



*PLANNING AND TRAFFIC COMMISSION*  
*Ruben Rivera –Chairperson*  
*Lisa Winkler – Vice-Chairperson*  
*Alice Abatti – Commissioner*  
*Francisco Curiel-Commissioner*  
*Viridiana Rosales-Trujillo – Commissioner*

# **AGENDA**

## **PLANNING COMMISSION**

**220 West 9<sup>th</sup> Street  
IMPERIAL, CA 92251**

**WEDNESDAY, OCTOBER 22, 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 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@citofimperial.org](mailto:cityclerk@citofimperial.org)
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](http://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 August 13, 2025.**

**C-2: Approve Planning Commission Meeting Minutes for September 10, 2025.**

**C-3: Approve Planning Commission Meeting Minutes for September 24, 2025.**

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

**D-1: Subject: Public Hearing, Discussion/Action: Conditional Use Permit 25-06 for Steve Cochran to allow an accessory structure that exceeds the height limitations set by the Residential Zone Property Development Standards, and Variance 25-03 to allow a deviation from the side yard and front yard setback requirements for an accessory structure located at 221 W. 12th Street (APN 063-215-006). The project is categorically exempt from the California Environmental Quality Act (CEQA) under Section 15303, Class 3(e), for new construction or the conversion of small structures.**

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

Approve/Deny Resolution No. PC2025-15: A RESOLUTION OF THE PLANNING COMMISSION, OF THE CITY OF IMPERIAL, APPROVING CONDITIONAL USE PERMIT 25-06 AND VARIANCE 25-03 FOR STEVE COCHRAN TO ALLOW THE DEVIATION OF THE RESIDENTIAL ZONE PROPERTY DEVELOPMENT STANDARDS FOR MAXIMUM HEIGHT, SIDE YARD AND FRONT YARD SETBACK REQUIREMENTS FOR AN ACCESSORY STRUCTURE LOCATED AT 221 WEST 12<sup>TH</sup> STREET (APN 063-215-006)

**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 November 12, 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*  
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*Viridiana Rosales-Trujillo – Commissioner*

# MINUTES

## PLANNING COMMISSION

220 West 9<sup>th</sup> Street  
IMPERIAL, CA 92251

WEDNESDAY, AUGUST 13, 2025  
6:30 P.M.

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

**CALLED TO ORDER:** Vice Chairperson Winkler called the meeting to order at 6:30 p.m.

**ROLL CALL:** Commissioner Curiel, Rosales-Trujillo, and Vice Chairperson Winkler

**ABSENT:** Commissioner Abatti and Chairperson Rivera

**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 May 28, 2025.**

**C-2: Approve Planning Commission Meeting Minutes for July 23, 2025.**

**Moved by Curiel, seconded by Rosales-Trujillo, to approve the Consent Calendar.**

**AYES:** Curiel, Rosales-Trujillo, Winkler

**NOES:** None

**ABSTAIN:** None

**ABSENT:** Abatti and Rivera

**MOTION CARRIES: 3-0**

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

**D-1: Environmental Justice Element Presentation by Hanna Stelmakhovych, Program Manager at the Institute for Local Government.**

Hanna Stelmakhovych was present Via Zoom to give the Presentation. No action required.

**E. PUBLIC HEARING: (DISCUSSION/ACTION-RECOMMEND/DENY)**

**E-1: Subject: Public Hearing, Discussion/Action: Variance 25-02 for Carlos A. Felix Saguchi to allow the deviation of the Residential Zone Property Development Standards for front yard setback requirements for an accessory structure located at 642 Costa Azul Street (APN 064-271-006). 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 6:49 p.m.

Yvonne Cordero, City Planner, presented the Staff report.

The public hearing was closed at 7:10 p.m.

Carlos A. Felix Saguchi was present to plead his case.

**Moved by Curiel, seconded by Winkler,** to approve the denial of Resolution No. PC2025-11 and Variance 25-02.

**AYES:** Curiel, Rosales-Trujillo, Winkler

**NOES:** None

**ABSTAIN:** None

**ABSENT:** Abatti and Rivera

**MOTION CARRIES: 3-0**

**F. REPORTS:**

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

**F-2:** Staff reported on their upcoming activities since the last Planning Commission meeting.

**ADJOURNMENT**

Vice Chairperson Winkler adjourned the meeting at 7:19 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 22nd day of October 2025.

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KRISTINA SHIELDS  
City Clerk



PLANNING AND TRAFFIC COMMISSION  
Ruben Rivera –Chairperson  
Lisa Winkler – Vice-Chairperson  
Alice Abatti – Commissioner  
Francisco Curiel-Commissioner  
Viridiana Rosales-Trujillo – Commissioner

# MINUTES

## PLANNING COMMISSION

220 West 9<sup>th</sup> Street  
IMPERIAL, CA 92251

WEDNESDAY, SEPTEMBER 10, 2025  
6:30 P.M.

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

**CALLED TO ORDER:** Commissioner Curiel called the meeting to order at 6:40 p.m.

**ROLL CALL:** Commissioner Abatti, Curiel, and Rosales-Trujillo

**ABSENT:** Vice Chairperson Winkler and Chairperson Rivera

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

**ADJUSTMENTS TO THE AGENDA:** City Attorney Katie Turner stated that Item D-1 will be continued to the next meeting on September 24, 2005, due to a conflict of interest.

**B. PUBLIC APPEARANCES: None**

**C. CONSENT CALENDAR**

**C-1: Approve Planning Commission Meeting Minutes for July 23, 2025.**

**C-2: Approve Planning Commission Meeting Minutes for August 27, 2025.**

Moved by Rosales-Trujillo, seconded by Abatti, to approve the Consent Calendar.

**AYES:** Abatti, Curiel and Rosales-Trujillo

**NOES:** None

**ABSTAIN:** None

**ABSENT:** Winkler and Rivera

**MOTION CARRIES: 3-0**

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

**D-1: Subject: Public Hearing, Discussion/Action: O Street Vacation Between 1<sup>st</sup> Street and 2<sup>nd</sup> Street. The project is categorically exempt from the California Environmental Quality Act (CEQA) under Section 15305, Class 5-Minor Alterations in Land Use Limitations.**

\*D-1 continued due to a conflict of interest.

**D-2: Subject: Public Hearing, Discussion/Action: CUP 25-05 DEEN Enterprises to allow for a PET/CT Mobile Imaging System proposed to be located at 435 W. Aten Road (APN 064-351-0276). The project is categorically exempt from the requirements of the California Environmental Quality Act under Section 15311-Class 11, Accessory Structures.**

The public hearing was opened at 6:43 p.m.

Yvonne Cordero, City Planner, presented the Staff report.

The public hearing was closed at 7:05 p.m.

**Moved by Abatti, seconded by Curiel**, to continue this item to the next meeting and invite the property owner and ask him to provide the planning commission with a list of tenants this project might affect, and also if he has notified them of the proposed Mobile Imaging System project.

**AYES:** Abatti, Curiel and Rosales-Trujillo

**NOES:** None

**ABSTAIN:** None

**ABSENT:** Winkler and Rivera

**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:**

Commissioner Curiel adjourned the meeting at 7:12 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 24th day of September 2025.

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KRISTINA SHIELDS  
City Clerk



*PLANNING AND TRAFFIC COMMISSION*  
*Ruben Rivera –Chairperson*  
*Lisa Winkler – Vice-Chairperson*  
*Alice Abatti – Commissioner*  
*Francisco Curiel-Commissioner*  
*Viridiana Rosales-Trujillo – Commissioner*

# MINUTES

## PLANNING COMMISSION

220 West 9<sup>th</sup> Street  
IMPERIAL, CA 92251

WEDNESDAY, SEPTEMBER 24, 2025  
6:30 P.M.

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

**CALLED TO ORDER:** Vice Chairperson Winkler called the meeting to order at 6:33 p.m.

**ROLL CALL:** Commissioner Curiel, Rosales-Trujillo, and Vice Chairperson Winkler  
Commissioner Abatti arrived at 6:34 p.m.  
Chairperson Rivera arrived at 6:40 p.m.

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

**ADJUSTMENTS TO THE AGENDA:** None

**B. PUBLIC APPEARANCES:**

Public comment received by Carlos A. Felix Saguchi regarding Variance 25-02.

**C. CONSENT CALENDAR:**

**C-1: Approve Planning Commission Meeting Minutes for September 10, 2025.**

**Moved by Curiel, seconded by Rosales-Trujillo, to approve the Consent Calendar.**

**AYES:** Abatti, Curiel, Rosales-Trujillo, Winkler

**NOES:** None

**ABSTAIN:** None

**ABSENT:** Rivera

**MOTION CARRIES: 4-0**

**D. PUBLIC HEARING: (DISCUSION/ACTION-RECOMMEND/DENY)**

**D-1: Subject: Continued Public Hearing, Discussion/Action: O Street Vacation Between 1<sup>st</sup> Street and 2<sup>nd</sup> Street. The project is categorically exempt from the California Environmental Quality Act (CEQA) under Section 15305, Class 5-Minor Alterations in Land Use Limitations.**

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

Yvonne Cordero, City Planner, presented the Staff report.

The public hearing was closed at 6:44 p.m.

**Moved by Rivera, seconded by Curiel, to approve Resolution No. PC2025-12.**

**AYES:** Curiel, Rosales-Trujillo, Winkler, and Rivera

**NOES:** None

**ABSTAIN:** Abatti

**ABSENT:** None

**MOTION CARRIES: 4-0-1**

**D-2: Subject: Continued Public Hearing, Discussion/Action: CUP 25-05 DEEN Enterprises to allow for a PET/CT Mobile Imaging System proposed to be located at 435 W. Aten Road (APN 064-351-0276). The project is categorically exempt from the requirements of the California Environmental Quality Act under Section 15311-Class 11, Accessory Structures.**

The public hearing was opened at 6:47 p.m.

Yvonne Cordero, City Planner, presented the staff report.

The public hearing was closed at 7:07 p.m.

**Moved by Rivera, seconded by Curiel, to approve Resolution No. PC2025-13 and Conditional Use Permit 25-05.**

**AYES:** Abatti, Curiel, Rosales-Trujillo, Winkler, and Rivera

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

**MOTION CARRIES: 5-0**

**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 7:11 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 22nd day of October 2025.

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KRISTINA SHIELDS  
City Clerk



# Staff Report

Agenda Item No. D-1

**To:** City of Imperial Planning Commission

**From:** Yvonne Cordero, Planner

**Date:** October 16, 2025

**Item:** Variance 25-03 and Conditional Use Permit 25-06  
Deviation from the Residential Property Development Standards for  
Accessory Structures

<b>Applicant:</b>	Steve Cochran
<b>Project Location:</b>	221 W. 12th Street
<b>Zoning:</b>	R-1 Single-Family Residential
<b>Environmental:</b>	Categorically Exempt from CEQA per Section 15303, Class 3(e) - New Construction or Conversion of Small Structures
<b>Recommendation:</b>	Staff recommends Planning Commission approval of Variance 25-03 and Conditional Use Permit 25-06.

## **Background**

Applicant Steve Cochran submitted an application for a Conditional Use Permit to allow an 18-foot accessory structure and a Variance request for the deviation of front and side yard setback requirements. The proposed structure is to be located within Old Imperial at 221 W. 12<sup>th</sup> Street. Due to the property's unique dimensions and configuration that deviate from the standard lot sizes defined in our Residential Zoning Code, the property is considered to have non-conforming characteristics, thus classified as a special

circumstance. The layout of the home was constructed to maximize lot utilization by positioning the primary dwelling to face 12<sup>th</sup> Street, resulting in the residence's side yard being situated facing G Street. The City of Imperial's Property Development Standards require a 10-foot street-side yard setback and a front yard setback of 20 feet.



Mr. Cochran's proposed accessory structure is intended to provide protection for his vehicles and recreational vehicle against our extreme heat conditions. Consistent with common developments in the vicinity of Old Imperial, Mr. Cochran seeks a formal approval for the deviation implementation, as numerous comparable accessory structures within the neighborhood exhibit non-conformities relative to established design standards. A survey conducted by staff identified four existing accessory structures within the same block that display similar non-compliance issues, along with several additional structures in the adjacent areas.

### **Land Use Analysis**

The project site consists of approximately 7,300 square foot parcel situated within the R-1 Residential Zone of Old Imperial. The parcel is located at the northeastern intersection of 12th Street and G Street and, according to Imperial County property records, measures 50 feet by 145 feet. This contrasts with the standard lot dimensions, which typically measure 60 feet by 100 feet. The existing irregularities in lot dimensions and building footprints are acknowledged as legal non-conforming uses pursuant to current zoning ordinances.

The surrounding areas' zoning and land uses are as follows:

DIRECTION	ZONING	LAND USE
North	R-1 Single Family Residential	Residential
East	R-1 Single Family Residential	Residential
South	R-1 Single Family Residential	Residential
West	R-1 Single Family Residential	Residential

**Project Location**

The R-1 Residential Single Family Zone is intended as an area for single-family residential development on minimum lot sizes of 6,000 square feet and maximum densities of 6 units per net acre. Additional uses are permitted that are complementary to, and can exist in harmony within a single-family residential neighborhood. Accessory uses, such as accessory structures, located on the same site are a permitted use within the R-1 zone.



**Required Findings for Variance 25-03:**

In order to approve Variance 25-03, the Planning Commission is required to review six findings per Section 24.19.400 of the City of Imperial’s Zoning Ordinance. The findings are listed below, along with the reasons why staff considers that the findings are or are not met in this case. These findings are:

1. **There are special circumstances, such as size topography, location or surroundings applicable to the property or the intended use of the property, and because of this, the strict application of the Zoning Ordinance deprives the property of privileges enjoyed by other properties in the vicinity under identical zoning classification.**

A special circumstance applies to the subject property due to its unique dimensions and configuration, which deviate from standard lot sizes as defined by local zoning codes. The property is situated at the northeast corner of 12th Street and G Street, with dimensions of 50 by 145 feet, whereas the typical lot size in this area is 60 by 100 feet. Many residences in Old Imperial, including this one, feature non-conforming attributes, such as irregular lot dimensions or building placements, that are recognized as legal non-conforming uses under current zoning regulations.

The layout of the home was constructed to maximize lot utilization, positioning the primary structure facing 12th Street, which is consistent with site planning that considers setbacks, easements, and buildable area. Mr. Cochran's property is designated as having special circumstances because the side yard facing G Street is narrower than standard, and the front yard along 12th Street exceeds typical lot length restrictions. These elements may qualify the property for Variances, subject to review to accommodate existing conditions while maintaining zoning compliance.

**2. The granting of the variance or its modification is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity and zone and denied to the property for which the Variance is sought.**

The granting of the Variance and the Conditional Use Permit is necessary for Mr. Cochran's right to enjoy the functions of the proposed accessory structure for the storage of his vehicles and recreational vehicle, a property right possessed by other property owners in the same vicinity and zone with accessory structures with equivalent deviation features.

**3. That granting the Variance or its modification will not be materially detrimental to the public health, safety or welfare, or injurious to the property or improvements in such vicinity and zone in which the property is located.**

The applicant has submitted building plans that confirm the accessory structure will be structurally sound and will not be materially detrimental to public health, safety, or welfare. Additionally, if approved, the project will be further reviewed by our Building Division to ensure the structure will not be injurious to the applicant's property and the surrounding properties. The Imperial County Fire Department and the Imperial Police Department have reviewed the project and have determined that the project will not obstruct traffic.

**4. The Variance will not constitute a privilege inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated.**

Variance approval will not grant a privilege that conflicts with nearby properties. This process is governed by local zoning laws and regulations, which aim to maintain the character, safety, and compatibility of the community. Many existing homes in Old Imperial, including four accessory structures in the applicant's neighborhood on G Street, as well as surrounding properties to the East and West, have accessory structures that do not meet the current standards outlined in the Residential Zone's Property Development Standards. These standards typically specify criteria such as setback requirements, height restrictions, lot coverage limits, and design consistency to ensure that new developments are harmonious with existing structures and community layouts. Variance approval thus involves a meticulous review process where the Planning Department evaluates whether the requested deviation from standard codes is justified based on reasons such as unique site conditions or hardship, while ensuring that such deviations will not adversely affect neighboring properties or violate the intent of the zoning regulations.

**5. The granting of this Variance does not allow a use or activity which is not otherwise expressly authorized by the zoning regulation governing the parcel of property.**

The subject property is zoned **Residential Single Family (R-1)**, where accessory structures are a permitted use, and those exceeding twelve (12) feet in height are conditionally permitted. The approval of Variance 25-03 allows only deviations from front and side yard setback standards and does not authorize any use not otherwise permitted by the R-1 Zone or the City's Zoning Ordinance.

**6. That granting the Variance or its modification will not be incompatible with the City of Imperial General Plan.**

The approval of Variance 25-03 or its modification will not be incompatible with the strategic objectives and land use policies outlined in The City of Imperial's General Plan.

**Required Findings for Conditional Use Permit 25-06:**

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 situated within the R-1 Single-Family Residential zoning district, designated for detached single-family dwelling units. Incidental uses, including accessory structures that are auxiliary and compatible with the residential character of the neighborhood, are permitted within this zoning classification.

- 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 accessory structure's location, dimensions, and design are congruent with existing development standards and will not adversely impact or cause material detriment to neighboring properties, residents, structures, or natural resources. The operational characteristics pertinent to vehicle and RV storage will not impose nuisance or adverse effects on the subject residence or adjacent residential properties.

- 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.***

Under the approved Conditions of Approval, the proposed project is not anticipated to pose a risk to public health, safety, or welfare of residents in the immediate vicinity of the project site. Upon the conditional approval of Conditional Use Permit 25-06, the City of Imperial's Building Division will execute the building permit review

process to verify structural integrity and compliance with the applicable California Building Codes adopted by the City.

**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 accessory structure conforms to all applicable provisions of the City of Imperial's Zoning Ordinance. The issuance of Conditional Use Permit 25-06 will authorize the extension of the structure's height to eighteen feet, exceeding the maximum allowable height of twelve feet established in the Property Development Standards. Additionally, a Variance is being sought concurrently with the Conditional Use Permit to deviations from the prescribed side and front yard setback requirements.

**CEQA Analysis:**

**1. No significant environmental impact:**

The accessory structure 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.

**2. Land Use Consistency:**

The existing project is located within the (R-1) Single Family Residential Zone which allows for accessory structures and is consistent with and aligns with the surrounding R-1 land use policies and zoning regulations.

**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 accessory structure of a private residence does 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. The IC Fire Department and Imperial PD have determined that the project is safe and will not obstruct traffic.

**Environmental Compliance & Noticing Requirements:**

The project qualifies for an exemption under CEQA Guidelines Section 15303, Class 3(e)-New Construction or Conversion of Small Structures. The conversion of existing small structures from one use to another where only minor modifications are made to the exterior of the structure. Examples of this exemption include but are not limited to (e) accessory structures including garages, carports, patios, swimming pools, and fences.

The public hearing scheduled for October 22, 2025, was duly noticed in the Holtville Tribune and Calexico Chronicle, a newspaper of general circulation on October 9, 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** Variance 25-03 to allow the deviation of the required front and street side yard setbacks defined in the City of Imperial's Property Development Standards and Conditional Use Permit 25-06 to allow the existing accessory structure with a height that exceeds the City of Imperial's Property Development Standards.

**Attachment**

- Attachment A - *DRAFT* Resolution PC2025-15 with Conditions of Approval

Respectfully submitted,



Othon Mora, MCM, CBO  
Community Development Director

***DRAFT* RESOLUTION NO. PC2025-15**

**A RESOLUTION OF THE PLANNING COMMISSION, OF THE CITY OF IMPERIAL, APPROVING CONDITIONAL USE PERMIT 25-06 AND VARIANCE 25-03 FOR STEVE COCHRAN TO ALLOW THE DEVIATION OF THE RESIDENTIAL ZONE PROPERTY DEVELOPMENT STANDARDS FOR MAXIMUM HEIGHT, SIDE YARD AND FRONT YARD SETBACK REQUIREMENTS FOR AN ACCESSORY STRUCTURE LOCATED AT 221 WEST 12<sup>TH</sup> STREET (APN 063-215-006)**

**WHEREAS**, Steve Cochran submitted a Variance request for the deviation of the Residential Zone's Property Development side yard and front yard setback standards and a Conditional Use Permit request for exceeding the maximum height limitations on an accessory structure located at 221 West 12<sup>th</sup> Street; and

**WHEREAS**, the subject site is located within a Residential Single Family Zone, and accessory structures over twelve feet in height are conditionally allowed uses within that zone; and

**WHEREAS**, the subject site's accessory structure deviates from the side yard and front yard setback property development standard requirement; and

**WHEREAS**, a duly notified public hearing was held by the Planning Commission during a meeting on October 22, 2025; and

**WHEREAS**, upon hearing and considering all testimony and arguments, analyzing the information submitted by staff, and considering any written comments received, the Planning Commission considered all facts relating to the request for Conditional Use Permit 25-06 and Variance 25-03.

**NOW, THEREFORE, BE IT RESOLVED** by the Planning Commission of the City of Imperial grants 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) Installation and alteration of the property and deviation from the Residential Zone's Property Development Standards are therefore categorically exempt from the California Environmental Quality Act per Section 15303, Class 3(e), New Construction or Conversion of Small Structures; and
- D) That based on the evidence presented at the public hearing, the Planning Commission hereby determines that the project is Categorical Exempt under Section 15303, Class 3(e), New Construction or Conversion of Small Structures; and

E) That based on the evidence presented at the public hearing, the Planning Commission hereby **APPROVES Variance 25-03 and Conditional Use Permit 25-06** for Steve Cochran to allow for the deviation of the Residential Zone's Property Development Standards for side yard and front yard setback requirements and height limitations, subject to the Conditions of Approval outlined in **Exhibit A** and based on the following Variance findings:

- 1. There are special circumstances, such as size topography, location or surroundings applicable to the property or the intended use of the property, and because of this, the strict application of the Zoning Ordinance deprives the property of privileges enjoyed by other properties in the vicinity under identical zoning classification.**

A special circumstance applies to the subject property due to its unique dimensions and configuration, which deviate from standard lot sizes as defined by local zoning codes. The property is situated at the northeast corner of 12th Street and G Street, with dimensions of 50 by 145 feet, whereas the typical lot size in this area is 60 by 100 feet. Many residences in Old Imperial, including this one, feature non-conforming attributes, such as irregular lot dimensions or building placements, that are recognized as legal non-conforming uses under current zoning regulations.

The layout of the home was constructed to maximize lot utilization, positioning the primary structure facing 12th Street, which is consistent with site planning that considers setbacks, easements, and buildable area. Mr. Cochran's property is designated as having special circumstances because the side yard facing G Street is narrower than standard, and the front yard along 12th Street exceeds typical lot length restrictions. These elements may qualify the property for Variances, subject to review to accommodate existing conditions while maintaining zoning compliance.

- 2. The granting of the Variance or its modification is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity and zone and denied to the property for which the Variance is sought.**

The granting of the Variance and the Conditional Use Permit is necessary for Mr. Cochran's right to enjoy the functions of the proposed accessory structure for the storage of his vehicles and recreational vehicle, a property right possessed by other property owners in the same vicinity and zone.

**3. That granting the Variance or its modification will not be materially detrimental to the public health, safety or welfare, or injurious to the property in the vicinity and zone in which the property is located.**

The applicant has submitted building plans that confirm the accessory structure will be structurally sound and will not be materially detrimental to public health, safety, or welfare. Additionally, if approved, the project will be further reviewed by our Building Division to ensure the structure will not be injurious to the applicant's property and the surrounding properties. The Imperial County Fire Department and the Imperial Police Department have reviewed the project and have determined that the project will not obstruct traffic.

**4. The Variance will not constitute a privilege inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated.**

Variance approval will not grant a privilege that conflicts with nearby properties. This process is governed by local zoning laws and regulations, which aim to maintain the character, safety, and compatibility of the community. Many existing homes in Old Imperial, including four accessory structures in the applicant's neighborhood on G Street, as well as surrounding properties to the East and West, have accessory structures that do not meet the current standards outlined in the Residential Zone's Property Development Standards. These standards typically specify criteria such as setback requirements, height restrictions, lot coverage limits, and design consistency to ensure that new developments are harmonious with existing structures and community layouts. Variance approval thus involves a meticulous review process where the Planning Department evaluates whether the requested deviation from standard codes is justified based on reasons such as unique site conditions or hardship, while ensuring that such deviations will not adversely affect neighboring properties or violate the intent of the zoning regulations.

**5. The granting of this Variance does not allow a use or activity which is not otherwise expressly authorized by the zoning regulation governing the parcel of property.**

The subject property is zoned Residential Single Family (R-1), where accessory structures are a permitted use, and those exceeding twelve (12) feet in height are conditionally permitted. The approval of Variance 25-03 allows only deviations from front and side yard setback standards and does not authorize any use not otherwise permitted by the R-1 Zone or the City's Zoning Ordinance.

**6. That granting the Variance or its modification will not be incompatible with the City of Imperial General Plan.**

The approval of Variance 25-03 or its modification will not be incompatible with the strategic objectives and land use policies outlined in The City of Imperial's General Plan.

- F) The City Attorney is authorized to make minor typographical changes to this Resolution that do not change the substance of this Resolution.

**PASSED, ADOPTED AND APPROVED** by the Planning Commission of the City of Imperial, this 22nd day of October 2025.

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Ruben Rivera  
Planning Commission Chairperson

ATTEST:

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Kristina Shields  
City Clerk

## **EXHIBIT A**

### **CONDITIONS OF APPROVAL CUP 25-06 Steve & Teana Cochran 221 W. 12<sup>th</sup> Street (APN 063-215-006)**

1. The 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 Applicant shall pay all applicable permit 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. The provisions of the 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.
6. 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 conditional use permit, 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 conditional use permit, then the matter shall be referred to the Planning Commission for permit modification, suspension, or termination, or to the appropriate enforcement authority.
7. 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.
8. 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.