



PLANNING COMMISSION

Veronica Harvey – Chairperson

Ruben Rivera – Vice Chairperson

Alice Abatti – Commissioner

Rebecca Terrazas-Baxter – Commissioner

Lisa Winkler-Commissioner

AGENDA

PLANNING COMMISSION TRAFFIC COMMISSION

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

**WEDNESDAY, OCTOBER 25, 2023
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
3. All documents containing an executive summary and staff recommendation associated with open session action items are made available for public inspection on the City's website, www.cityofimperial.org seventy-two (72) hours prior to the posted meeting time. Government Code Section 54957.5(b)(2)(B).

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

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

ROLL CALL
PLEDGE OF ALLEGIANCE
ADJUSTMENTS TO THE AGENDA

B. PUBLIC APPEARANCES

B-1. Matters not appearing on the agenda. If you wish to address the Planning Commission concerning any item not appearing on the agenda and within the Commission's jurisdiction, please raise your hand and be acknowledged by the Chairperson, and at that time state your name and address for the record. The Chairperson reserves the right to place a time limit on each person's presentation of three (3) minutes. It is requested that longer presentations be submitted to the Commission in writing.

C. CONSENT CALENDAR

All items appearing under "Consent Agenda" will be acted upon by the Planning Commission in one motion without discussion. Should any Commissioner or other person request that any item be considered separately, that item will then be taken up at the time as determined by the Chairperson.

- C-1.** Approve Planning Commission Meeting Minutes for October 11, 2023.

D. SPECIAL PRESENTATION:

D-1: SB 1383 Statewide Mandatory Organic Waste Collection Presentation

E. NEW BUSINESS: (DISCUSSION/ACTION –RECOMMEND/DENY)

E-1: Discussion/Action: Similar Land Use Determination for a Recycling Facility within the General Industrial Zone

1. Commission Discussion

- 2. Recommended Action:** Approve Resolution PC2023-10. A Resolution of the Planning Commission of the City of Imperial Approving a Similar Use Determination for the Use of a Recycling Facility within Industrial Zones. Project is Categorically Exempt per the California Environmental Quality Act, Section 15301 for Existing Facilities.

F. TRAFFIC COMMISSION NEW BUSINESS: (DISCUSSION/ACTION-RECOMMEND/DENY):

F-1: Discussion/Action: Removal of Pedestrian Crosswalk on North Imperial Avenue Between Barioni Boulevard and 9th Street

1. Commission Discussion

- 2. Recommended Action:** Approve removal or select appropriate mitigation measure(s) for the crosswalk on North Imperial Avenue between Barioni Boulevard and 9th Street. The project is categorically exempt per the California Environmental Quality Act.

G. REPORTS:

G-1: Commissioners' Reports

G-2: Staff Reports

H. ADJOURNMENT

H-1. Subject: Adjourn the Planning Commission meeting until the next regularly scheduled meeting November 8, at 6:30pm.

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
Vacant CHAIRPERSON
VERONICA HARVEY, VICE CHAIRPERSON
ALICE ABATTI, COMMISSIONER
RUBEN RIVERA, COMMISSIONER
REBECCA TERRAZAS-BAXTER, COMMISSIONER
LISA WINKLER, COMMISSIONER

Minutes

**PLANNING COMMISSION
TRAFFIC COMMISSION
REGULAR MEETING**

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

**WEDNESDAY, OCTOBER 11, 2023
6:30 P.M.**

A. PLANNING COMMISSION CALL TO ORDER:

Vice Chair Harvey called the meeting to order at 6:30 p.m.

ROLL CALL:

Commissioners Present: Commissioner Rivera, Commissioner Winkler and Vice Chairperson Harvey.

ABSENT: Commissioners Abatti & Terrazas-Baxter

City Staff Present: City Manager, Dennis Morita, City Attorney, Katherine Turner, Planner, Yvonne Cordero, City Clerk, Kristina Shields, and Community Development Director, Othon Mora.

PLEDGE OF ALLEGIANCE: Led by Vice Chairperson Harvey.

ADJUSTMENTS TO THE AGENDA:

City Manager, Dennis Morita requested that item C-1 be pulled from the agenda and tabled to a future meeting.

B. PUBLIC APPEARANCES

B-1. Matters not appearing on the agenda:

Michelle Hallinger representing Victoria Homes, commented on the invitation she made at the last City Council meeting for the grand opening of Victoria Park and extended an invitation for members of the Planning Commission to attend.

B-2. Matters appearing on the agenda:

None

C. CONSENT CALENDAR

C-1. Approve Planning Commission Meeting Minutes for September 13, 2023. **(Pulled to future meeting).**

Action:

Item tabled to the next regularly scheduled Planning Commission meeting.

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

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

1. Appoint Planning Commission Chairperson
2. Appoint Planning Commission Vice-Chairperson

Discussion:

City Manager Morita indicated that it is up to the Vice Chair as to how she would like to proceed.

Action:

Commissioner Winkler moved to nominate Vice Chairperson Harvey to serve as Planning Commission Chair. Motion seconded by Commissioner Rivera.

AYES: Rivera, Winkler & Vice Chairperson Harvey

NOES: NONE

ABSTAIN: NONE

ABSENT: Abatti & Terrazas-Baxter

MOTION CARRIES 3-0

Action:

Chairperson Harvey moved to nominate Commissioner Rivera to serve as Chairperson of the Planning Commission. Motion seconded by Commissioner Winkler.

AYES: Winkler, Rivera & Chairperson Harvey

NOES: NONE

ABSTAIN: NONE

ABSENT: Abatti & Terrazas-Baxter

MOTION CARRIES 3-0

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

E-1: Subject: Public Hearing, Discussion/Action: Recommend approval of Conditional Use Permit 23-06 for Quentin Tucker, for the construction of a sixteen-foot, six-inch garage structure within a Residential Zone located at 2676 Dandelion Road (APN 064-012-005)

1. Open Public Hearing
2. Staff Report – Public Comment
3. Commission Discussion
4. Close Public Hearing

5. **Recommended Action:** Approve/Deny Resolution No. PC2023-08: A Resolution of the Planning Commission of the City of Imperial, approving Conditional Use Permit 23-06 for a sixteen-foot, six-inch (16'6") garage structure within a Residential Zone located at 2676 Dandelion Road (APN 064-012-005). The project is categorically exempt from the California Environmental Quality Act (CEQA) under Section 15303-Construction of an Accessory Structure.

Chairperson Harvey opened the public hearing at 6:37 p.m. Planner, Yvonne Cordero presented the staff report. The Planning Commission entertained comments from Quentin Tucker, applicant who answered questions relative to the design and the eve overhang. Chairperson Harvey closed the public hearing at 6:45 p.m., and entertained a motion to approve.

Action:

Vice Chairperson Rivera moved to approve Resolution No. PC2023-08: A Resolution of the Planning Commission of the City of Imperial, approving Conditional Use Permit 23-06 for a sixteen-foot, six-inch (16'6") garage structure within a Residential Zone located at 2676 Dandelion Road (APN 064-012-005). as presented. Motion seconded by Commissioner Winkler.

AYES: Winkler, Rivera & Chairperson Harvey
NOES: NONE
ABSTAIN: NONE
ABSENT: Abatti & Terrazas-Baxter

MOTION CARRIES 3-0

- E-2: Subject: **Public Hearing, Discussion/Action: Recommend approval of the Victoria Ranch Specific Plan Amendment Update to reflect land use changes, current information and conditions.**

1. **Open Public Hearing**
2. **Staff Report – Public Comment**
3. **Commission Discussion**
4. **Close Public Hearing**
5. **Recommended Action:** Approve/Deny Resolution No. PC2023-09: A Resolution of the Planning Commission of the City of Imperial recommending approval to the City Council. Mitigated Negative Declaration certified December 17, 2003.

Chairperson Harvey opened the public hearing at 6:45 p.m. Community Development Director, Othon Mora presented the staff report. Vice Chairperson Rivera asked questions relative to the project's overall density with Mr. Mora indicated that the density and project footprint have not changed; that the plan is complete and is reflective of proposed changes.

Chairperson Harvey closed the public hearing at 6:57 p.m., and entertained a motion to approve.

Action:

Vice Chairperson Rivera moved to approve Resolution No. PC20 Resolution No. PC2023-09: A Resolution of the Planning Commission of the City of Imperial recommending approval to the City Council. Mitigated Negative Declaration certified December 17, 2003 with a request to add to the Conditions of Approval a condition to reserve the right for additional comments when submission of improvement plan occurs. Motion seconded by Commissioner Winkler.

City Attorney, Turner suggested to add said language to the resolution. Motion maker Vice Chairperson Rivera and motion seconded, Commissioner Winkler concurred with adding Mr. Mora's language to the presented resolution.

City Manager Morita clarified that based on the language of the agenda, the Planning Commissions actions of approval are to recommended approval by the City Council, which has ultimate decision on the matter. Vice Chairperson amended the original motion to recommend approval by the City Council.

AYES: Winkler, Rivera & Chairperson Harvey
NOES: NONE
ABSTAIN: NONE
ABSENT: Abatti & Terrazas-Baxter

MOTION CARRIES 3-0

F. REPORTS:

F-1: Commissioners' Reports

Commissioner Winkler stated she had received the invitation for the Victoria Park Development Grand Opening.

Vice Chairperson Rivera commended Ms. Hallinger for a good project. Commented that the vegetation on Aten and Morning Glory is beginning to block the stop sign.

Chairperson Harvey no comment.

F-2: Staff Reports

Community Development Director, Mora stated that at the last City Council meeting he had been asked about an update on Belford and Imperial Avenue with respect to when it would be completed. The new timeline for completion is next week.

City Manager, Morita mentioned the first signature event of the season, which will be held on October 21, Dia De Los Muertos and extended an invitation to the Planning Commission members to attend.

G. ADJOURNMENT

G-1. Subject: Adjourn the Planning Commission meeting until the next regularly scheduled meeting of October 25, 2023 at 6:30 p.m.

Vice Chairperson Harvey Adjourned the Planning Commission meeting at 7:03 p.m.



Staff Report

Agenda Item No.

E-1

To: City of Imperial Planning Commission

From: Yvonne Cordero, Planner

Date: October 17, 2023

Subject: Proposed Similar Land Use Determination for Recycling Facility within Industrial Zones

In order to ensure that the Zoning Regulations permit all similar uses in each zone, the Planning Commission, upon its own initiative shall determine whether a use, not specifically listed as a permitted or conditional use, shall be deemed a permitted use or a conditional use, in one or more zones, on the basis of similarity to uses specifically listed. Staff has identified similar uses that should be permitted within the Industrial Zone Ordinance, that are currently not identified. The zoning code is written as such that only those uses listed are allowed to be located within specific zones, but a Similar Land Use Determination would allow the Planning Commission to determine whether or not a proposed use is similar to, or not detrimental than a use that is already permitted.

Industrial Zones are intended for areas of modern industrial, research, and administrative facilities that can meet high performance and development standards. In addition, the Industrial Zones are included to advance the following objectives:

- A. To reserve appropriately located areas for industrial use and protect these areas from intrusion by dwellings and other inharmonious uses.
- B. To protect residential and commercial uses from noise, odor, dust, smoke, light intrusion, truck traffic, and other objectionable influences and to prevent fire, explosion, radiation and other hazards incidental to certain industrial activities.
- C. To provide sufficient open space around industrial structures to protect them from hazard and to minimize the impact of industrial operations on nearby residential or commercial zones.
- D. To minimize traffic congestion and to avoid the overloading of utilities by restricting construction of buildings of excessive size in relation to the amount of land around them.

Findings:

In permitting or classifying an unlisted use, all the following findings must be made:

1. The use furthers the objectives of the zone.

The use of a recycling facility within the Industrial Zone furthers the purpose and objective to provide a quality working environment and to achieve a harmonious mixture of uses which might otherwise be considered incompatible when located in close proximity. The proposed recycling facility warehouse has sufficient open space for surrounding industrial structures to protect them from hazard and to minimize the impact of industrial operations to residential and commercial uses such as noise, odor, dust, truck traffic and other objectionable influences.

2. The subject use and its operations are compatible with the uses permitted in the zone.

A recycling facility's activities are similar to those of the permitted land use for manufacturing as they handle and prepare aluminum and plastics with redemption value for commercial recycling then transport the product to a local state approved processing facility for resale.

3. The subject use is similar to one or more uses permitted in the zone.

Section 24.07.120 lists the following permitted land use within the General Industrial Zone:

Manufacturing, compounding, assembly or treatment of articles or merchandise from the following previously prepared typical materials such as canvas, cellophane, cloth, cork, felt, fiber, fur, glass, leather, paper, precious or semi-precious stones or metals, plaster, plastics, shells, textiles, tobaccos, wood, and yarns; novelty items, (not including fireworks or other explosive type items), electrical and related parts; electrical appliances, motors, and devices; radio, televisions, phonograph, and computers; electronic precision instruments; medical and dental instruments; timing and measuring instruments; audio machinery; visual machinery; cosmetics, drugs, perfumes, toiletries, and soap.

Upon staff review, the manufacturing land use is the most similar to a recycling facility as it lists the "compounding, assembly or treatment of articles or merchandise for glass or metals, plastics".

4. The subject use will not cause substantial injury to the property in the zone within which it is proposed to be located or in any abutting zone.

The project site located at 504 Industry Way is within the General Industrial Zone with abutting General Industrial Zone properties to the North, South, East and West. The proposed site is also abutting Imperial County Airport to the North, however the recycling center's activities do not present to cause any substantial injury or be detrimental to airport activities or any other surrounding properties.

On a broad scale, anything a community does to foster and create a healthy economy can fall under the auspice of economic development. From a public perspective, local economic development involves the allocation of limited resources – land, labor, capital and entrepreneurship in a way that has a positive effect on the level of business activity, employment, income distribution patterns, and fiscal solvency. A Similar Land Use Determination is a process of intervention for the city's economic growth by making it easier or more attractive for businesses to operate within our City. As detailed in their Business Plan, Konnection Recycling will facilitate and reward the community's recycling efforts and maximize redemption values by reselling to a California certified processing facility. Konnection Recycling defines the very entrepreneurial spirit that fosters economic growth for the City of Imperial.

Staff recommends that the Planning Commission designates the proposed recycling facility's use be permitted as a similar land use under the manufacturing classification within the City of Imperial's General Industrial (I-1) Zone's permitted uses.

Attachments:

- Attachment A - Project Location Map
- Attachment B - Konnection Recycling's Business Plan
- Attachment C – Draft Resolution PC2023-10

ATTACHMENT A - PROJECT LOCATION

504 Industry Way - Konnection Recycling



Project Location - Street View



ATTACHMENT B – KONNECTION RECYCLING’S BUSINESS PLAN

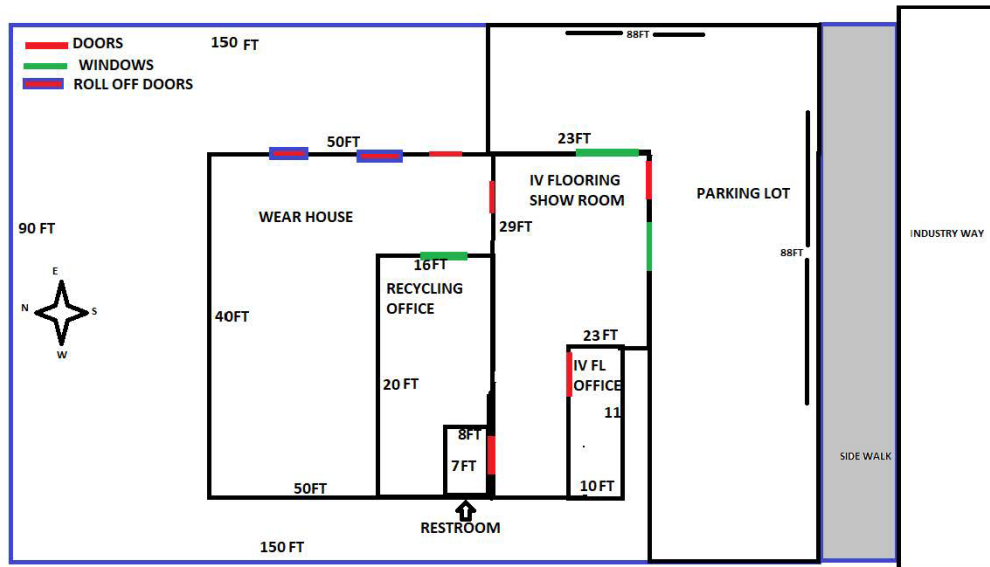


Konnection Recycling Center is proposing to be located at 504 Industry Way within the City of Imperial. The proposed location has sufficient space for our needs and an ample parking lot with a handicapped space so all the community can participate in recycling without any problems or accommodations.

The warehouse is large enough to accommodate a registered scale and seal approved by Imperial County's Weight and Measures Department and the storage of recyclable materials by hiring recycling inspectors that will sort and verify that all recyclable beverage containers are eligible for redemption by the State of California. We have devised an efficient traffic flow system to facilitate the process that will allow customers to spend minimal time at the facility while receiving a better redemption for their aluminum and plastic. Storage of containers will be minimal due to the sales rotation and the only heavy equipment in operation will be a propane gas forklift for indoor use. Customers will be able to receive their cash redemption, established by state guidelines, from the on-site weighmaster. Staff will transport any recyclables collected daily to the closest California processing facility, SA Recycling for resale. Hours of operation will be Monday to Friday from 7am to 3pm and Saturday from 7am to 12 noon.

Konnection Recycling will be proud to be part of the City of Imperial and assist the community with all their recycling efforts. Our goal is to educate the community and provide containers to facilitate and encourage the community to divert landfill waste, recycle and benefit from the state's redemption program.

Site Plan



ATTACHMENT C

DRAFT RESOLUTION PC2023-10

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IMPERIAL APPROVING A SIMILAR USE DETERMINATION FOR THE USE OF A RECYCLING FACILITY WITHIN INDUSTRIAL ZONES

WHEREAS, Konnection Recycling submitted an application for a Similar Land Use Determination; and

WHEREAS, said application consists of a Similar Use Determination to allow for the use of a recycling facility within Industrial Zones; and

WHEREAS, upon considering all testimony and arguments and analyzing the information submitted by staff, the Planning Commission considered all facts relating to the request for a Similar Use Determination.

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, the Planning Commission hereby determines that the project is Categorically Exempt under the California Environmental Quality Act; and
- E) That the proposed recycling facility use is consistent with those uses allowed within Industrial Zones on the following findings:
 - 1. The use furthers the objective of the zone;
 - 2. The subject use and its operations are compatible with the uses permitted in the zone; and
 - 3. Assembly, renting and storing is similar to one or more uses permitted in the zone; and

4. The subject use will not cause substantial injury to the property in the zone within which it is proposed to be located or in any abutting zone
- F) That based on the evidence presented, the Planning Commission hereby **APPROVES** Resolution PC2023-10 for a similar land use to allow for the use of a recycling facility within Industrial Zones.

PASSED, ADOPTED AND APPROVED by the Planning Commission of the City of Imperial, this October 25, 2023.

Planning Commission Chairperson

ATTEST:

City Clerk



Staff Report

Agenda Item No. F-1

To: Traffic Commission

From: Othon Mora, Community Development Director

Date: October 20, 2023

Subject: Removal of Pedestrian Crosswalk on North Imperial Avenue Between Barioni Boulevard and 9th Street

Background:

An evaluation of the crosswalk on North Imperial Avenue between Barioni Boulevard and 9th Street has been requested to formulate possible mitigation measures regarding the rising safety concerns for pedestrians using the designated crosswalk. The ideal mitigation, is the removal of the existing crosswalk in its entirety.

The existing pedestrian crosswalk presents many safety apprehensions. The placement of the pedestrian crosswalk presents visibility concerns. There is a major blind spot when vehicles are in the parking spots directly in front of Key's Bargain, on the West side of Imperial Ave. For drivers moving Southbound, the pedestrian is not visible in the crosswalk until they are in close proximity of the pedestrian (approximately twenty feet).

Analysis:

The Development Review Committee has assessed the area in regards to the crosswalk on North Imperial Avenue between Barioni Boulevard and 9th Street. Based on the concerns expressed, the removal of the crosswalk on North Imperial Avenue between Barioni Boulevard and 9th Street may provide and fulfill the sought-after traffic safety mitigation. Please refer to **Exhibit A** for additional feedback from the surrounding businesses. The Development Review Committee (DRC) has based the recommendation on the following guidelines from the Manual on Uniform Traffic Control Devices (MUTCD) as follows:

Section 3B.18, Crosswalk Markings, of the MUTCD states the following:

3B.18.01: Crosswalk markings provide guidance for pedestrians who are crossing roadways by defining and delineating paths on approaches to and within signalized intersections, and on approaches to other intersections where traffic stops.

3B.18.02: *In conjunction with signs and other measures, crosswalk markings help to alert road users of a designated pedestrian crossing point across roadways at locations that are not controlled by traffic control signals or STOP or YIELD signs.*

3B.18.03: *At non-intersection locations, crosswalk markings legally establish the crosswalk.*

3B.18.11: *Because non-intersection pedestrian crossings are generally unexpected by the road user, warning signs (see Section 2C.50) should be installed for all marked crosswalks at non-intersection locations and adequate visibility should be provided by parking prohibitions.*

Staff's findings are as follows:

- The MUTCD defines crosswalk markings provide guidance for pedestrians who are crossing roadways by defining and delineating paths on approaches to and within signalized intersections, and on approaches to other intersections where traffic stops.
- Based on field observations, there are definite safety and visibility concerns at the pedestrian crosswalk on North Imperial Avenue between Barioni Boulevard and 9th Street.

Mitigation Measures Options and Cost:

1. Removal of existing stripping: \$1,000.00
2. Area Improvements:
 - No Parking Signs /50' Red Curb and removal of three (3) parking spaces: \$2,141.00
 - RRPf (Rectangular Rapid Flashing Beacons) Pedestrian Crosswalk Systems: \$17,732
 - Two ADA Ramps: \$13,000

Staff Recommendation:

Based on these findings, staff recommends removal of the crosswalk on North Imperial Avenue between Barioni Boulevard and 9th Street.

Location Map and Site Photos:



East View



West View



Exhibit A

Feedback from Surrounding Businesses

The Sushi Spot

115 N Imperial Ave

Fabiola Granados, Property Owner

Feedback: No comments at this time.

Rocket

115 E Barioni Blvd

Patricia Ramirez, Store Personnel

Feedback: No comments at this time.

Faith & Wellness Fit Camp

115 N Imperial Ave, Ste A

Nicole Elmore, Gym Owner

Feedback: No comments at this time.

Johnny's Burritos of Imperial

105 S Imperial Ave

Lupita Sera, Shift Manager

Feedback: No comments at this time.

The Beauty Mark

125 N Imperial Ave

Stephanie Manuel, Salon Owner

Feedback: Expressed safety and visibility concerns for pedestrians using the crosswalk, but was more troubled about possible removal of parking spots.

Keys Bargain

115 N Imperial Ave

Heesook Kwon, Store Owner

Feedback: Expressed safety and visibility concerns for pedestrians using the crosswalk, but was more troubled about possible removal of parking spots.

3:16 Café

123 N Imperial Ave

Tony Camacho

Feedback: Expressed safety and visibility concerns for pedestrians using the crosswalk. He did mention that possible removal of parking spots would be inconvenient, but overall the safety and visibility held more weight.

Controlled Thermal Resources

105 N Imperial Ave

Sergio Cabanas, Director EHS Laboratories

Feedback: Expressed safety and visibility concerns for pedestrians using the crosswalk. He even mentioned several potential accidents he personally experienced himself. Recommends the crosswalk remain, but with added safety features. Suggested signage be placed maybe a block before to get the attention of drivers moving South bound and crosswalk beacons. His reason for the need of the crosswalk is because of lack of parking. Staff from his offices park across the street to accommodate for other vehicles. Eliminating the crosswalk would be an major inconvenience.