following services on a pay-as-you-go basis: police protection (including the provision of jails and detention facilities); fire protection and suppression; ambulance and paramedics; flood protection; recreation program and library services and additional funds for the operation and maintenance of parks, parkways, open space, museums, and cultural facilities (this final service cannot be approved through a landowner election); and, removal or remedial action for cleanup of any hazardous substance. (Government Code section 53313).

A CFD tax approved by landowners' vote (i.e. when there are less than 12 registered voters in the proposed district) can only finance the above services to the extent that they are in addition to services that were already being provided to the area before the district was formed (Government Code section 53313).

Bonds may be issued to finance infrastructure (but not services) under the Mello-Roos Act. Debt service is paid from the proceeds of the district. However, in order to avoid defaults, the legislative body must determine before the sale of bonds that the value of the real property that would be subject to the special tax will be at least three times the principal amount of the bonds to be sold and the principal amount of all other outstanding bonds within the CFD boundaries secured by Mello-Roos special taxes and special assessments. This rule and the exceptions to it may be found in Government Code section 53345.8. Refer to Government Code section 53345 for the procedure for issuing bonds.

Issuing bonds secured by the proceeds of the CFD provides an immediate source of cash for CFD projects that can then be repaid over time.

Mello-Roos taxes are subject to reduction or repeal by initiative. Proposition 218 does not specify whether the qualifying signatures for an initiative must be gathered jurisdiction-wide and the question put to jurisdiction-wide vote, or whether the initiative is limited to that portion of the jurisdiction within the boundaries of the CFD.

### **7.2.3 General Obligation Bonds**

The City of Brawley has the authority to issue general obligation (G.O.) bonds with 2/3 approvals of the jurisdiction's voters (Prop. 46 1986). These bonds are used to finance the acquirement and construction of public capital facilities and real property (see Government Code sections 29900 et seq., 43600 et seq., and Education Code section 15100 et seq., respectively).

According to the State of California, the City of Brawley can:

“Initiate a G.O. bond election by passing a resolution placing the proposed bond issue on the ballot. The resolution must specify the public project to be financed. Voter election packets must include information about the proposed increase in the tax rate, ballot arguments, and the specific uses of the proceeds of the bonds. If sources of income other than property taxes are to be used to service the bonds, the voter pamphlet must disclose the effects of that upon the projected tax rate.

Upon issuing a G.O. bond, the City of Brawley is authorized to levy an ad valorem property tax at the rate necessary to repay the principal and interest of the bonds.

The property taxes being appropriated to a G.O. bond issue do not count towards the jurisdiction's Gann appropriations limit. State law sets the maximum indebtedness, which entities may incur through G.O. bond issues. General Law cities are limited to 15% of the assessed valuation of all real and personal property within their boundaries. Counties are limited to 5% of their assessed valuations. A unified school district is limited to 2-1/2% of its assessed valuation and an elementary or high school district is limited to 1-1/4% (Education Code sections 15106 and 15102).

G.O. bonds are backed by the full faith and credit of the issuing jurisdiction and are paid for by increasing local property taxes above the limit imposed by Proposition 13. This security is attractive to potential investors. Accordingly, G.O. bonds will generally carry a moderate interest rate. In addition, G.O. bond issues do not require a reserve fund during construction of the authorized capital improvement.

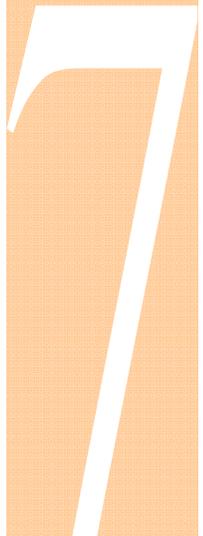
Bond proceeds cannot be used for equipment purchases or to pay for operations and maintenance.

#### ***7.2.4 Fees and Exactions***

As conditions of approval, the City of Brawley can collect direct charges or dedications on a one-time basis.

The purpose of the fee or exaction must directly relate to the need created by the development. In addition, its amount must be proportional to the cost of improvement.

Fees can be categorized in four major classes:



Development impact fees (can be called "Rancho-Porter fees") which are levied on new development to cover the cost of infrastructure or facilities necessitated by that development;

Permit and application fees which cover the cost of processing permits and development plans;

Regulatory fees;

"Property related fees and charges," as defined by Proposition 218.

Development impact fees continue to be governed by the Mitigation Fee Act (Government Code section 66000, et seq.) and do not require voter approval.

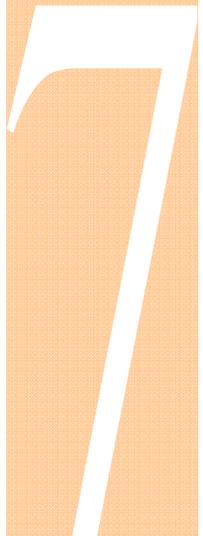
Traffic mitigation fees, infrastructure improvement fees, and fees for improving sewer and water systems to accommodate new development are common examples of development impact fees. "Exaction" is a broader term for impact fees, dedications of land, and in-lieu fees that are imposed to fund public improvements necessitated by the proposed development. School facility fees, parkland dedication requirements, and road dedication and improvement are all examples of exactions.

A development impact fee is an exaction that is imposed as a precondition for the privilege of developing land. Such fees are commonly imposed on developers by local governments in order to lessen the impacts of increased population or demand on services generated by that development. Local governments derive their authority to impose exactions from two sources: the "police power" granted to them by the State Constitution; and/or specific state enabling statutes such as the Subdivision Map Act.

#### ***7.2.5 Maintenance of Public Improvements and Private Facilities***

In general, upkeep and improvements within all public right-of-ways and easements would be maintained by the public agency having legal authority to provide them. Private improvements and facilities would be maintained by the Master Community Association (MCA). The Maintenance Responsibility Plan is listed in **Table 7.5**.

Through a comprehensive financing plan, a Landscape, Lighting and Maintenance District would be created for the upkeep of trails, street trees, and landscape areas. Also maintained under this means of funding would be the proposed parks, retention facilities and street lights. The estimation for the serving, scheduling, and maintenance cost of the retention facilities would be based on each residential household. Private spaces would be financed, maintained, and managed by the MCA.



<b>Table 7.5: Maintenance Responsibility Plan</b>			
<b>Improvement/Facility</b>	<b>City</b>	<b>LLMD</b>	<b>MCA</b>
Water & Sewer	X		
Street Lighting		X	
Pedestrian Trails		X	
Neighborhood Parks		X	
Streets & Sidewalks	X		
Street Medians		X	
Walls within Public Right-of-way	X	X	
Storm Drains	X		
Project Signage			X
Retention Basin		X	

Notes: LLMD – Landscape, Lighting and Maintenance District  
MCA – Master Community Association

### **7.3 Specific Plan Administration**

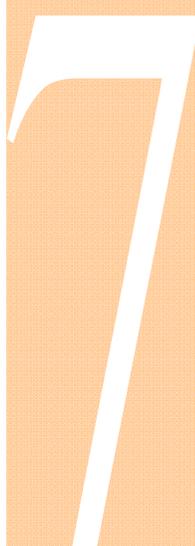
This section proposes ideas for implementation and amendment procedures pertaining to the Rancho-Porter Community. Policies and ordinances put forth by the City of Brawley shall pertain to Rancho-Porter unless specifically addressed in this plan. In the event of conflict between existing City Ordinances and this Specific Plan, the more restrictive shall prevail. The purpose of this section is to provide a tool that will enable the City of Brawley to implement this plan, ensure community safety, and establish a neighborhood character unique to the residents and the City.

#### **7.3.1 Final Maps**

Prior to the recordation of a final map, the builder/developer shall submit a letter addressing each condition of approval pertaining to the project.

##### *7.3.1.1 Pre-Construction Procedure*

Prior to application submission, the applicant or prospective developer shall hold preliminary construction consultations with the Planning Director and other City officials to acquire information and guidance before entering into binding commitments, incurring substantial expenses in the preparation of plans, surveys, and other data. Preliminary consultations should be relative to a conceptual development plan which includes, but is not limited to: proposed land uses to be developed within the zone, development concepts to be employed, schematic maps, illustrative material, and narrative sufficient to describe the general relationships between land uses, and the intended design character and scale of principle features.



A preliminary time schedule for development, including quantitative data, such, housing units, land use acreage, and other data sufficient to illustrate phasing of development and potential impact on public service requirements.

Following initial preliminary consultations pursuant to this section, the Director may require submission of a housing market analysis, satisfactory to the Director of Planning demonstrating the need for housing by price range and number of dwelling units. Such analysis may be requested as a part of the pre-application review procedure, may be made a requirement for submission of an application for a Specific Plan Overlay Zone or implementation thereof, or may be required as part of the environmental assessment or EIR.

Following initial preliminary consultations pursuant to this section, the Director may require submission of a commercial and/or industrial market analysis satisfactory to the Planning Director.

Determination of potential trade area.  
Determination of potential employment area.

### ***7.3.2 Monitoring and Enforcement***

The City of Brawley shall establish procedures to enforce standards and provide guidelines to implement and amend the Specific Plan.

The procedures, regulations, standards, and mitigation monitoring included in the Rancho-Porter Specific Plan and Environmental Determination will be administered and enforced by the following agencies:

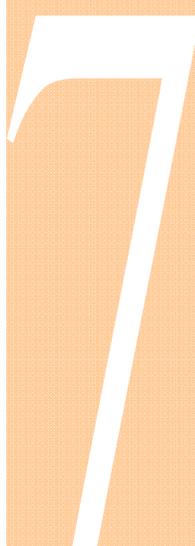
- Planning Department
- Building Department
- Public Works Department
- Fire Department
- Police Department

The City of Brawley has the principle responsibility to coordinate all monitoring, permitting activities for Rancho-Porter.

### ***7.3.3 Specific Plan Amendments***

The Rancho-Porter subdivision shall be developed over a period of 4-10 years. It is anticipated that market conditions and development practices may change, thus necessitating amendments to the Specific Plan.

The Rancho-Porter Specific Plan may be amended at any time. The Director of Planning may approve minor modifications. For major modifications, the proposed amendment and environmental documentation shall need the approval of the City of



Brawley Planning Commission or City Council, subject to the procedures in effect at the time of the amendment.

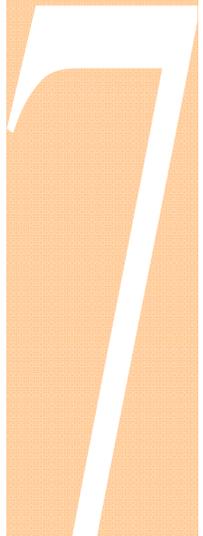
#### *7.3.3.1 Minor Modifications*

The following modifications are considered minor in nature and do not require a Major Specific Plan Amendment.

- Street layout that retains the same unit count and does not require a traffic study revision.
- Phasing of construction, including combining of planning areas.
- Utility alignments and adjustments to phasing of utilities. Minor adjustments may include earlier construction, substitution of oversized facilities in adjacent phases, and similar adjustments.
- Utility service road alignments.
- Final facility sizing and precise location of water, sewer, and storm drainage improvements
- Change in utility and/or infrastructure servicing agency.
- Arterial or collector road alignment revisions where the roadway centerline moves less than 200 feet.
- Decrease in development density or intensity.
- Transferring of land use categories from one area of the Plan to another.
- Minor landscape and streetscape design modifications, which are consistent with the intent of the design guidelines contained in this document.
- Removal of unnecessary drainage facilities or infrastructure when recommended or approved by the City Engineer.

Specific modifications of a similar nature to those listed above, which are deemed minor by the Planning Director, which is in keeping with the spirit and intent of the Specific Plan, and which are in conformance with the General Plan.

The Planning Director shall have the authority to allow the merging of lots currently shown on the tract map, in the event that the developer prior to recordation requests that one or more lots be combined. The Planning Director shall take into consideration the requirements of the Rancho-Porter Specific Plan, the Subdivision



Map Act, City Zoning Ordinance, and the overall integrity of the Map. The Planning Director shall not have the authority to further divide any such lots.

#### *7.3.3.2 Major Specific Plan Amendments*

Area and Boundary Adjustments are considered major in nature and do require a Major Specific Plan Amendment.

Expansion of the project area or amendments to the Rancho-Porter Specific Plan will require approval by the Brawley City Council. Planning area boundaries as shown in this Specific Plan are approximate. Precise planning area boundaries and acreage will be established by subsequent parcel maps, tract maps, plot plans, and lot line adjustments. Acreage may vary due to more precise mapping.

All Specific Plan modifications, which do not meet the criteria for minor modifications stated above, shall be deemed to require a formal amendment to this Specific Plan. Specific Plan Amendments shall be processed pursuant to the provisions of the City of Brawley Zoning Code and this Specific Plan.

#### *7.3.3.3 Drains and Canals*

Maintenance of drain and canals shall be the responsibility of the Imperial Irrigation District.

#### *7.3.3.4 Right-of-Way Landscaping*

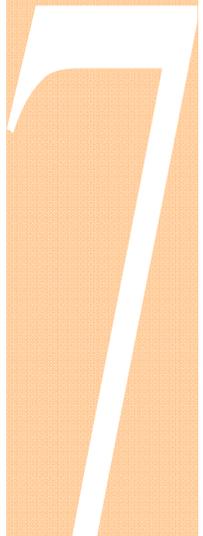
Maintenance of landscaping shall be the responsibility of the City of Brawley through the adoption of a Landscape and Lighting Maintenance District (LLMD). All landscaping over IID facilities can be covered by a LLMD.

#### *7.3.3.5 Parks and Recreation*

Park and recreational areas can be maintained with a LLMD by the City through a “Joint-Use” agreement between the City of Brawley and the Brawley Schools.

#### *7.3.3.6 Circulation Infrastructure*

All streets, pedestrian, transit, and bicycle infrastructure shall be maintained by an adopted LLMD through the City of Brawley.



# RANCHO-PORTER

## **APPENDIX A: PLANTING SCHEDULE**

*The Planting Schedule is a list of all possible plants that can be planted within the community. The schedule divides the planting into four categories residential planting, monument planting, park planting and parkway planting.*

A



# APPENDIX A: PLANTING SCHEDULE

## A.1 Monument Planting

### Trees

Botanical Name	Common Name	Notes
Albizia Julibrissin	Silk tree	moderate water
Jacaranda acutifolia	Jacaranda	
Tipuana tipu	Tipu tree	

### Palms

Botanical Name	Common Name	Notes
Brahea armata	Mexican blue palm	
Phoenix canariensis	Canary Island date palm	

### Shrubs

Botanical Name	Common Name	Notes
Agave spp.	NCN	
Aloe spp.	NCN	
Caesalpinia gilliesii	Mexican bird of paradise	
Caesalpinia pulcherrima	Red bird of paradise	
Calliandra californica	Baja fairy duster	
Cortaderia sellowiana pumila	Dwarf Pampas grass	
Hesperaloe parviflora	Red yucca	
Leucophyllum spp.	Texas ranger	
Muhlenbergia lindheimeri 'Autumn Glow'	NCN	
Muhlenbergia rigens	Deer grass	
Myrtus communis 'compacta'	Variegated dwarf myrtle	
Ophiopogon japonicum	Mondo grass	moderate water
Pennisetum setaceum 'rubrum'	Fountain grass	
Rhahiolepis indica 'spring time'	Indian Hawthorn	moderate water
Rosmarinus officinalis 'Prostratus'	Dwarf rosemary	moderate water
Strelitzia nicolai	Giant Bird of Paradise	moderate water; Plant in shade
Strelitzia reginae	Bird of Paradise	moderate water; Plant in shade



Trachelospermum jasminoides	Star Jasmine	moderate water
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**Vines**

**Botanical Name**

**Common Name**

Bougainvillea 'Barbara Karst'  
 Calliandra californica  
 Campsis radicans  
 Macfadyena unguis-cati

Bougainvillea  
 Trumpet creeper  
 Cat claw vine

**Ground Cover**

Acacia redolens  
 Acacia redolens Desert Carpet TM  
 Ambrosia deltoidea  
 Ambrosia dumosa  
 Encelia farinosa  
 Gazania sp.  
 Lantana montevidensis  
 Lantana rigens  
 Myoporum parvifolium  
 Oenothera sp.  
 Penstemon sp.  
 Psilostrophe tagentina  
 Wedelia  
 Annual color  
 Decomposed granite, Gravel, or Rock Mulch

Desert Carpet  
 Ongerup  
 Triangleleaf bursage  
 White bursage  
 Brittlebush  
 NCN  
 NCN  
 NCN  
 NCN  
 Evening primrose  
 Beard tongue  
 Paper flower  
 NCN  
 Gazania sp.  
 Lantana montevidensis  
 Lantana rigens  
 Myoporum parvifolium  
 Oenothera sp.  
 Penstemon sp.  
 Psilostrophe tagentina  
 Wedelia

**A.2 Residential Planting**

**Trees**

**Botanical Name**

**Common Name**

**Notes**

Acacia stenophylla  
 Brahea armata  
 Cercis occidentalis  
 Chilopsis linearis  
 Cupressus arizonica  
 Fraxinus uhdei  
 Jacaranda acutifolia

Shoestring acacia  
 Mexican blue palm  
 Western redbud  
 Desert willow  
 Arizona cypress  
 Shamel ash  
 Jacaranda



Lagerstroemia indica  
 Lysiloma thornberi  
 Parkinsonia floridum  
 Parkinsonia hybrid 'Desert Museum'  
 Parkinsonia microphyllum  
 Parkinsonia praecox  
 Pistachia chinensis  
 Pittosporum phillyraeoides  
 Platanus sp.  
 Prosopis alba  
 Prosopis chilensis  
 Prosopis glandulosa Maverick TM  
 Prosopis juliflora  
 Prosopis torreyana  
  
 Prosopis velutina  
 Quercus suber  
 Quercus virginiana  
 Schinus molle  
 Sophora secundiflora  
 Ulmus parvifolia  
 Vitex agnus-castus  
 Yucca brevifolia  
 Zizyphus jujuba

Crape myrtle  
 Desert fern  
 Blue palo verde  
 Palo verde  
 Foothill palo verde  
 Palo brea  
 Chinese pistachio  
 Weeping pittosporum  
 Sycamore  
 Argentine mesquite  
 Chilean mesquite  
 Texas honey mesquite  
 Native mesquite  
 Honey mesquite  
 Arizona native  
 mesquite  
 Cork oak  
 Live oak  
 California pepper  
 Texas Mountain Laurel  
 Chinese Elm  
 Monk's pepper tree  
 Joshua tree  
 Jujube

**Shrubs**

**Botanical Name**

Agave sp.  
 Aloe sp.  
 Anisacanthus sp.  
 Artemisia frigida  
  
 Caesalpinia gilliesii  
 Caesalpinia pulcherrima  
 Carissa microcarpa  
 Celtis pallida  
  
 Chamaerops humilis  
 Cordia parvifolia  
 Cortaderia sellowiana pumila

**Common Name**

NA  
 NA  
 Desert honeysuckle moderate water  
 Fringed Sage  
 Mexican bird of  
 paradise  
 Red bird of paradise  
 Natal plum moderate water  
 Desert hackberry  
 Mediterranean fan  
 palm  
 Little leaf cordia  
 Dwarf Pampas grass



Dasyilirion sp.	NCN	
Fouquieria splendens	Ocotillo	
Hesperaloe sp.	Yucca	moderate water
Lantana camara	NCN	
Leucophyllum sp.	Texas ranger	
Maytenus phyllanthoides	Mangle dulce	
Muhlenbergia lindheimeri 'Autumn Glow'	NCN	
Muhlenbergia rigens	Deer grass	
Nerium oleander	Oleander	
Nolina microcarpa	Bear grass	
Pennisetum setaceum	Fountain grass	
Phoenix roebelinii	Pigmy date palm	
	Scarlet or smooth	
	sumac	moderate water
Rhus glabra	Wood's rose	moderate water
Rosa woodsii	Coral fountain	moderate water
Russelia equisetiformis	Coyote willow	
Salix exigua	Sage	
Salvia sp.	NCN	
Senna sp.	Soaptree yucca	
Yucca elata	Small soapweed	
Yucca glauca		

### **Vines**

<b>Botanical Name</b>	<b>Common Name</b>	
Antigonon leptopus	Queen's wreath	moderate water
Bougainvillea sp.	NCN	moderate water
Campsis radicans	Trumpet creeper	moderate water
Macfadyena unguis-cati	Cat claw vine	

### **Ground Cover**

<b>Botanical Name</b>	<b>Common Name</b>	
Acacia redolens Desert Carpet TM	Desert carpet	
Ambrosia deltoidea	Triangleleaf bursage	
Ambrosia dumosa	White bursage	moderate water
Lantana montevidensis	NCN	moderate water
Lantana rigens	NCN	
Oenothera sp.	Evening primrose	
Penstemon sp.	Beard tongue	
Psilostrophe tagentina	Paper flower	moderate water



Wedelia

NCN

**Turf**

**Botanical Name**

**Common Name**

moderate water

Cynodon dactylon

Bermuda Grass (Salt Tolerant)

**A.3 Park Planting**

**Trees**

**Notes**

**Botanical Name**

**Common Name**

Acacia constricta

Whitethorn acacia

Acacia salicina

Willow acacia

Acacia saligna

Blue -leaf wattle

moderate water

Fraxinus uhdei

Shamel ash

moderate water

Lagerstroemia sp.

Crape myrtle

Pinus halapensis

Aleppo pine

Pinus pinea

Italian stone pine

moderate water

Platanus sp.

Sycamore

Prosopis alba

Argentine mesquite

Prosopis chilensis

Chilean mesquite

Prosopis glandulosa Maverick TM

Texas honey mesquite

Prosopis juliflora

Native mesquite

Prosopis torreyana

Honey mesquite

Prosopis velutina

Arizona native mesquite

Quercus virginiana

Live oak

Rhus lancea

African sumac

moderate water

Ulmus parvifolia

Chinese elm

Washingtonia sp.

Fan palm

**Palms**

**Botanical Name**

**Common Name**

Phoenix canariensis

Canary Island date palm

Phoenix dactylifera

Date palm

**Shrubs**

**Botanical Name**

**Common Name**

Agave sp.

NCN

Aloe sp.

NCN

Anisacanthus sp.

Desert honeysuckle



Baccharis sarothroides (male)	Desert broom	
Caesalpinia gilliesii	Mexican bird of paradise	
Caesalpinia pulcherrima	Red bird of paradise	
Calliandra californica	Baja fairy duster	
Carissa microcarpa	Natal plum	moderate water
Celtis pallida	Desert hackberry	moderate water
Chamaerops humilis	Mediterranean fan palm	
Chilopsis linearis	Desert willow	
Cordia parvifolia	Little leaf cordia	
Cortaderia sellowiana pumila	Dwarf pampas grass	moderate water
Cordyline sp.	NCN	
Dasyilirion sp.	NCN	
Dalea pulchra	Bush dalea	
Hesperaloe sp.	Yucca	
Lantana camara	NCN	
Leucophyllum sp.	Texas ranger	
Maytenus phyllanthoides	Mangle dulce	
Muhlenbergia lindheimeri 'Autumn Glow'	NCN	
Muhlenbergia rigens	Deer grass	
Nerium oleander	Oleander	
Nolina microcarpa	Bear grass	
Pennisetum setaceum 'rubrum'	Purple fountain grass	
Rhus glabra	Scarlet or smooth sumac	moderate water
Rosa woodsii	Wood's rose	
Rosemarinus officinalis	Rosemary	
Russelia equisetiformis	Coral fountain	
Salix exigua	Coyote willow	
Salvia sp.	Sage	
Senna sp.	NCN	
Simmondsia chinensis	Jojoba	
Sporobolus wrightii	Big Sacaton	
Yucca elata	Soaptree yucca	
Yucca glauca	Small soapweed	

### **Vines**

#### **Botanical Name**

Bougainvillea sp.  
 Campsis radicans  
 Macfadyena unguis-cati

#### **Common Name**

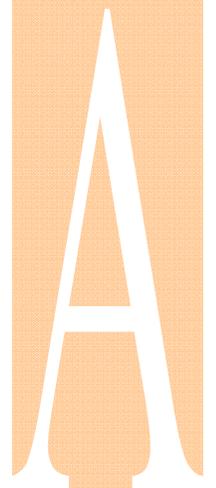
NCN  
 Trumpet creeper  
 Cat claw vine

#### **Notes**

moderate water  
 moderate water

### **Ground Cover**

Rancho-Porter Specific Plan  
 Development Design & Engineering, Inc.



**Botanical Name**

Acacia redolens Desert Carpet TM  
 Ambrosia deltoidea  
 Ambrosia dumosa  
 Oenothera sp.  
 Penstemon sp.  
 Psilostrophe tagentina  
 Wedelia

**Common Name**

Desert carpet  
 Triangleleaf bursage  
 White bursage  
 Evening primrose  
 Beard tongue  
 Paper flower  
 NCN

**Turf****Botanical Name**

Cynodon dactylon

**Common Name**

Bermuda Grass (Salt Tolerant)

moderate water

**A.4 Parkway Planting****Street Trees****Botanical Name**

Acacia stenophylla  
 Chilopsis linearis  
 Fraxinus uhdei  
 Lagerstroemia sp.  
 Olea europaea  
 Olneya tesota  
 Parkinsonia hybrid 'Desert Museum'  
 Pistachia chinensis  
 Prosopis chilensis  
 Rhus lancea  
 Schinus molle  
 Tipuana tipu  
 Ulmus parvifolia  
 Vitex agnus-castus

**Common Name**

Shoestring acacia  
 Desert willow  
 Shamel ash  
 Crape myrtle  
 Olive  
 Ironwood  
 Palo verde  
 Chinese pistachio  
 Chilean mesquite  
 African sumac  
 California pepper  
 Tipu tree  
 Chinese elm  
 Chaste tree

**Notes**

moderate water

moderate water

moderate water

moderate water

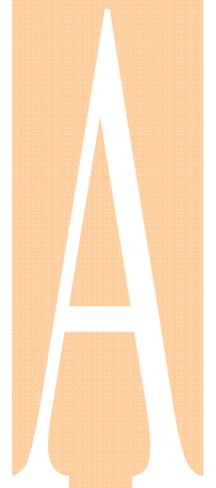
moderate water

**Palms****Botanical Name**

Phoenix cariensis  
 Phoenix dactylifera  
 Washingtonia sp.

**Common Name**

Canary Island date palm  
 Date palm  
 Fan palms

**Notes**

**Shrubs**

**Botanical Name**

Agave sp.

Caesalpinia gilliesii

Caesalpinia pulcherrima

Carissa microcarpa

Cortaderia sellowiana pumila

Dalea pulchra

Dasyliirion wheeleri

Hesperaloe parviflora

Leucophyllum sp.

Muhlenbergia lindheimeri 'Autumn Glow'

Muhlenbergia rigens

Pennisetum setaceum

**Common Name**

NCN

Mexican bird of  
paradise

Red bird of paradise

Natal plum

Dwarf pampas grass

Bush dalea

Desert spoon

Red yucca

Texas ranger

NCN

Deer grass

Fountain grass

**Notes**

**Groundcover**

**Botanical Name**

Acacia redolens 'Desert Carpet TM '

Decomposed granite, Gravel, or Rock Mulch

**Common Name**

Desert carpet

**Notes**

