



AGENDA

PLANNING COMMISSION TRAFFIC COMMISSION REGULAR MEETING

220 West 9th Street
IMPERIAL, CA 92251

**WEDNESDAY, AUGUST 24, 2022
6:30PM**

PLANNING COMMISSION

Mark Hammerness – Chairperson
Veronica Harvey – Vice Chairperson
Alice Abatti – Commissioner
Stacy Mendoza – Commissioner
Ruben Rivera - Commissioner

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 Facebook page.
2. Email public comments to publicinformation@cityofimperial.org by 5:00 pm on Wednesday, August 24, 2022. Comments received by 5:00 pm will be read into the record during the regular meeting.

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 CALL TO ORDER:

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.

B-2. Matters appearing on the agenda. If you wish to address the Planning Commission concerning any item appearing on the agenda 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 August 10, 2022.

D. PUBLIC HEARING: (DISCUSSION/ACTION – RECOMMEND/DENY)

D-1: Subject: Public Hearing, Discussion/Action: Conditional Use Permit (CUP 22-01) for Quality Dismantling to allow for the operation of Quality Dismantling, an auto dismantling and towing facility located at 601 E. Barioni Boulevard (APN 064-072-001).

1. Open Public Hearing
2. Staff Report - Public Comment
3. Close Public Hearing – Commission Discussion
4. Recommended Action: Approval of Resolution No. PC2022-07: A Resolution of the Planning Commission approving Conditional Use Permit (CUP 22-01) to allow the operation of an auto dismantling and towing business located at 601 E. Barioni Boulevard, APN 064-072-001. The project is categorically exempt from the California Environmental Quality Act (CEQA) under Section 15301 of the Guidelines – Existing Facilities.

E. ACTION ITEMS: (DISCUSSION/ACTION-APPROVE/DISAPPROVE)

E-1: Subject: Discussion/Action: Appointment of one (1) primary representative and one (1) alternate representative to participate on the City of Imperial Arts District Advisory, Friends of Imperial Parks, and Ad Hoc Committee.

1. Appointment of one (1) primary representative and one (1) alternate representative to participate on select committees for the City of Imperial:
 - a. Imperial Arts District Committee
 - b. Ad Hoc Committee
 - c. Friends of Imperial Parks

F. REPORTS:

F-1: Commission Reports

F-2: Staff Reports

**ADJOURN PLANNING COMMISSION MEETING UNTIL NEXT REGULARLY SCHEDULED MEETING
SEPTEMBER 14, 2022.**

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.

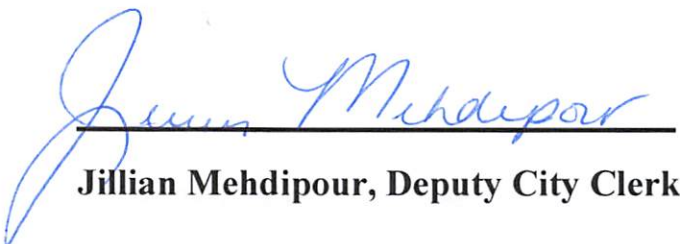


NOTICE OF ADJOURNED PUBLIC HEARING IMPERIAL PLANNING COMMISSION

PLEASE TAKE NOTICE that the Public Hearing of the Imperial Planning Commission held on August 24, 2022 at 6:30 P.M. for the following Conditional Use Permit:

Applicant:	Maryam Sam
Project Location:	601 E. Barioni Blvd.
Project Description:	Conditional Use Permit to allow the operation of an automotive dismantling and towing facility
Zoning:	Rail Served Industrial (I-2)
General Plan:	Industrial Zone
Environmental:	Categorically Exempt – 15301 Existing Facilities
Recommendation:	Approve, subject to conditions

has been **ADJOURNED** to Tuesday, September 27, 2022, at 6:30 P.M.


Jillian Mehdi-pour, Deputy City Clerk



AGENDA

PLANNING COMMISSION
TRAFFIC COMMISSION
REGULAR MEETING

220 West 9th Street
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WEDNESDAY, AUGUST 24, 2022
6:30PM

PLANNING COMMISSION

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Minutes

PLANNING COMMISSION
TRAFFIC COMMISSION
REGULAR MEETING

220 West 9th Street
IMPERIAL, CA 92251

PLANNING COMMISSION
Mark Hammerness – Chairperson
Veronica Harvey – Vice Chairperson
Alice Abatti – Commissioner
Stacy Mendoza – Commissioner
Ruben Rivera - Commissioner

WEDNESDAY, AUGUST 10, 2022
6:30PM

A. **PLANNING COMMISSION CALL TO ORDER:**

Chairperson Hammerness called the meeting to order at 6:30 pm

ROLL CALL:

Commissioners Present: Commissioner Abatti, Commissioner Harvey, Commissioner Rivera.
Vice Chairperson Mendoza, and Chairperson Hammerness.

City Staff Present; City Manager Morita, Assistant City Manager Brown, City Attorney Turner, Community Development Director Mora, Public Records Analyst Mehdipour, Information Technology Support Technician Quero and Information Technology Support Technician Anguiano.

PLEDGE OF ALLEGIANCE:

Led by Mark Hammerness

ADJUSTMENTS TO THE AGENDA:

None

B. **PUBLIC APPEARANCES**

B-1. Matters not appearing on the agenda:

None

B-2. Matters appearing on the agenda:

None

C. **CONSENT CALENDAR**

C-1. Approve Planning Commission Meeting Minutes for July 13, 2022 and July 27, 2022.

Action:

Harvey made a motion to approve consent agenda as presented, **Rivera seconded** the motion.

Ayes: Hammerness, Mendoza, Rivera, Abatti

Nays: None

Abstain: Harvey

Absent: None

Motion Passed 4-1

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

D-1: Subject: Discussion/Action: Reorganization of Planning Commission

Discussion:

The floor was opened for the Appointment of Chairperson for Fiscal Year 2022-2023.

Action:

Harvey, made a motion to nominate Stacy Mendoza for Chairperson. Hammerness, seconded the motion, Stacy Mendoza for Chairperson. Hammerness, asked if there were any other nominations. Rivera, made a motion to nominate Mark Hammerness. Abatti, seconded the motion to nominate Mark Hammerness for Chairperson. Brown advised with two motions that a roll call vote would be mandatory. Turner advised that per the Brown act, all votes must be identified.

Roll Call Vote:

Commissioner **Rivera**- voted Hammerness
Commissioner **Harvey**-voted Mendoza
Commissioner **Abatti**- voted Hammerness
Vice Chairperson **Mendoza**- voted Mendoza
Chairperson **Hammerness**- voted Hammerness

3 Votes for Hammerness- 2 Votes for Mendoza, Declaring Hammerness as Chairperson.

Discussion:

The floor was opened for the Appointment of Vice-Chairperson for Fiscal Year 2022-2023.

Action:

Mendoza made a motion to nominate Veronica Harvey as Vice Chairperson. Rivera seconded the motion to nominate Harvey. Hammerness made a motion to nominate Ruben Rivera. Abatti seconded the motion to nominate Ruben Rivera. A roll call vote was mandatory due to the two motions.

Roll Call Vote:

Commissioner **Rivera**- voted Harvey
Commissioner **Harvey**- voted Harvey
Commissioner **Abatti**- voted Rivera
Vice Chairperson **Mendoza**- voted Harvey
Chairperson **Hammerness**- voted Rivera

3 Votes for Harvey- 2 Votes for Rivera, Declaring Harvey as Vice Chairperson.

E. REPORTS:

E-1: Commissioners' Reports

Harvey: Was happy to see the mural project was back up and running.

Rivera: Agreed with Harvey on the arts. Overheard some discourse on the situation at Victoria Ranch, he said this will be continued to the next meeting.

E-2: Staff Reports:

Mora: The Aten and Clark issue is being worked on and will provide some options at the next meeting.

Brown: Announced the City Citizen Academy will be open for the public on October 1st 2022 and provided information.

CHAIRPERSON HAMMERNESS ADJOURNED THE PLANNING COMMISSION MEETING AT 6:45 P.M. UNTIL NEXT REGULARLY SCHEDULED MEETING ON AUGUST 24, 2022 AT 6:30 P.M.



Staff Report

Agenda Item No. D-1

To: City of Imperial Planning Commission
From: Othon Mora, Community Development Director
Date: August 16, 2022
Subject: Conditional Use Permit Request #22-01
Maryam Sam - Quality Dismantling
601 E. Barioni Blvd.

Summary:

Applicant:	Maryam Sam
Project Location:	601 E. Barioni Blvd.
Project Description:	Conditional Use Permit to allow the operation of an automotive dismantling and towing facility
Zoning:	Rail Served Industrial (I-2)
General Plan:	Industrial Zone
Environmental:	Categorically Exempt – 15301 Existing Facilities
Recommendation:	Approve, subject to conditions

Background

Maryam Sam is requesting approval of Conditional Use Permit (CUP) 22-01 for the operation of an automotive dismantling and towing facility located at 601 E. Barioni Blvd. (APN 064-072-001). Mr. Sam is an experienced business owner in San Diego County, operating Two Tow Towing since 2008. His partner Mahmoud Parsa owned an auto dismantling/junkyard business from 2001 – 2011. Mr. Sam and Mr. Parsa bring many years of experience to their new venture, Quality Dismantling and Towing. Proposed operating hours will be 9 am to 5 pm with future plans to provide up to 20 jobs as his business grows.

The project site has existing structures that will be used as dismantling areas for salvaged vehicles and storage for parts. All salvageable vehicle parts will be stored in the main building, which is approximately 2,515 square feet and shipped or delivered to customers. They do not intend on opening to the public due to liability concerns. Any dismantled parts that are not sellable will be given to a recycling facility. The towing portion of the business will primarily be towing for motor clubs and insurance companies. Their tow trucks will be stored at the project site and vehicles will be picked up, towed and delivered to other destinations, not stored at the project site.

Aerial View



Rear View



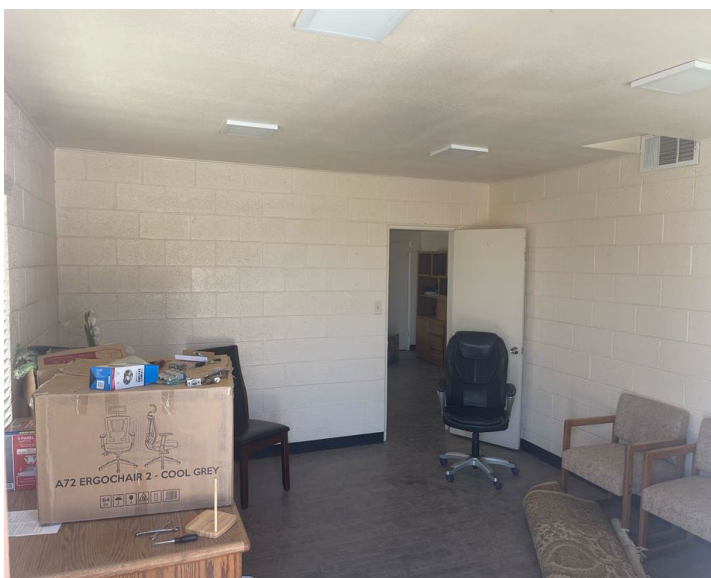
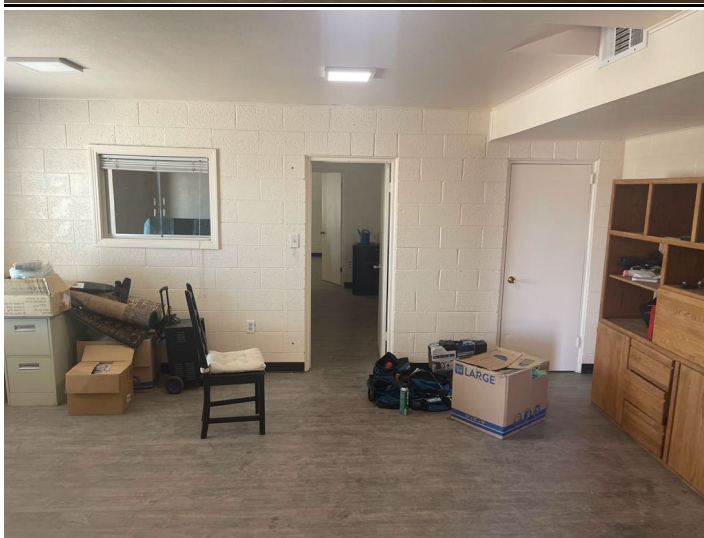
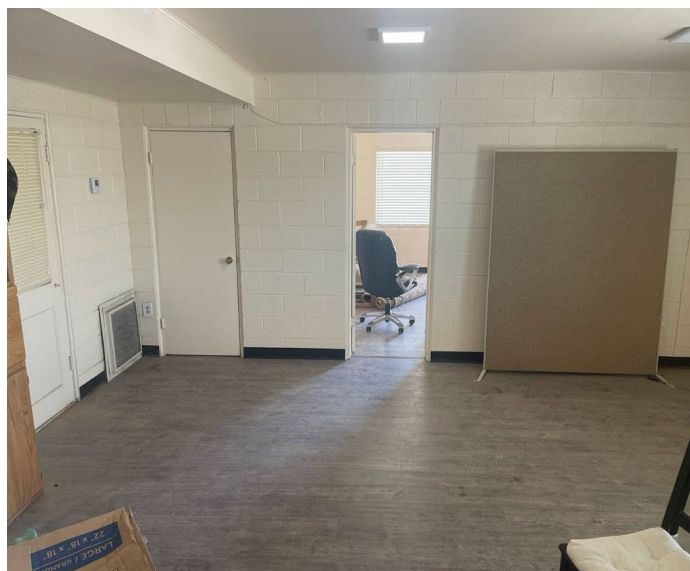
Eastern View



Western View



Office / Storage Areas



Discussion/Analysis

City staff reviewed the project site plan for compliance with the City's General Plan and development standards. Comments and recommended conditions of approval have been provided in Resolution PC2022-07, Exhibit A. The subject site and all the surrounding parcels are zoned I-2 Rail-Served Industrial.

Environmental Compliance

The project is categorically exempt from the California Environmental Quality Act (CEQA) under Section 15301 of the Guidelines.

Evaluation

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 CUP. The required findings are listed below in ***bold italics***, followed by an evaluation:

1. ***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 an Industrial Zone which is intended to provide for a quality working environment and to achieve a harmonious mixture of uses which might otherwise be incompatible when located in close proximity. In addition, the Industrial Zone's objective is to protect residential and commercial uses from noise, odor, dust, smoke, light intrusion, truck traffic and other objectionable influences. Automotive salvage yards are currently allowed within the Rail Served Industrial Zone with a Conditional Use Permit.

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 proposed location is ideal for the facility as it is surrounded by a variety of industrial uses located along Barioni Boulevard and N Street. The project will be compatible with the adjacent land uses and will not adversely affect the other businesses in the vicinity.

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 Conditions of Approval put in place, the proposed project will not be detrimental to the public health, safety or welfare of those within the vicinity of the project site.

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 facility complies with all provisions of the Zoning Ordinance.

Public Notification

The public hearing scheduled for August 24, 2022 was duly noticed in the Holtville Tribune and Calexico Chronicle, newspapers of general circulation on August 11, 2022 and a Notice of Public Hearing was sent to all property owners within 300-feet of the property.

Recommendation

Staff recommends the Planning Commission conduct a public hearing to receive comments for and against the project. Unless sufficient evidence to the contrary is presented at the public hearing, Staff recommends that the Planning Commission approve the Conditional Use Permit (CUP) application to allow for the use and operation of an auto dismantling and towing facility.

Attachments

- Proposed Site Plan
- RESO PC2022-07
- Conditions of Approval

Respectfully submitted,

Othon Mora, MCM, CBO
Community Development Director

NORTH N ST

EAST 9TH ST

NORTH O ST

EAST BARIONI BLVD

HATCH AREA LEGEND

- EXISTING CONCRETE AREA
- EXISTING BLD/SHADES
- EXISTING ASPHALT AREA
- PROPOSE SIDEWALK
- PROPOSE LANDSCAPE

ASSUMED PROPERTY LINE

PROPERTY BOUNDARY NOTE:

THE PROPERTY OR BOUNDARY LINES SHOWN ON THIS SITE PLAN ARE APPROXIMATE AND ASSUMED LOCATION. THIS SITE PLAN SHALL NOT BE USED AS A LEGAL DOCUMENT FOR LOCATING, ESTABLISHING OR DEPICTING PROPERTY LINES. A REGISTERED LAND SURVEYOR WILL PREPARE THE NECESSARY SURVEY.

300.00'

290.00'

170.00'

120.00'

80.00'

90.00'

130.00'

EXISTING ADA RAMP

EXISTING CONCRETE PAD

EXISTING BLDG

EXISTING ELECTRICAL PANEL w/METER

EXISTING HVAC UNIT

EXISTING BLDG

EXISTING SWITCHGEAR

EXISTING SHADE

EXISTING WROUGHT IRON FENCE

EXISTING O.H. POWER LINE

EXISTING O.H. POWER LINE w/TRANSFORMER

EXISTING FIRE HYDRANT

EXISTING O.H. POWER LINE

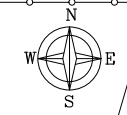
EXISTING FIRE HYDRANT

EXISTING CHAINLINK FENCE

EXISTING CHAINLINK FENCE PEDESTRIAN DOOR

EXISTING CHAINLINK FENCE DOORS

EXISTING ADA RAMP



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RESOLUTION NO. PC2022-07

A RESOLUTION OF THE PLANNING COMMISSION, OF THE CITY OF IMPERIAL, APPROVING A CONDITIONAL USE PERMIT FOR THE OPERATION OF AN AUTO DISMANTLING AND TOWING FACILITY LOCATED AT 601 EAST BARIONI BOULEVARD, APN 064-072-001, SUBJECT TO THE ATTACHED CONDITIONS

WHEREAS, Maryam Sam submitted an application for an auto dismantling and towing facility; and

WHEREAS, the subject site is located within an I-2 Rail Served Industrial Zone and automobile and truck services are conditionally allowed uses within that zone; and

WHEREAS, a duly notified public hearing was held by the Planning Commission on August 24, 2022, to hear testimony for and against the proposed Conditional Use Permit; and

WHEREAS, upon hearing and considering all testimony and arguments, examining the environmental study, analyzing the information submitted by staff and considering any written and oral comments received, the Planning Commission considered all facts relating to the project; and

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 15301 of the California Environmental Quality Act; and
- E) That based on the evidence presented at the public hearing, the Planning Commission hereby **APPROVES** **Conditional Use Permit 22-01** to allow the operation of an automobile dismantling and towing facility at 601 E. Barioni Boulevard, subject to the conditions of approval outlined in Exhibit A and based on the following findings:
 - 1. The project meets all the requirements per section 24.19.340 of the Imperial Zoning Ordinance for granting said conditional use permit as follows:
 - 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 an I-2 Industrial Zone, which is intended to provide for a quality working environment and to achieve a harmonious mixture of uses which might otherwise be incompatible when located in close proximity.

- 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 proposed location is ideal for the facility as it is surrounded by a variety of industrial uses located along Barioni Boulevard and N Street. The project will be compatible with the adjacent land uses and will not adversely affect the other businesses in the vicinity.

- 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 Conditions of Approval put in place, the proposed project will not be detrimental to the public health, safety or welfare of those within the vicinity of the project site.

- 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 facility complies with all provisions of the Zoning Ordinance.

PASSED, ADOPTED AND APPROVED by the Planning Commission of the City of Imperial, this 24th day of August, 2022.

Planning Commission Chairman

ATTEST:

City Clerk

**EXHIBIT A
FOR
RESOLUTION PC2022-07**

**CONDITIONS OF APPROVAL
FOR
CONDITIONAL USE PERMIT #22-01
Quality Dismantling
601 Barioni Blvd.**

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 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's 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. All storage of materials waiting or to be worked on shall be stored within the building during the time that the business is not open for business. There shall be no outdoor storage of materials.

7. Department Conditions of Approval

Public Services:

- a) Applicant shall install an oil/grease and sand separator to any drain within the auto dismantling area prior to City sewer connection.
- b) Applicant shall install a backflow device and provide proof of certified backflow test prior to City water connection.

Police Department:

- c) Applicant shall install sufficient lighting and security cameras that cover the entire property for crime prevention.

Fire Department:

- d) Tires shall be stored on racks in approved manner or shall be stored in accordance with Chapter 34 of the California Fire Code. Storage of tires shall be accordance with local, state, and federal regulations and requirements.
- e) Batteries shall be removed from vehicles and stored, handled, and disposed of by local, state, and federal regulations and requirements.
- f) Motor vehicle fluids shall be drained from salvage vehicles. Storage and handling of motor vehicles fluids shall be done in an approved manner. Flammable and combustible liquids shall be stored and handled in accordance with Chapters 23, 50, and 57 of the California Fire Code. Storage and handling of hazardous material shall be in accordance with local, state and federal regulations and requirements.
- g) Adequate supplies or equipment capable of mitigating leaks of motor vehicle fluids shall be kept and available onsite. Single use plugging, diking, and absorbent materials shall be disposed of as hazardous waste and removed from the site in a manner approved by local, state, and federal regulations and requirements.
- h) A Hazardous Waste Material Plan (HWMP) shall be submitted to Certified Unified Program Agency (CUPA) for their review and approval. All spills shall be documented and reported to Imperial County Fire Department and CUPA as required by the Hazardous Waste Material Plan.
- i) Hazardous Material Management Plan (HMMP) shall be required for all hazardous materials on site.
- j) Compliance with all sections of the California Fire Code that may apply.
- k) Fire apparatus access roads shall be a minimum 20 feet wide and maintained throughout the site in accordance with Chapter 5 of the California Fire Code. Aisles and/or passageways shall be provided so as to allow fire department hose streams to reach all stored items and materials as determined by the fire code official.
- l) Storage of vehicles shall not be stacked and provide separation to allow fire department hose streams to reach all stored items and materials as determined by the fire code official.
- m) Combustible rubbish accumulated onsite shall be collected and disposed of in approved containers.

- n) The use of gas welding and cutting operations of vehicles and/or parts by non-employed staff shall be prohibited. The use of gas welding and cutting operations by employees shall be in accordance Chapter 35 and 53 of the California Fire Code.
- o) Offices, storage building and vehicles used for site operation shall each be provided with a portable fire extinguisher with a minimum rating of 2-A: 20-BC. Additional portable fire extinguishers shall be provided in specific use areas in accordance with Chapter 9 of the California Fire Code.
- p) Due to the potential of large fires in salvage vehicle dismantling facilities, Imperial County Fire Department is recommending the applicant pave East 9th Street, between North N Street and North O Street to the City of Imperial's details and specifications to provide uninterrupted emergency access in all-weather conditions and emergency situations.

Community Development:

- q) The project site shall be maintained in a clean, orderly manner, free of debris or junk materials.
- r) Automotive storage areas shall be covered with a Class II base, or other material acceptable by the City of Imperial to minimize dust and track-off dirt onto roads.
- s) The applicant shall monitor the tracking of dirt from the project site onto adjacent public roadways. Excessive accumulation of dirt onto nearby and adjacent roadways fronting the project site driveways shall be mitigated by the applicant or business owner through street sweeping, installation of stabilized entrances and periodic maintenance of unpaved automotive storage areas.
- t) Light sources shall be shielded in such a manner that no light is visible from streets or adjoining properties. Illuminator shall be integrated within the architecture of the building. Freestanding lamp posts shall be no taller than 18 feet. The intensity of light at the boundary of any Industrial Zone shall not exceed seventy-five foot lamberts from a source of reflected light. All exterior light shall be low pressure sodium.
- u) All storage of an activities involving flammable and explosive materials shall be provided with adequate safety and fire fighting devices to the specification of the of the Uniform Fire code and the Imperial County Fire Chief. All incineration is prohibited. Adequate emergency sprinklers and smoke detectors shall be installed.
- v) No use shall be permitted which creates noise level which exceeds five decibels (as defined in the Occupational Safety and Health Act of 1970) above the ambient level of the area measured at the property line.
- w) No use shall be permitted which creates odor in such quantities as to be readily detectable beyond the boundaries of the site.
- x) There shall be no emission of air contaminants which, at the emission point or within a reasonable distance of the emissions point, are as dark or darker in shade as that designated as No. 1 on the Ringelman Chart as published in the United States Bureau of Mines Information Circular 7718.
- y) Outdoor storage areas shall be entirely enclosed by solid masonry walls not less than six feet in height to adequately screen view from the external boundaries of the property.

8. A site inspection shall be conducted to verify compliance with the conditions of approval. All conditions shall be satisfactory met prior to the issuance of a City of Imperial business license.
9. The provisions of the 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) Permittee fails to comply, and/or (2) Permittee cannot comply with the conditions set forth 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.



staff report

Agenda Item No. E-1

To: City of Imperial Planning Commission
From: Othon Mora, Community Development Director
Date: August 17, 2022

Subject: **Planning Commission Appointment of one (1) primary representative and one (1) alternate to participate on select committees for the City of Imperial:**

- **Imperial Arts District Committee**
- **Friends of Imperial Parks**
- **Ad Hoc Committee**

Discussion

Staff is requesting the Planning Commission to appoint one (1) primary representative and one (1) alternate to participate on the City of Imperial Arts District Committee, Friends of Imperial Parks, and Ad Hoc Committee. Below you will find a summary explanation of the annual appointments for committee.

Imperial Arts District

In 2015, the Imperial City Council voted to establish an Arts District in Downtown Imperial. The boundaries of the District include Imperial Avenue between 6th and 10th Street, and Barioni Blvd. between G and M Streets. In 2021, the City established the Imperial Arts District Advisory Committee consisting of representatives from several businesses located within the boundaries, two members of the City Council (1 primary and 1 alternate), and two members of the Planning Commission. The Advisory Committee is responsible for identifying standards and the selection of art initiatives within their specific jurisdiction.

Meetings occur quarterly, but may be more frequent depending on current initiatives.

Friends of Imperial Parks

In 2021 the City of Imperial established a non-profit 501C3 Friends of Imperial Parks. In an effort to align to organizations initiatives with the City Council's priorities, it is requested that one member, and one alternate, of the Planning Commission be appointed to a non-voting seat of the Board of Directors.

Meetings occur on the first Tuesday of each month at 5:30 PM.

Ad Hoc

The Committee is comprised of less than a quorum (2 members) of the Planning Commission and City Council to provide support, as needed, on specific items facing the City. It is recommended that one (1) primary representative and one (1) alternate to participate is selected to participate. *Meetings occur on an as needed basis.*