



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

AGENDA

PLANNING COMMISSION
TRAFFIC COMMISSION
Adjourned Regular Meeting

220 West 9th Street
IMPERIAL, CA 92251

TUESDAY, SEPTEMBER 27, 2022
6:30PM

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 Tuesday, September 27, 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 COUNCIL concerning any item appearing on the agenda, please raise your hand and be acknowledged by the MAYOR, and at that time state your name and address for the record. The MAYOR reserves the right to place a time limit on each person's presentation of three (3) minutes.

C. CONSENT CALENDAR

C-1. Approve Planning Commission Meeting Minutes for September 14, 2022.

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

D-1: Subject: Continued Public Hearing, Discussion/Action: Conditional Use Permit (CUP 22-01) for Quality Dismantling to allow for the operation of an auto dismantling and towing facility located at 604 E. Barioni Boulevard (APN 064-072-001).

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

E-1: Commissioners' Reports

E-2: Staff Reports

ADJOURN PLANNING COMMISSION MEETING UNTIL NEXT REGULARLY SCHEDULED MEETING OCTOBER 12, 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.



PLANNING COMMISSION

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

MINUTES

PLANNING COMMISSION TRAFFIC COMMISSION REGULAR MEETING

200 West 9th Street
IMPERIAL, CA 92251

WEDNESDAY, SEPTEMBER 14, 2022
6:30 PM

A. PLANNING COMMISSION CALL TO ORDER:

Chairperson Hammerness called the meeting to order at 6:36 pm.

Roll Call:

Commissioners Present:

Mark Hammerness – Chairperson, Veronica Harvey – Vice Chairperson, Ruben Rivera – Commissioner and Stacy Mendoza – Commissioner present by zoom.

Alice Abatti – Commissioner on site at 06:42 pm

City Staff Present:

Dennis Morita-City Manager, Alexis Brown-Assistant City Manager, Katie Turner-City Attorney, Othon Mora-Community Development Director, Luis Anguiano-Information Technology Support Technician, Jillian Mehdipour-Public Records, and Yvonne Cordero-Community Development Planner.

PLEDGE OF ALLEGIANCE:

Led by Ruben Rivera

B. PUBLIC APPEARANCES

B-1. Matters not appearing on the agenda.

Brown, we do have one public comment that was sent by email addressed to the traffic commission. "The traffic on Blazing Star has increased due to the La Brucherie Rd. construction. This is bringing higher speeds in the area and inattentive drivers. This residential street has become a speedway. Can we please have an officer present or some type of speed control? " This is one of the residential streets affected by the construction. We can bring this back to the

agenda. Hammerness, can we get a speed monitor set up? Brown, we do not have an actual speed trailer but a monitor that gets the license plates. We are working on dealing with the traffic congestion in the area and adding more of a police presence. Rivera, in good faith, I will personally go over and monitor the traffic in the area.

B-2. Matters appearing on the agenda.

None

C. CONSENT CALENDAR

C-1. Approve Planning Commission Meeting Minutes for August 24, 2022.

Action:

Abatti, made a motion to approve the *Planning Commission Meeting Minutes for August 24, 2022*. **Harvey, seconded** the motion.

Roll Call Vote:

Mark Hammerness, Chairperson: Yes
Veronica Harvey, Vice Chairperson: Yes
Alice Abatti, Commissioner: Yes
Stacy Mendoza, Commissioner: Yes
Ruben Rivera, Commissioner: Yes

Motion Passes 5-0

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

D-1: Discussion/Action: Traffic Concerns on Victoria Terrazas (Mayfield subdivision)- Saddleback Drive and Meadowbrook Drive

Discussion:

Brown, presented a summary of the joint meeting held on September 13, 2022. The information was sent to a traffic engineer for examination, and a proposal for solutions for a ped path was made. We encourage any new ideas or information to be shared. The key points we understood were the stopping of citations and a solution for parking.

Raul Beltran, Saddleback, the issue I have is that the builders are working on the northeast of my home. They start working on building homes at 2 in the morning. I have called the police due to the noise, the nail guns, hammers pounding, and cement trucks running. It's too early, people are sleeping. There is no respect for us in the neighborhood, from the construction at two in the morning and no place to park. Abatti, is there an ordinance? Mora, there is only a noise element.

Charlene Valle, Meadowbrook Drive, yesterday it was commented that our community is a planned unit division/development. Our contract states the lots are single-family residential lots. Why are we being sold a single-family lot when you're telling us that is not what the development is? Harvey, it says lots vs zone? Abatti, it would be beneficial to send a copy of your contract to Ms. Brown. Harvey, you can have single-family lots in a planned zone. Mora, explained the different types of zones. Charlene asked for clarification on the type of zone/lot and what ordinances apply. Harvey, there are different ordinances for different zones. You live in a PUD zone and are comparing ordinances to those in an R1 zone.

Hammerness, we know what everyone here has. We can beat each other up on what the county ordinance says. It's not going to get us to solve the problem. Tonight, we need to focus on what you have heard that you might like, what we can do, and that's all I want to hear about. I don't want to hear about this or that it's not going to get us anywhere. If you start talking about it, I'm going to cut you off. Let's try to look at what was proposed and say what you like so that we can mark it. The City Manager spoke yesterday about the potential of abandoning the side walk. Now we are not saying that's going to happen because it needs to be examined for ADA issues. I think of all the things that would be the potential best solution if the sidewalk issue is resolved. We know stopping the ordinance guy is one thing, but what else would you like to mention or have ideas about?

Carlos Bolivar, Saddleback, mentioned there was an issue a few years ago with another developer with a shortage of footage. The homeowners took this to court and were found in favor of the homeowners. They were to be paid. This is going to get everyone involved. The city is already involved. The best thing for us to do is to take care of it here. Courts will take a long time. The pedestrian bike lane will work. It just needs to be done quickly. Hammerness, do you have any other ideas aside from abandoning the side walk? Turner, we want to push this to be fixed. What do you see as a possible solution? Carlos, we don't need sidewalks. Irena Espinosa, Meadowbrook, yesterday you mentioned speed humps. I want to know if that's still an option. Brown, all recommendations are being taken in to be examined. Hammerness, thank you. We are looking for solutions tonight.

Hammerness, how many people here believe the one-way traffic and parking on one side is a bad idea? 100% of everyone in the room raised their hand in objection to the one way.

Ed Gonzalez, Meadowbrook Drive, I believe the best solution is to make it exempt. There are signs on private property that is owned by the city. So are we going to put more signs on private property? Hammerness, what do you mean exempt? Ed, the parking is blocking the sidewalks, so one way is going to be a big issue for disability or EMS. The streets are already too tight to get into people's houses. For safety reasons, the one-way will not work. Hammerness, I don't think we are going to see that again, so you don't have to worry about that. On the exemption, some in the city could tell code enforcement not to issue citations, but the problem is it's a state law. Any law enforcement agency would still be obligated to issue a citation. Ed, what we are referencing is the county ordinance that states you can block the driveway in a lawful manner. What we want to know, and I asked yesterday, is what do you consider a lawful manor? Hammerness, I believe that is best answered by the attorney. Tuner, what Mr. Hammerness is saying it's a violation of the vehicle code, but we don't want to harp on that one. If it was as simple as no more tickets, we

wouldn't be here. Ed, how can we not focus on that? That is the issue. It's pretty vague. Turner, only warnings were issued. If you get one, please let us know. Hammerness, the Mayor said he would take care of it.

Hammerness, lower the speed limit and speed humps. Would that be something to work with? If we take care of the sidewalk and lower the speed, is everyone OK with that? OK, we will keep that and the walking lane. We will need to do that. Tuner, that is what we are working on to see the minimum we are required to do. Harvey, I have a question. I see the first option is to make the sidewalk part of your driveway. What is your second option? Charlene, it's hard because the streets are just so narrow. The only thing we are asking for is to park in our driveways without getting a ticket. We are just asking you to let us park in our driveway and leave us alone, to know that we are not going to get a ticket. That is all we are asking for and that would be the best solution for us.

Ester Frias, Meadowbrook Drive, we are a home with four vehicles. When I bought my home, I was never told that if you have a big vehicle, don't buy this home. If I had known this to be an issue, I would have purchased a home in El Centro. We went home and thought about whether we should sell our home, but we can't afford bigger house payments. Plus, who is going to want to buy our home now that it's all-over social media? No one will buy our home now. Harvey, I sympathize with you all. I have been in a first-time home buyer's situation where you just want to get into your home. Ester, most of us residents have tried to come up with more ideas. The only other option that we could come up with is if they stopped building on Green Valley and put up a parking structure. Harvey, how many building permits are out for that phase of the subdivision? Mora, they are almost completed. This is the last phase.

Michelle Hollinger, Victoria Homes, we built Victoria Terrazas homes to the code. We built a quality home. We have been building homes in the Imperial Valley for over 30 years and have a great reputation. I have heard you and sympathize with you. I didn't know this was going to be an issue. We built what we thought was going to be a really good home and a good community. That is what we pride ourselves on. I did not intentionally shorten your driveway by five feet. We are here to try and find a solution and not tear everyone apart. To any of the home owners, I will be happy to give you my card and we can meet.

Hammerness, so an option was to stripe on Second and Fourth and some on Green Valley for parking. Would this be an option in addition to what we have discussed? Ester, what would be the size of the parking spots? The issue is vehicle size. Hammerness, I believe there is a vehicle code standard. We just pick the size of the parking spots. Carlos, so you're talking about adding parking to Green Valley? Hammerness, we are thinking about adding stripping to improve the parking. Carlos, so where you are wanting to place the parking in front of someone's house? Those homes on Green Valley have garages that face Saddlebrook and Meadow Brook. So, they are in the same situation as us. There will potentially be parking on Green Valley as well. Where do the people on Second Street park? Abatti, the street parking is public parking for everyone. Brown, the striping that we are talking about is not the ultimate solution. This is an option in addition to what is selected. This will be an additional option to allow extra parking spaces for anyone. We want input from all of you if this is an option, so that we as the city can price out what it would cost for supplies and equipment. Abatti, I think the traffic expert would be the best

resource for what is going to work and not work. We just need an opinion from you, the residents, if these ideas are going to work. This will help the city start planning, gathering resources, and figuring out funds so that we are ready and quickly moving to fix the issue. Hammerness, OK, this is something we can add to our package list.

Mendoza, the expert at JPIA, is who we are waiting for a response from? My second question with speed humps is: is there consideration for fire trucks? Will the speed humps be an issue for trucks? Hammerness, they will not be an issue for the fire trucks. Brown, Yes, we are in communication with JPIA and they use a traffic engineer that specializes in these situations, so in addition to our own staff, we are using their specialist. Rivera, we have taken note of everything you all have voiced as a concern and we are not going to push this off and we do need to check our resources and the laws. Before you go and sell your home, we ask for your patience as we work to resolve this matter. Ms. Hollinger is present, and it is very rare that you will see this. She came to face the fire. The last thing we need is a misunderstanding and we need to be on the same page. Have faith in us to get results.

E. REPORTS:

E-1: Commissioners' Reports

Abatti, the construction has created a 30-minute traffic jam at Aten and Austin. If we could get the presence of a police officer there in the morning to help the anxious drivers.

Rivera, we are going to need to hire more police officers for Blazing Star, Bougainville and Austin for the traffic. I will be out there this week measuring potholes from the rain. I will be watching the traffic in the morning and afternoon to follow up on these things.

Hammerness, I mentioned the light at 15th and Imperial. Has anything changed? Mora, yes, we are working on this matter and will be bringing something to the committee once we have everything. Thank you everyone for your perseverance this evening and last night.

E-2: Staff Reports

Mora, the stripping on Clark and Aten is completed.

Morita, thank you all for the way you engaged in the community tonight.

Chairperson Hammerness adjourned the Commissioners Meeting at 7:52 pm until the next regularly scheduled meeting, September 27, 2022.



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



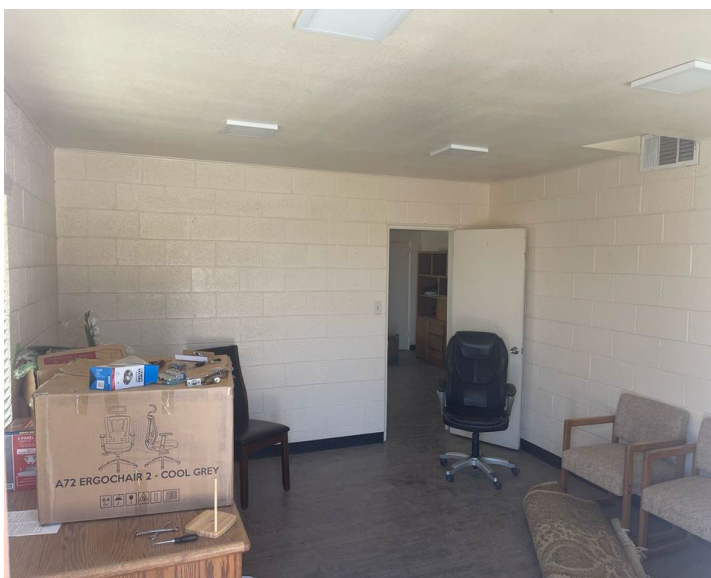
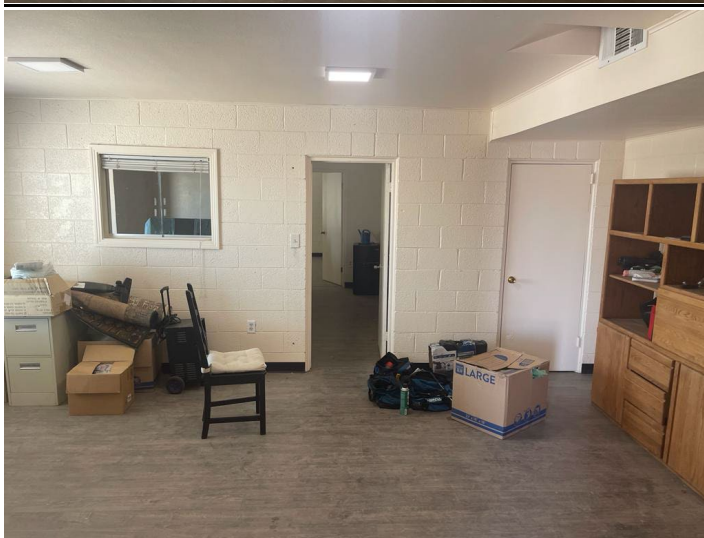
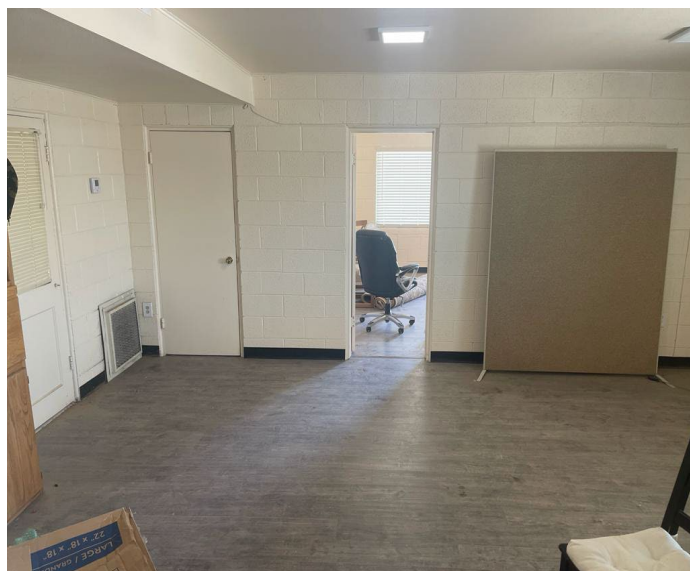
Eastern View



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

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, Navid 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 27th day of September, 2022.

Planning Commission Chairman

ATTEST:

City Clerk

EXHIBIT A

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. Dismantled parts shall be stored within the main building. There shall be no outdoor storage of impounded vehicles within the project site for no more than ninety days. If any outdoor storage of parts is necessary, it shall be for not more than thirty days. Any outdoor storage shall be obscured from the public right of way.
7. All signage shall be in accordance with Section 24.16 of the City of Imperial's Zoning Code Pertaining to Sign Regulations for Industrial Zones and approved by the Community Development Department by submitting a building permit application.

8. Applicant's business hours will be 7am to 7pm.
9. Applicant shall obtain environmental compliance permits required by Imperial County Air Pollution Control District.

10. Department Comments

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.

Community Development

- p) The project site shall be maintained in a clean, orderly manner, free of debris or junk materials.
- q) 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.
- r) 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.
- s) 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.
- t) All activities involving flammable and explosive materials shall be provided with adequate safety and fire-fighting devices to the specification of the Uniform Fire Code. All incineration is prohibited.
- u) 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.
- v) No use shall be permitted which creates odor in such quantities as to be readily detectable beyond the boundaries of the site.
- w) 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.
- x) Outdoor storage areas shall be entirely screened not less than six feet in height to adequately screen the view from the external boundaries of the property.

11. 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.
12. 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.
13. 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.
14. 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.
15. 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.