



PLANNING AND TRAFFIC COMMISSION
Ruben Rivera –Chairperson
Lisa Winkler – Vice-Chairperson
Alice Abatti – Commissioner
Francisco Curiel – Commissioner
Rebecca Terrazas-Baxter-Commissioner

AGENDA

PLANNING COMMISSION

**220 West 9th Street
IMPERIAL, CA 92251**

**WEDNESDAY, MARCH 26, 2025
6:30 P.M.**

The Imperial Planning Commission Meetings, including public comments, are being Livestreamed on the City's social media pages. If attending in person, by remaining in the room, you are giving your permission to be recorded.

1. You are encouraged to observe the City Council meetings via Livestream at the City of Imperial's Facebook page.
2. If you are unable to participate in person, and wish to address the City Council on matters within their jurisdiction, please email public comments to cityclerk@imperial.ca.gov
3. All documents containing an executive summary and staff recommendation associated with open session action items are made available for public inspection on the City's website, www.cityofimperial.org seventy-two (72) hours prior to the posted meeting time. Government Code Section 54957.5(b)(2)(B).

In compliance with the Americans With Disabilities Act, if you need special assistance to participate in this meeting, please contact (760) 355-4373. Notification 48 hours prior to the meeting will enable the city to make reasonable arrangements to ensure accessibility to this meeting [28cfr 35.102-35.104 ADA title ii]

A. PLANNING COMMISSION CONVENES TO OPEN SESSION AT 6:30 PM:

ROLL CALL
PLEDGE OF ALLEGIANCE
ADJUSTMENTS TO THE AGENDA

B. PUBLIC APPEARANCES

B-1: Matters not appearing on the agenda.

If you wish to address the Planning Commission concerning any item not appearing on the agenda and within the Commission's jurisdiction, please raise your hand and be acknowledged by the Chairperson, and at that time state your name and address for the record. The Chairperson reserves the right to place a time limit on each person's presentation of three (3) minutes. It is requested that longer presentations be submitted to the Commission in writing.

C. CONSENT CALENDAR

C-1: Approve Planning Commission Meeting Minutes for March 12, 2025.

D. PLANNING COMMISSION NEW BUSINESS: (DISCUSSION/ACTION – RECOMMEND/DENY)

D-1. Subject: Public Hearing, Discussion/Action: Conditional Use Permit 25-01 for Joshua Quintero to allow the operation of a storage facility located at 611 E. 12th Street (APN 063-12-003). The project is categorically exempt from the California Environmental Quality Act (CEQA) under Section 15332, In-fill Development Projects.

- 1. Public Hearing**
- 2. Staff Report – Public Comment**
- 3. Commission Discussion**
- 4. Close Public Hearing**
- 5. Recommended Actions:**

Approve/Deny Resolution No. PC2025-05: A RESOLUTION OF THE PLANNING COMMISSION, OF THE CITY OF IMPERIAL, APPROVING CONDITIONAL USE PERMIT 25-01 FOR JOSHUA QUINTERO TO ALLOW THE OPERATION OF A STORAGE FACILITY LOCATED AT 611 E. 12TH STREET (APN 063-123-001).

E. REPORTS

E-1: Commissioners' Reports

E-2 Staff Reports

F. ADJOURNMENT

F-1. Subject: Adjourn the Planning Commission meeting until the next regularly scheduled meeting on April 9, 2025 at 6:30 pm.

NOTE: Any documents produced by the City and distributed to a majority of the Planning Commission regarding any item on this agenda will be made available at the front counter at City Hall, located at 420 South Imperial Avenue, during normal business hours.



PLANNING AND TRAFFIC COMMISSION
Ruben Rivera – Chairperson
Lisa Winkler – Vice Chairperson
Alice Abatti – Commissioner
Rebecca Terrazas-Baxter – Commissioner
Francisco Curiel – Commissioner

MINUTES

PLANNING COMMISSION

220 West 9th Street
IMPERIAL, CA 92251

WEDNESDAY, MARCH 12, 2025
6:30 P.M.

A. **PLANNING COMMISSION CONVENES TO OPEN SESSION AT 6:30 PM:**

CALLED TO ORDER: The Chairperson, Rivera, called the meeting to order at 6:30 p.m.

ROLL CALL: Commissioner Curiel, Vice Chairperson Winkler and Chairperson Rivera

ABSENT: Commissioner Abatti, and Terrazas-Baxter

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was led by Francisco Curiel.

ADJUSTMENTS TO THE AGENDA: None

B. **PUBLIC APPEARANCES:** None

C. **CONSENT CALENDAR**

C-1. Approve Planning Commission Meeting Minutes for January 24, 2024.

C-2. Approve Planning Commission Meeting Minutes for February 26, 2025.

Moved by Curiel, seconded by Winkler to approve the Consent Calendar.

AYES: Curiel, Winkler, and Rivera

NOES: None

ABSTAIN: None

ABSENT: Abatti, and Terrazas-Baxter

MOTION CARRIES: 3-0

D. **PLANNING COMMISSION NEW BUSINESS: (DISCUSSION/ACTION – RECOMMEND/DENY)**

- D-1. Subject: Public Hearing, Discussion/Action: Variance 25-01 for Eric Chung to allow the deviation of the Residential Zone Property Development Standards for rear yard setback requirements for a room addition located at 183 Ana Street (APN 044-733-027). The project is categorically exempt from the California Environmental Quality Act (CEQA) under Section 15303, Class 3(e)-New Construction or Conversion of Small Structures.

The public hearing was opened at 6:34 p.m.

Yvonne Cordero, City Planner, Presented the staff report.

The public hearing was closed at 6:39 p.m.

Approve/Deny Resolution No. PC2025-02: A RESOLUTION OF THE PLANNING COMMISSION, OF THE CITY OF IMPERIAL, APPROVING VARIANCE 25-01 TO ALLOW THE DEVIATION OF THE RESIDENTIAL ZONE PROPERTY DEVELOPMENT STANDARDS FOR REAR YARD SETBACK REQUIREMENTS FOR A ROOM ADDITION LOCATED AT 183 ANA STREET (APN 044-733-027)

Moved by Winkler, seconded by Curiel to approve Resolution No. PC2025-02 and Approving Variance 25-01.

AYES: Curiel, Winkler, and Rivera

NOES: None

ABSTAIN: None

ABSENT: Abatti, and Terrazas-Baxter

MOTION CARRIES: 3-0

E. REPORTS

E-1. Commissioners reported on their activities and concerns since the last Planning Commission meeting.

E-2. Staff reported on their upcoming activities since the last Planning Commission meeting.

ADJOURNMENT

Chairperson Rivera adjourned the meeting at 6:42 p.m., seeing no further business before the commission.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Imperial, California, this 26th day of March 2025.

KRISTINA SHIELDS
City Clerk



Staff Report

Agenda Item No. D-1

To: City of Imperial Planning Commission

From: Yvonne Cordero, Planner

Date: March 14, 2025

Item: Conditional Use Permit 25-01 to allow the operation of a storage facility

Applicant:	Joshua Quintero
Project Location:	611 E. 12 th Street
Zoning:	I-2 Rail Served Industrial
Environmental:	Categorically Exempt from CEQA per Section 15322 – In-fill Development Projects
Recommendation:	Staff recommends Planning Commission approval of Conditional Use Permit 25-01

Background

Applicant, Joshua Quintero, is requesting a Conditional Use Permit for the operation of a storage facility within the I-2 Rail Served Industrial Zone. Storage facilities require a Conditional Use Permit to operate within the I-2 Rail Served Industrial Zone, per the City of Imperial's Municipal Code Section 24.07.120. The project will encompass two parcels, APN 063-121-001 and APN 063-121-006. APN 063-121-006 is formerly a portion of O Street that Mr. Quintero acquired from the City of Imperial through the street abandonment process.

The project consists of the construction of 290 public storage units made out of concrete blocks to eliminate fire hazards, maintenance issues, and vandalism. Mr. Quintero will

employ three full-time positions and two part-time positions to assist him in operating the business from 6 a.m. to 10 p.m., seven days a week, with on-call services for after-hours customers. The 57,000-square-foot storage facility will have one public access pin-pad-controlled gate and a separate gate for emergency vehicle access. This project is part of Mr. Quintero's Total Industries Master Plan, which includes an existing 11,960 square-foot manufacturing warehouse and a proposed 8,000-square-foot air-conditioned industrial warehouse lease spaces detailed in the submitted site plan (Attachment B) to the North of the existing warehouse.

Land Use Analysis

The project site consists of an approximate 104,140 square-foot area at 611 E. 12th Street, within the I-2 Rail Served Industrial Zone. The I-2 Rail Served Industrial Zone is intended as an area for uses which can avail themselves of the railroad line in the area. The zone also permits many General Industrial uses, such as public storage facilities with a Conditional Use Permit. The surrounding area's zoning and land uses are as follows:

DIRECTION	ZONING	LAND USE
North	I-2 Rail Served Industrial	Public Facility-City of Imperial Waste Water Plant
East	A2U-General Agriculture Zone (Jurisdiction of Imperial County)	Agricultural
South	I-2 Rail Served Industrial	Industrial - Vacant
West	I-2 Rail Served Industrial	Industrial – Manufacturing Facility

Project Location



Western Aerial View



Eastern Aerial View



Required Findings for Conditional Use Permit 25-01:

The Zoning Ordinance provides flexibility in the regulation of uses to ensure that unusual characteristics of certain uses are properly addressed in furtherance of the Imperial Zoning Ordinance. Section 24.19.340 of the City of Imperial Zoning Ordinance requires that the Commission make specific findings be made when reviewing a Conditional Use Permit. The required findings are listed below in ***bold italics***, followed by an evaluation:

- a) ***That the proposed location, size, design, and operating characteristics of the proposed use is in accord with the Title and Purpose of this Ordinance, the Purpose of the zone in which the site is located, the Imperial General Plan, and the development policies and standard of the City.***

The subject site is located within the Rail Served (I-2) Industrial Zone, which is intended as an area for uses which can avail themselves of the railroad line in the area. The Zone also permits many General Industrial (I-1) Zone uses, such as storage facilities, which are also conditionally approved. The site's location and size is suitable for a storage facility and aptly sized for the Applicant's intended use. The proposed design of the facility will be an aesthetic improvement to the vacant site.

- b) ***That the location, size, design, and operating characteristics of the proposed use will be compatible with and will not adversely affect or be materially detrimental to adjacent uses, residents, buildings, structures, or natural resources with consideration given to those items listed in Section 24.19.340.B of the Imperial Zoning Ordinance.***

The Applicant's proposed project is compatible with and will not adversely affect or be materially detrimental to the land uses located to the North, South, East and West. The applicant is installing asphalt throughout the storage facility to mitigate particle pollution emitted from the increased traffic that the project will generate.

- c) ***That the proposed location, size, design, and operating characteristics of the proposed use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.***

With the established and agreed upon Conditions of Approval, the proposed project will not be detrimental to public health, safety or welfare, or materially injurious to the properties or those within the vicinity of the project site. Mr. Quintero's proposed improvements of a fence installation, lighting and security cameras will assist in decreasing transient activity and staff will be accessible for any emergencies twenty-four hours a day.

- d) ***That the proposed Conditional Use will comply with each of the applicable provisions of the Zoning Ordinance, except for any approved Variance.***

The proposed land use complies with all provisions of the City of Imperial's Zoning Ordinance and is compatible with the City of Imperial's General Plan.

CEQA Analysis:

The proposed storage facility qualifies for a Categorical Exemption pursuant to the California Environmental Quality Act (CEQA) per Section 15332–In-Fill Development Projects. Projects that qualify for this exemption are those that are consistent with the General Plan and zoning designation, are within city limits, are no more than five (5) acres and are generally surrounded by urban uses.

1. No significant environmental impact: The storage facility will not result in significant environmental effects. No sensitive environmental resources, such as wetlands or endangered species habitats, are present at or near the location. The project will not significantly impact air quality, noise levels, or traffic.

2. Land Use Consistency: The existing project is located within the Rail Served (I-2) Industrial Zone which allows for “mini storage, public storage, and storage warehouses” as a permitted land use with a conditional use permit.

3. Adequate Infrastructure: The project will not result in an increase in population or demand for public services that would exceed the capacity of public utilities.

4. Traffic and Parking Considerations: The storage facility not present a significant impact on traffic generation. Any potential traffic or parking concerns are to be addressed through compliance with local traffic ordinances and regulations. Additionally, this project is subject to AB 2097, which prohibits the City to impose minimum parking requirements on any development located within half a mile of public transit.

Noticing Requirements:

The public hearing scheduled for March 26, 2025, was duly noticed in the Holtville Tribune and Calexico Chronicle, a newspaper of general circulation on March 13, 2025. A Notice of Public Hearing was sent to all property owners within 300 feet of the property.

Staff Recommendation:

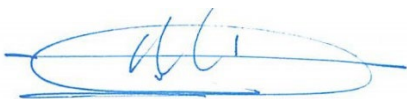
Staff recommends the Planning Commission conduct a public hearing to receive comments for and against the project. Incorporating the recommended conditions of approval, the project as proposed is compatible with the surrounding area and consistent with the General Plan. Unless sufficient evidence to the contrary is presented at the public hearing, staff recommends that the Planning Commission **APPROVES** Conditional Use Permit 25-01 to allow the operation of a storage facility within the I-2 Rail Served Industrial Zone.

Attachments

- Attachment A – DRAFT Resolution PC2025-05
- Attachment B – Total Industries Master Plan Site Plan

Prepared by: Yvonne Cordero, Planner

Respectfully submitted,



Othon Mora, MCM, CBO
Community Development Director

ATTACHMENT A

***DRAFT* RESOLUTION PC2025-05**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IMPERIAL APPROVING CONDITIONAL USE PERMIT 25-01 FOR JOSHUA QUINTERO TO ALLOW THE OPERATION OF A STORAGE FACILITY LOCATED AT 611 E. 12th STREET (APN 063-123-001 AND APN 063-121-006)

WHEREAS, Joshua Quintero submitted a Conditional Use Permit Application for a storage facility located at APN 063-123-001 AND APN 063-121-006; and

WHEREAS, the subject site is located within an I-2 Rail Served Industrial, and storage facilities are conditionally allowed uses within that zone pursuant to Section 24-07 of the City Code; and

WHEREAS, a duly notified public hearing was published on March 13, 2025, in a local paper of general circulation, indicating the date and time of the public hearing in compliance with state law concerning Conditional Use Permit 25-01, and said notice was mailed to each property owner within a 300-foot radius of the project site in accordance with state law; and

WHEREAS, a public hearing was held by the Planning Commission on March 26, 2025, to hear testimony for and against the proposed Conditional Use Permit; and

WHEREAS, upon hearing and considering all testimony and arguments, analyzing the information submitted by staff and considering any written comment received, the Planning Commission considered all facts relating to the request for a Conditional Use Permit.

NOW THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Imperial as follows:

- A) That the foregoing recitations are true and correct; and
- B) The project has been reviewed in accordance with the requirements set forth by the City of Imperial for implementation of the California Environmental Quality Act; and
- C) There are no sensitive resources located within the area of the project or adjacent to the area of the project so as to be significantly impacted by the project; and
- D) That based on the evidence presented at the public hearing, the Planning Commission hereby determines that the project is Categorically Exempt under Section 15332, In-fill Development Projects, of the California Environmental Quality Act and is exempt from further environmental review requirements; and

- E) That the storage facility is consistent with those uses allowed in the I-2 Rail Served Industrial Zone.
- F) That based on the evidence presented at the public hearing, the Planning Commission hereby **APPROVES** Conditional Use Permit 25-01 for a storage facility located at 611 E. 12th Street, subject to the conditions of approval outlined in Exhibit A and based on the following findings:
1. That the proposed location, size, design, and operating characteristics of the proposed use are in accord with the Title and Purpose of this Ordinance, the Purpose of the zone in which the site is located, the Imperial General Plan, and the development policies and standard of the City.
 2. That the location, size, design, and operating characteristics of the proposed use will be compatible with and will not adversely affect or be materially detrimental to adjacent uses, residents, buildings, structures, or natural resources with consideration given to those items listed in Section 24.19.340.B of the Imperial Zoning Ordinance.
 3. That the proposed location, size, design, and operating characteristics of the proposed use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
 4. That the proposed Conditional Use will comply with each of the applicable provisions of the Zoning Ordinance, except for any approved Variance.
- G) The City Attorney is authorized to make minor typographical changes to this Resolution that do not alter its substance.

PASSED, ADOPTED AND APPROVED by the Planning Commission of the City of Imperial, this 26^h day of March, 2025.

Ruben Rivera
Planning Commission Chairman

ATTEST:

Kristina Shields
City Clerk

EXHIBIT A
CONDITIONS OF APPROVAL

1. The Developer/Applicant shall comply with all local, State and Federal laws, regulations, rules, ordinances, and standards as they pertain to this project, whether specified herein or not. Where conflicts occur, the most stringent shall apply.
2. The Developer/Applicant shall pay all applicable impact and capacity fees.
3. The Conditional Use Permit (CUP) shall not constitute the waiver of any requirement of the City's Ordinances or regulations, except where a condition set forth herein specifically provides for a waiver.
4. The Applicant shall agree to defend, indemnify and hold harmless the City of Imperial and its agents, including consultants, officers and employees from any claim, action or proceeding against the City or its agents, including consultants, officers and employees to attack, set aside, void, or annul the approval of the Conditional Use Permit. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorney fees, or expert witness costs that may be asserted by any person or entity, including the Property Owner/Applicant arising out of or in connection with the approval of the Conditional Use Permit, including any claim for private attorney general fees claimed by, or awarded to any party from the City.
5. All conditions of approval for this Conditional Use Permit shall be reprinted and included as a plan sheet(s) with the building permit plan check sets submitted for review and approval. These Conditions of Approval shall be on, at all times, all grading, landscaping, and construction plans kept on the project site. It is the responsibility of the Applicant to ensure that the project contractor is aware of, and abides by, all Conditions of Approval. Prior approval from the Planning Department must be received before any changes are constituted in site design, grading, building design, building colors or materials, landscape material, etc.
6. There shall be no outdoor storage of materials. Any outdoor storage areas shall be screened from public view.
7. Hours of operation shall be limited between the hours of 6:00 a.m. to 10:00 p.m. seven days a week.
8. Department Comments
 - Public Services:
 - a) The developer shall install a new sidewalk around the project's perimeter adjacent to the City right-of-way along North P Street and East 12th Street.
 - b) The proposed Total Industries Master Plan, which includes the storage facility requires City Council approval for the abandonment of portions of 13th Street.
 - Police Department:
 - c) Security precautions such as sufficient lighting, security cameras, or other crime prevention measures shall be required around the property's perimeter.

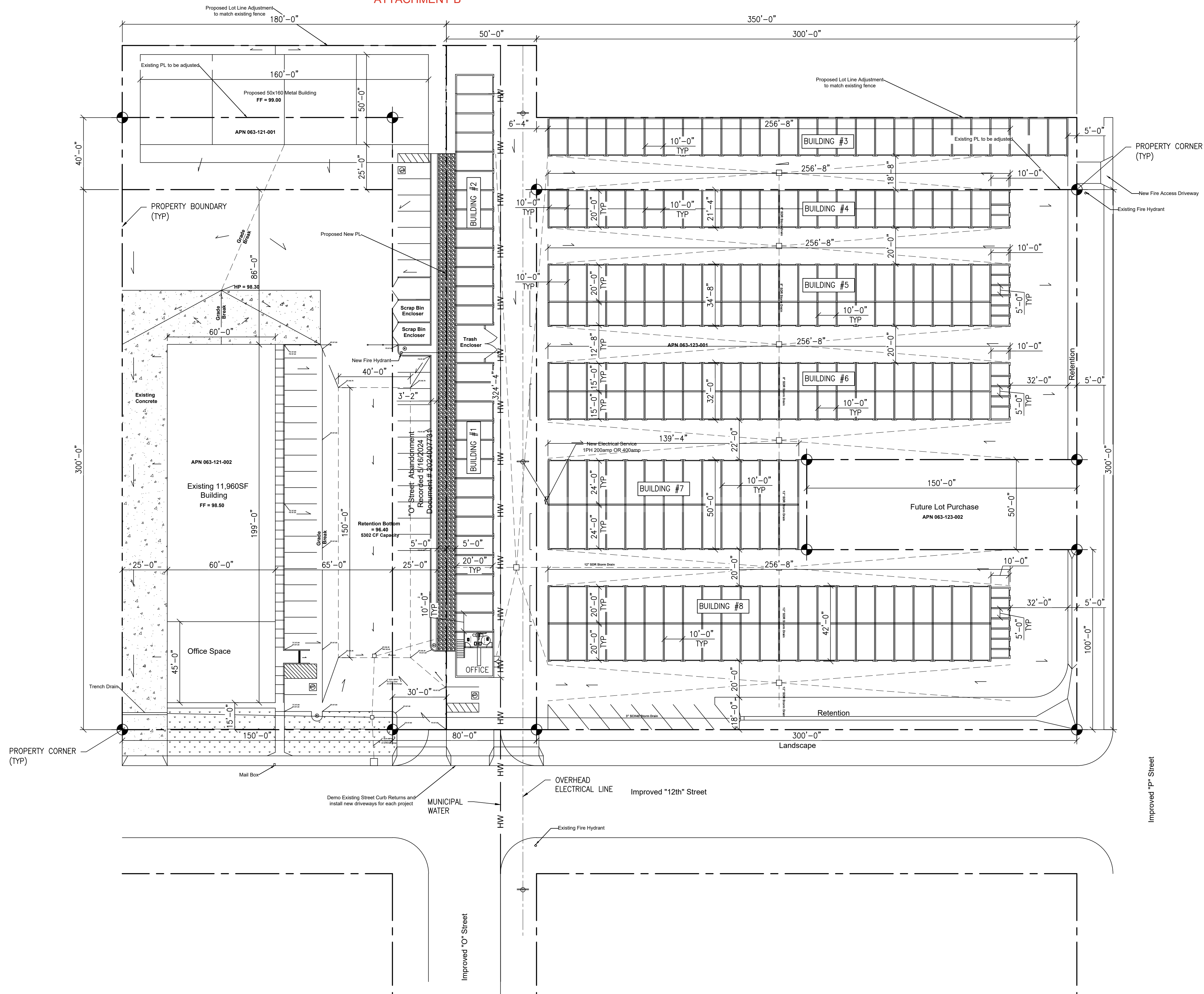
Engineering Division:

- d) A lot line adjustment shall be executed to combine the three parcels into one contiguous parcel.
- e) An approved site plan that includes an retention basin detailing retention basin measurements, volume of water, and retention capacity.

Fire Department:

- f) An approved water supply capable of supplying the required fire flow determined by Appendix B in the California Fire Code shall be installed and maintained. Private fire service mains and appurtenance shall be installed in accordance with NFPA 24.
 - g) Fire hydrant type and installation shall be in accordance with the City of Imperial details and shall be approved by the Fire Code Official. Fire hydrant will be required every 300 feet along approved fire access roads and within 150 feet of all Fire Department Connections (FDC).
 - h) Fire Department connections shall be located on the street side of the building fully visible and recognizable from the street or nearest point of fire department vehicle access.
 - i) Fire Department access roads shall be in accordance with the California Fire Code Chapter 5, Section 503 Fire Apparatus Access Roads and Appendix D.
 - j) The fire apparatus access road shall extend within 150 feet of all portions of the exterior wall of the first story of the building as measured by an approved route around the exterior of the building or facility.
 - k) Fire apparatus access roads shall have an unobstructed width of not less than 26 feet and an unobstructed vertical clearance of not less than 13 feet, 6 inches.
 - l) Additional access shall be required by providing two (2) points of entry into the complex. Egress and egress components shall be in accordance with Chapter 10 of the California Fire Code.
 - m) Dead ends in excess of 150 feet in length shall be provided with an approved area for turning around fire apparatus. Turning radius shall be determined by the Fire Code Official and shall be in accordance with Appendix D of the California Fire Code.
 - n) Gate or barricades shall be approved by the Fire Code Official and be in accordance with Sections 503.5 through 503.6 of the California Fire Code and Appendix D.
 - o) Building(s) square footage and occupancy classification will determine if an approved automatic fire sprinkler system shall be installed in accordance with Chapter 9 of the California Fire Code and NFPA 13, 13R and 13D. Plans shall be submitted to Imperial County Fire Department for review for all fire sprinkler and fire suppression systems.
 - p) Building(s) square footage and occupancy classification will determine if an approved automatic fire and smoke detection system shall be installed in accordance with Chapter 9 of the California Fire Code and NFPA 72 by submitting plans to the Imperial County Fire Department for review.
 - q) An approved Knox Box, locks and or switches shall be required. Location(s) shall be approved by the Fire code Official.
9. The provisions of this Conditional Use Permit are to run with the land/project and shall bind the current and future owner(s) successor(s) in interest, assignee(s) and/or transferor(s) of said project.

10. If the Community Development Department finds and determines that the Permittee or successor-in-interest has not complied or cannot comply with the terms and conditions of the CUP, or the Planning/Building Department determines that the permitted activities constitute a nuisance, the City shall provide Permittee with notice and opportunity to comply with the enforcement or abatement order. If after receipt of the order (1) the Permittee fails to comply, and/or (2) the Permittee cannot comply with the conditions outlined in the CUP, then the matter shall be referred to the Planning Commission for permit modification, suspension, or termination, or to the appropriate enforcement authority.
11. As between the City and the Permittee, any violation of this permit may be a "nuisance per se". The City may enforce the terms and conditions of this permit in accordance with its Codified Ordinances and/or State law. The provisions of this paragraph shall not apply to any claim of nuisance per se brought by a third party.
12. Permittee shall not be permitted to maintain a "nuisance", which is anything which: (1) is injurious to health, or is indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property, and/or (2) affects at the same time an entire community or neighborhood, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal, and/or (3) occurs during or as a result of the re-located business.



SITE PLAN

SCALE: 1/32" = 1'-0"

DRAWING NOTES:

1. TOTAL BUILDING AREA: 53,172 SF



DATE	BY	DESCRIPTION	DATE	BY	DESCRIPTION
02/01/25	TVH	ISSUED FOR CUP	02/01/25	TVH	
DATE	BY	DESCRIPTION	DATE	BY	DESCRIPTION
ISSUED			APPROVED		

REFERENCE DRAWINGS

C&H
STRUCTURAL
CONSULTANTS

This document is the exclusive property of C&H Structural Consultants and/or client. It has not been published and is confidential in consideration of the client thereof. This document is NOT to be copied, reproduced, exhibited, loaned or otherwise published, disposed of, nor to be used for the purpose other than that for which it is specifically published without the written permission of C&H SC and/or client, or to use the same in any way detrimental to C&H SC and/or client.

DRAWN
TVHCHK. DR.
TVHENGINEER OF RECORD
TVH

PROJ. NO. 24016

DRAWING SIZE **D****TOTAL INDUSTRIES**
SELF-STORAGE FACILITY**SITE PLAN**

SCALE AS NOTED IMPERIAL CALIFORNIA

FILE NO.

24016-C02-1000REV
A

RESOLUTION PC2025-05

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IMPERIAL APPROVING CONDITIONAL USE PERMIT 25-01 FOR JOSHUA QUINTERO TO ALLOW THE OPERATION OF A STORAGE FACILITY LOCATED AT 611 E. 12th STREET (APN 063-123-001 AND APN 063-121-006)

WHEREAS, Joshua Quintero submitted a Conditional Use Permit Application for a storage facility located at APN 611 E. 12th STREET (APN 063-123-001 and APN 063-121-006); and

WHEREAS, the subject site is located within an I-2 Rail Served Industrial, and storage facilities are conditionally allowed uses within that zone pursuant to Section 24-07 of the City Code; and

WHEREAS, a duly notified public hearing was published on March 13, 2025, in a local paper of general circulation, indicating the date and time of the public hearing in compliance with state law concerning Conditional Use Permit 25-01, and said notice was mailed to each property owner within a 300-foot radius of the project site in accordance with state law; and

WHEREAS, a public hearing was held by the Planning Commission on March 26, 2025, to hear testimony for and against the proposed Conditional Use Permit; and

WHEREAS, upon hearing and considering all testimony and arguments, analyzing the information submitted by staff and considering any written comment received, the Planning Commission considered all facts relating to the request for a Conditional Use Permit.

NOW THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Imperial as follows:

- A) That the foregoing recitations are true and correct; and
- B) The project has been reviewed in accordance with the requirements set forth by the City of Imperial for implementation of the California Environmental Quality Act; and
- C) There are no sensitive resources located within the area of the project or adjacent to the area of the project so as to be significantly impacted by the project; and
- D) That based on the evidence presented at the public hearing, the Planning Commission hereby determines that the project is Categorically Exempt under Section 15332, In-fill Development Projects, of the California Environmental Quality Act and is exempt from further environmental review requirements; and

- E) That the storage facility is consistent with those uses allowed in the I-2 Rail Served Industrial Zone.
- F) That based on the evidence presented at the public hearing, the Planning Commission hereby **APPROVES** Conditional Use Permit 25-01 for a storage facility on APN 063-123-001 and APN 063-121-006, subject to the conditions of approval outlined in Exhibit A and based on the following findings:

1. That the proposed location, size, design, and operating characteristics of the proposed use are in accord with the Title and Purpose of this Ordinance, the Purpose of the zone in which the site is located, the Imperial General Plan, and the development policies and standard of the City.

The subject site is located within the Rail Served (I-2) Industrial Zone, which is intended as an area for uses which can avail themselves of the railroad line in the area. The Zone also permits many General Industrial (I-1) Zone uses, such as storage facilities, which are also conditionally approved. The site's location and size is suitable for a storage facility and aptly sized for the Applicant's intended use. The proposed design of the facility will be an aesthetic improvement to the vacant site

2. That the location, size, design, and operating characteristics of the proposed use will be compatible with and will not adversely affect or be materially detrimental to adjacent uses, residents, buildings, structures, or natural resources with consideration given to those items listed in Section 24.19.340.B of the Imperial Zoning Ordinance.

The Applicant's proposed project is compatible with and will not adversely affect or be materially detrimental to the land uses located to the North, South, East and West. The applicant is installing asphalt throughout the storage facility to mitigate particle pollution emitted from the increased traffic that the project will generate.

3. That the proposed location, size, design, and operating characteristics of the proposed use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.

With the established and agreed upon Conditions of Approval, the proposed project will not be detrimental to public health, safety or welfare, or materially injurious to the properties or those within the vicinity of the project site. Mr. Quintero's proposed improvements of a fence installation, lighting and security cameras will assist in decreasing transient activity and staff will be accessible for any emergencies twenty-four hours a day.

4. That the proposed Conditional Use will comply with each of the applicable provisions of the Zoning Ordinance, except for any approved Variance.

The proposed land use complies with all provisions of the City of Imperial's Zoning Ordinance and is compatible with the City of Imperial's General Plan.

- G) The City Attorney is authorized to make minor typographical changes to this Resolution that do not alter its substance.

PASSED, ADOPTED AND APPROVED by the Planning Commission of the City of Imperial, this 26^h day of March, 2025.

Ruben Rivera
Planning Commission Chairman

ATTEST:

Kristina Shields
City Clerk

EXHIBIT A
CONDITIONS OF APPROVAL

1. The Developer/Applicant shall comply with all local, State and Federal laws, regulations, rules, ordinances, and standards as they pertain to this project, whether specified herein or not. Where conflicts occur, the most stringent shall apply.
2. The Developer/Applicant shall pay all applicable impact and capacity fees.
3. The Conditional Use Permit (CUP) shall not constitute the waiver of any requirement of the City's Ordinances or regulations, except where a condition set forth herein specifically provides for a waiver.
4. The Applicant shall agree to defend, indemnify and hold harmless the City of Imperial and its agents, including consultants, officers and employees from any claim, action or proceeding against the City or its agents, including consultants, officers and employees to attack, set aside, void, or annul the approval of the Conditional Use Permit. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorney fees, or expert witness costs that may be asserted by any person or entity, including the Property Owner/Applicant arising out of or in connection with the approval of the Conditional Use Permit, including any claim for private attorney general fees claimed by, or awarded to any party from the City.
5. All conditions of approval for this Conditional Use Permit shall be reprinted and included as a plan sheet(s) with the building permit plan check sets submitted for review and approval. These Conditions of Approval shall be on, at all times, all grading, landscaping, and construction plans kept on the project site. It is the responsibility of the Applicant to ensure that the project contractor is aware of, and abides by, all Conditions of Approval. Prior approval from the Planning Department must be received before any changes are constituted in site design, grading, building design, building colors or materials, landscape material, etc.
6. There shall be no outdoor storage of materials. Any outdoor storage areas shall be screened from public view.
7. Hours of operation shall be limited between the hours of 6:00 a.m. to 10:00 p.m. seven days a week.
8. Department Comments
 - Public Services:
 - a) The developer shall install a new sidewalk around the project's perimeter adjacent to the City right-of-way along North P Street and East 12th Street.
 - b) The proposed Total Industries Master Plan, which includes the storage facility requires City Council approval for the abandonment of portions of 13th Street.
 - Police Department:
 - c) Security precautions such as sufficient lighting, security cameras, or other crime prevention measures shall be required around the property's perimeter.
 - Engineering Division:
 - d) A lot line adjustment shall be executed to combine the three parcels into one contiguous parcel.

- e) An approved site plan that includes an retention basin detailing retention basin measurements, volume of water, and retention capacity.

Fire Department:

- f) An approved water supply capable of supplying the required fire flow determined by Appendix B in the California Fire Code shall be installed and maintained. Private fire service mains and appurtenance shall be installed in accordance with NFPA 24.
- g) Fire hydrant type and installation shall be in accordance with the City of Imperial details and shall be approved by the Fire Code Official. Fire hydrant will be required every 300 feet along approved fire access roads and within 150 feet of all Fire Department Connections (FDC).
- h) Fire Department connections shall be located on the street side of the building fully visible and recognizable from the street or nearest point of fire department vehicle access.
- i) Fire Department access roads shall be in accordance with the California Fire Code Chapter 5, Section 503 Fire Apparatus Access Roads and Appendix D.
- j) The fire apparatus access road shall extend within 150 feet of all portions of the exterior wall of the first story of the building as measured by an approved route around the exterior of the building or facility.
- k) Fire apparatus access roads shall have an unobstructed width of not less than 26 feet and an unobstructed vertical clearance of not less than 13 feet, 6 inches.
- l) Additional access shall be required by providing two (2) points of entry into the complex. Egress and egress components shall be in accordance with Chapter 10 of the California Fire Code.
- m) Dead ends in excess of 150 feet in length shall be provided with an approved area for turning around fire apparatus. Turning radius shall be determined by the Fire Code Official and shall be in accordance with Appendix D of the California Fire Code.
- n) Gate or barricades shall be approved by the Fire Code Official and be in accordance with Sections 503.5 through 503.6 of the California Fire Code and Appendix D.
- o) Building(s) square footage and occupancy classification will determine if an approved automatic fire sprinkler system shall be installed in accordance with Chapter 9 of the California Fire Code and NFPA 13, 13R and 13D. Plans shall be submitted to Imperial County Fire Department for review for all fire sprinkler and fire suppression systems.
- p) Building(s) square footage and occupancy classification will determine if an approved automatic fire and smoke detection system shall be installed in accordance with Chapter 9 of the California Fire Code and NFPA 72 by submitting plans to the Imperial County Fire Department for review.
- q) An approved Knox Box, locks and or switches shall be required. Location(s) shall be approved by the Fire code Official.

9. The provisions of this Conditional Use Permit are to run with the land/project and shall bind the current and future owner(s) successor(s) in interest, assignee(s) and/or transferor(s) of said project.
10. If the Community Development Department finds and determines that the Permittee or successor-in-interest has not complied or cannot comply with the terms and conditions of the CUP, or the Planning/Building Department determines that the permitted activities constitute a nuisance, the City shall provide Permittee with notice and opportunity to comply with the enforcement or abatement order. If after receipt of the order (1) the Permittee fails to comply, and/or (2) the Permittee cannot comply with the conditions outlined in the CUP, then the matter shall be referred to the Planning Commission for permit modification, suspension, or termination, or to the appropriate enforcement authority.
11. As between the City and the Permittee, any violation of this permit may be a "nuisance per se". The City may enforce the terms and conditions of this permit in accordance with its Codified Ordinances and/or State law. The provisions of this paragraph shall not apply to any claim of nuisance per se brought by a third party.
12. Permittee shall not be permitted to maintain a "nuisance", which is anything which: (1) is injurious to health, or is indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property, and/or (2) affects at the same time an entire community or neighborhood, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal, and/or (3) occurs during or as a result of the re-located business.