



# Staff Report

Agenda Item No. D-1

**To:** City of Imperial Planning Commission  
**From:** Othon Mora, Community Development Director  
**Date:** November 4, 2021  
**Subject:** **Conditional Use Permit Request #20-05**  
**RV Storage Facility**  
**408 E 2<sup>nd</sup> Street**

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## **Summary:**

<b>Applicant:</b>	Leticia and Robert Sawyer
<b>Project Location:</b>	408 E 2 <sup>nd</sup> street
<b>Project Description:</b>	Conditional Use Permit (CUP) to allow for the use and operation of a RV Storage facility
<b>Zoning:</b>	I-2 Rail Served Industrial
<b>General Plan:</b>	Rail Served Industrial
<b>Environmental:</b>	Categorically Exempt
<b>Recommendation:</b>	Approve, Subject to Conditions

## **Background**

The applicant is proposing to operate an RV storage at the above-referenced location. Dunes 2 Desert storage is a new family-owned business that will provide a 90,000 square foot lot RV facility for those making the trip to the desert. The proposed facility will provide a secure, off-street storage option for our local residents and out-of-town visitors. The primary access to the site is along 2nd street. The facility will be 24 hours a day, seven days a week, via gates. Employees will inspect the property daily and will be available by phone Monday through Friday between 9:00 and 5:00 pm. After-hours availability is by appointment only.

## Vicinity Map



## Discussion/Analysis

The subject site is zoned I-2 Rail-Served Industrial, which is intended as an area for uses that can avail themselves of the railroad line in the area. This zone also permits many general Industrial uses such as; building equipment storage, sales and rentals, automobile fleet storage, and, truck and bus terminals. RV storage facilities are conditionally permitted in this zone.

## 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 I-2 Rail Served Industrial zone. RV storage facility will not interfere or conflict with the purposes of the zone.

- 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 similar land uses to adjacent land will be compatible with these uses and will not adversely affect business.

- 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 RV storage facility complies with all provisions of the Zoning Ordinance.

### **Public Notification**

The public hearing scheduled for November 10, 2021 was duly noticed in the Imperial Valley Press, a newspaper of general circulation on October 31, 2021 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 a RV storage facility.

### **Attachments**

- Site Plan
- RESO 2021-13
- Conditions of Approval

Respectfully submitted,

Othon Mora, MCM, CBO  
Community Development Director



**SITE PLAN** 1  
 SCALE: 1"=20'-0"

**r.e.m.**  
*design & build*  
 GENERAL B LIC# CA 953172  
 DESIGN-DRAFTING-3D-MODELING  
 PLANNING-CONSTRUCTION  
 606 SHEFFIELD DRIVE  
 IMPERIAL, CA 92251  
 Telephone: 760.457.6478  
 E-Mail: info@rem-designandbuild.com  
 www.rem-designandbuild.com



**SITE LOCATION**

PROJECT Leticia & Robert Sawyer  
 408 E 2ND STREET  
 IMPERIAL, CA 92251

DRAWING **SITE PLAN**

CONSULTANT

REVISIONS	
1	
2	
3	
4	

DESIGNED FSC	PROJECT NO. 2010.05
DRAWN FSC	SCALE AS NOTED
CHECKED FSC	DRAWING NO. <b>C1.1</b>
DATE 10.05.20	1 OF 1

## RESOLUTION PC2021-13

### A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IMPERIAL APPROVING A CONDITIONAL USE PERMIT (CUP 20-05) FOR RV STORAGE AT 408 EAST 2<sup>ND</sup> STREET, APN 064-180-003

**WHEREAS**, Leticia and Robert Sawyer submitted a Conditional Use Permit application for a RV storage at 408 E 2<sup>nd</sup> street; and

**WHEREAS**, the subject site is located within a I-2 Rail Served Industrial and RV storage facilities are conditionally allowed uses within that zone; and

**WHEREAS**, a duly notified public hearing was held by the Planning Commission on November 10, 2021, to hear testimony for and against the proposed Conditional Use Permit; and

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

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

- A) That the foregoing recitations are true and correct; and
- B) The project has been reviewed in accordance with the requirements set forth by the City of Imperial for implementation of the California Environmental Quality Act; and
- C) There are no sensitive resources located within the area of the project or adjacent to the area of the project so as to be significantly impacted by the project; and
- D) That based on the evidence presented at the public hearing, the Planning Commission hereby determines that the project is Categorically Exempt under Section 15301 of the California Environmental Quality Act; and
- E) That the RV storage is consistent with those uses allowed in the I-2 Rail Served Industrial Zone.
- F) That based on the evidence presented at the public hearing, the Planning Commission hereby **APPROVES** Conditional Use Permit 20-05 for RV storage at 408 E 2<sup>nd</sup> Street, subject to the conditions of approval outlined in Exhibit A and based on the following findings:

1. That the proposed location, size, design, and operating characteristics of the proposed use 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.
2. That the location, size, design, and operating characteristics of the proposed use will be compatible with and will not adversely affect or be materially detrimental to adjacent uses, residents, buildings, structures, or natural resources with consideration given to those items listed in Section 24.19.340.B of the Imperial Zoning Ordinance.
3. That the proposed location, size, design, and operating characteristics of the proposed use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
4. That the proposed Conditional Use will comply with each of the applicable provisions of the Zoning Ordinance, except for any approved Variance.

**PASSED, ADOPTED AND APPROVED** by the Planning Commission of the City of Imperial, this 10<sup>th</sup> day of November, 2021.

\_\_\_\_\_  
Planning Commission Chairman

ATTEST:

\_\_\_\_\_  
Planning Secretary

**EXHIBIT A  
RESOLUTION PC2021-13**

**CONDITIONS OF APPROVAL**

**For**

**Conditional Use Permit #20-05**

**RV Storage  
408 East 2<sup>nd</sup> Street  
Imperial CA, 92251  
APN 064-180-003**

1. The approved project shall consist of a RV storage yard.
2. A Recreational Vehicle (RV) is defined as stated in this section as a vehicle which is:
  - a. Built on a single chassis;
  - b. Designed to be self-propelled or permanently towable by a light-duty truck; and
  - c. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.
  - d. Flatbed one or two axle utility trailers.
3. The site shall be improved with a Class II or similar road base materials for all areas where RV storage occurs.
4. No semi-truck, trailer or bus shall be stored on the site.
5. All storage areas shall be screened from public view by utilizing solid fencing throughout the project site.
6. No discharge at any point into any public sewer, private sewage disposal system, or stream, or into the ground of any materials of such nature or temperature as can contaminate any water supply, interfere with bacterial processes in sewage treatment, or otherwise cause the emission of dangerous or offensive elements, shall be permitted.
7. Overnight camping is prohibited in RVs and trailers being stored on-site
8. Landscaping shall be provided in all setback areas and shall be irrigated with an automatic system. Landscaping shall consist of environmentally friendly trees, shrubs and groundcover (dimensions are noted in the project design). The applicant has one (1) year to meet the City of Imperial's requirement.



9. 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.
10. The conditional approval of 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.
11. The Applicant shall pay all impact and capacity fees as required by the city.
12. The site shall control dust (PM-10) generation through daily watering in accordance with a dust control plan submitted to and approved by the Air Pollution Control District as required by Imperial APCD Rule 800.
13. All applicable Conditions of Approval shall be completed prior to opening for business.
14. 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.
15. The construction or operation of the RV storage yard shall not add to the contamination of the soil, alter ground water flow, create additional drainage runoff or alter topography in such a way that creates hazards to the proposed site, adjoining properties, or the City.
16. No pollutants, including, but not limited to, sediment, chemicals, trash, mud and contaminated storm water shall be discharged from private property into, or where they could be transported to, City property, the City's storm drain system, streets, storm channels, or waterways, either during or after construction.
17. Fire Department
  - a. Fire protection water supply shall be reviewed and approved by Imperial County Fire Department. This shall include but not limited to public and private fire hydrants locations, required fire flow, fire hydrant specifications, and private fire lines. All fire protection systems shall be designed by a license C-16 contactor and/or license Fire Protection Engineer, all systems shall be installed by a license C-16 contactor.
  - b. Storage layout of RV's and trailers shall be reviewed for approval by Imperial County Fire Department for dimension and fire breaks.
  - c. All access shall be reviewed and approved by Imperial County Fire Department. Access shall meet access requirements in the California Fire Code and be approved by Imperial County Fire Department.
  - d. KNOX Box shall be required for all access gates

- e. Hazardous Materials kept on site shall be maintained in accordance with Federal, State, and local regulations as required.

A Hazardous Waste Material Plan shall be submitted to the Certified Unified Program Agency (CUPA) for their review and approval.

All hazardous materials and waste shall be handled, stored, and disposed as per the approved Hazardous Waste Materials Plan. All spills shall be documented and reported to Imperial County Fire Department and CUP A as required by the Hazardous Waste Material Plan.

- f. Imperial County Fire Department shall be contacted for review before the existing structure on site is used for any type of services.

18. 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.
19. 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.
20. 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 approved project.