

PROJECT REPORT

TO: **Planning Commission**

AGENDA DATE: January 25, 2023

FROM: **PLANNING & DEVELOPMENT SERVICES**

AGENDA TIME: 9:00am/ No. 4

Mike Mamelli, Jr./Polaris Experience, LLC – Glamis Dunes Storage

PROJECT TYPE: Time Extension #22-0026 for CUP #06-0039 SUPERVISOR DIST #5

LOCATION: 5379 E. US Highway 78 APNS: 039-310-026-000
Brawley, CA, 92227 PARCEL SIZE: +/- 55.69 acres

GENERAL PLAN (existing) Specific Plan Area GENERAL PLAN (proposed) N/A

ZONE (existing) S-2 (Open Space / Preservation) ZONE (proposed) N/A

GENERAL PLAN FINDINGS CONSISTENT INCONSISTENT MAY BE/FINDINGS

PLANNING COMMISSION DECISION: HEARING DATE: January 25, 2023

APPROVED DENIED OTHER

PLANNING DIRECTORS DECISION: HEARING DATE: N/A

APPROVED DENIED OTHER

ENVIROMENTAL EVALUATION COMMITTEE DECISION: HEARING DATE: N/A

INITIAL STUDY: N/A

NEGATIVE DECLARATION MITIGATED NEGATIVE DECLARATION EIR

DEPARTMENTAL REPORTS / APPROVALS:

PUBLIC WORKS	<input checked="" type="checkbox"/>	NONE	<input type="checkbox"/>	ATTACHED
AG. COMMISSIONER	<input type="checkbox"/>	NONE	<input checked="" type="checkbox"/>	ATTACHED
APCD	<input type="checkbox"/>	NONE	<input checked="" type="checkbox"/>	ATTACHED
DEH/EHS	<input checked="" type="checkbox"/>	NONE	<input type="checkbox"/>	ATTACHED
FIRE/OES	<input checked="" type="checkbox"/>	NONE	<input type="checkbox"/>	ATTACHED
OTHER: <u>N/A</u>				

STAFF RECOMMENDATION:

IT IS RECOMMENDED THAT YOU CONDUCT A PUBLIC HEARING, THAT YOU HEAR ALL THE OPPONENTS AND PROPONENTS OF THE PROPOSED PROJECT. STAFF WOULD THEN RECOMMEND THAT YOU TAKE THE FOLLOWING ACTIONS:

- 1) FIND THAT THE PROJECT IS CATEGORICALLY EXEMPT FROM CEQA PURSUANT TO SECTION 15301 OF THE CEQA GUIDELINES AND THAT NO FURTHER DOCUMENTATION IS NECESSARY;
- 2) FIND THAT THE TIME EXTENSION #22-0026 FOR CONDITIONAL USE PERMIT #06-0039 IS CONSISTENT WITH APPLICABLE ZONING, STATE LAWS, AND COUNTY BUILDING ORDINANCES; AND
- 3) APPROVE TIME EXTENSION #22-0026 FOR CONDITIONAL USE PERMIT #06-0039 FOR A NEW 15-YEAR TERM, SUBJECT TO THE EXISTING CONDITIONS.

Planning & Development Services Department

801 MAIN STREET, EL CENTRO, CA, 92243 (442) 265-1736

(Jim Minnick, Director)

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STAFF REPORT
Planning Commission
January 25, 2023

Time Extension #22-0026 for CUP #06-0039

Applicant(s):

Glamis Dunes Storage
Mike Mamelli, Jr. - President, Glamis Dunes Storage
5379 E. US Highway 78
Brawley, CA 92227

Polaris Experience, LLC- Landowner
Stefanie Schwalenberg - VP, Customer Experience Integration, Polaris, Inc.
2100 Highway 55
Medina, MN 55340

Project Location:

The existing Glamis Dunes (Recreational Vehicle) Storage Facility is located at 5379 E. US Highway 78, Brawley, CA 92227; APN 039-310-026-000; and legally described as Parcel 1 of Lot Line Adjustment (LLA) #296, also being a Portion of West 1/2 of the Northeast 1/4 and of West 1/2 of Tract #37, T13S, R18E, S.B.B.M. US Highway 78 bounds the storage facility on the South and the Southern Pacific Railroad bounds it on the East, in the Glamis Dunes Recreational Area.

Project Summary:

The applicant(s), Mike Mamelli, Jr. and Polaris Experience, LLC, are requesting a time extension for a new fifteen (15) year term for Conditional Use Permit (CUP) #06-0039 for the existing 2,500 space Recreational Vehicle (RV) storage facility. The facility has a private dump stations, a caretaker residence, a night watchman residence, a commercial office and 20 cargo containers; additionally, the applicant sells propane, firewood, and potable water to their customers. Upon approval of the new fifteen (15) year term, CUP #06-0039 will be subjected to three (3) year time extensions, starting April 9, 2022, and subsequently every three (3) years until April 9, 2037 when a new fifteen (15) year time extension will be required. After a thorough review of the project file, compliance report, and field inspection pictures and report performed on October 27, 2022, it can be determined that CUP #06-0039 complies with the CUP's conditions of approval and applicable County land use regulations.

Project Background:

- CUP #06-0039 was approved by the Imperial County Planning Commission on March 14, 2007;
- CUP #06-0039 was recorded on April 9, 2007;
- On September 1, 2017, ICPDS was notified via mail of a Change of Ownership for the subject property on APN 039-310-026, listing Dunes Holdings, LLC c/o Polaris

Industries, Inc. as the new landowner. Property was purchased from LeBlanc Family Trust. Dunes Holdings, LLC c/o Polaris Industries, Inc. acknowledged the assignment of all Conditional Use Permits on the subject property;

- On February 21, 2018, property on APN 039-310-026 was transferred from LeBlanc Family Living Trust to Polaris Experience, LLC c/o Polaris Industries, Inc.

County Ordinance:

Time Extension #22-0026 for CUP #06-0039 is consistent with the Imperial County Title 9 Land Use Ordinance, Section 90519.02, “Uses Permitted Only with a Conditional Use Permit,” subsection (o) – Recreational vehicle storage compounds/mini storage provided at least 75% of total use is for RV storage.

Land Use Analysis:

Per Imperial County General Plan, the land use designation for the parcel is “Specific Plan Area” and zoned S-2 (Open Space / Preservation) pursuant to Zoning Map #70 of the Imperial County Title 9 Land Use Ordinance.

Surrounding Land Uses, Zoning and General Plan Designations:

DIRECTION	CURRENT LAND USE	ZONING	GENERAL PLAN
Project Site	RV Storage Facility	S-2 (Open Space / Preservation)	Specific Plan Area
North	Open Desert Space	BLM (Bureau of Land Management)	Recreation/Open Space
South	Temporary Event Area/Convenience Store	S-2 (Open Space / Preservation)	Specific Plan Area
East	Vacant/Open Desert Space/Railroad	S-2/BLM	Specific Plan Area / Recreation - Open Space
West	Open Desert Space	BLM (Bureau of Land Management)	Recreation/Open Space

Environmental Determination:

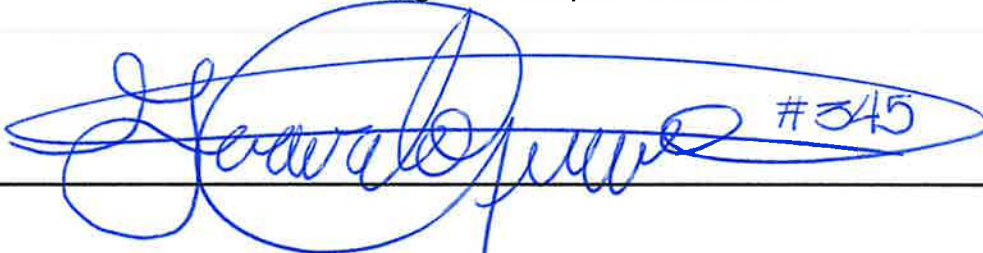
Time Extension #22-0026 is categorically exempt from CEQA pursuant to Section 15301 of the CEQA Guidelines (Class 1 – Existing Facility).

Staff Recommendation:

Staff recommends that the Planning Commission hold a public hearing, hear all the proponents and opponents of the proposed project, and then take the following actions:

1. Find that the project is categorically exempt from CEQA under the Government Code, Section 15301 and that no further environmental documentation is necessary; and,
2. Find that Time Extension #22-0026 for Conditional Use Permit #06-0039 is consistent with applicable zoning and building ordinances; and
3. Approve Time Extension #22-0026 for Conditional Use Permit #06-0039 for a new 15-year term, subject to the existing conditions.

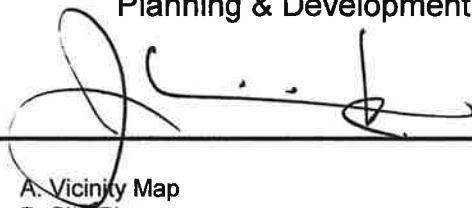
PREPARED BY: Gerardo A. Quero, Planner I
Planning & Development Services



REVIEWED BY: Michael Abraham, AICP, Assistant Director of
Planning & Development Services



APPROVED BY: Jim Minnick, Director of
Planning & Development Services

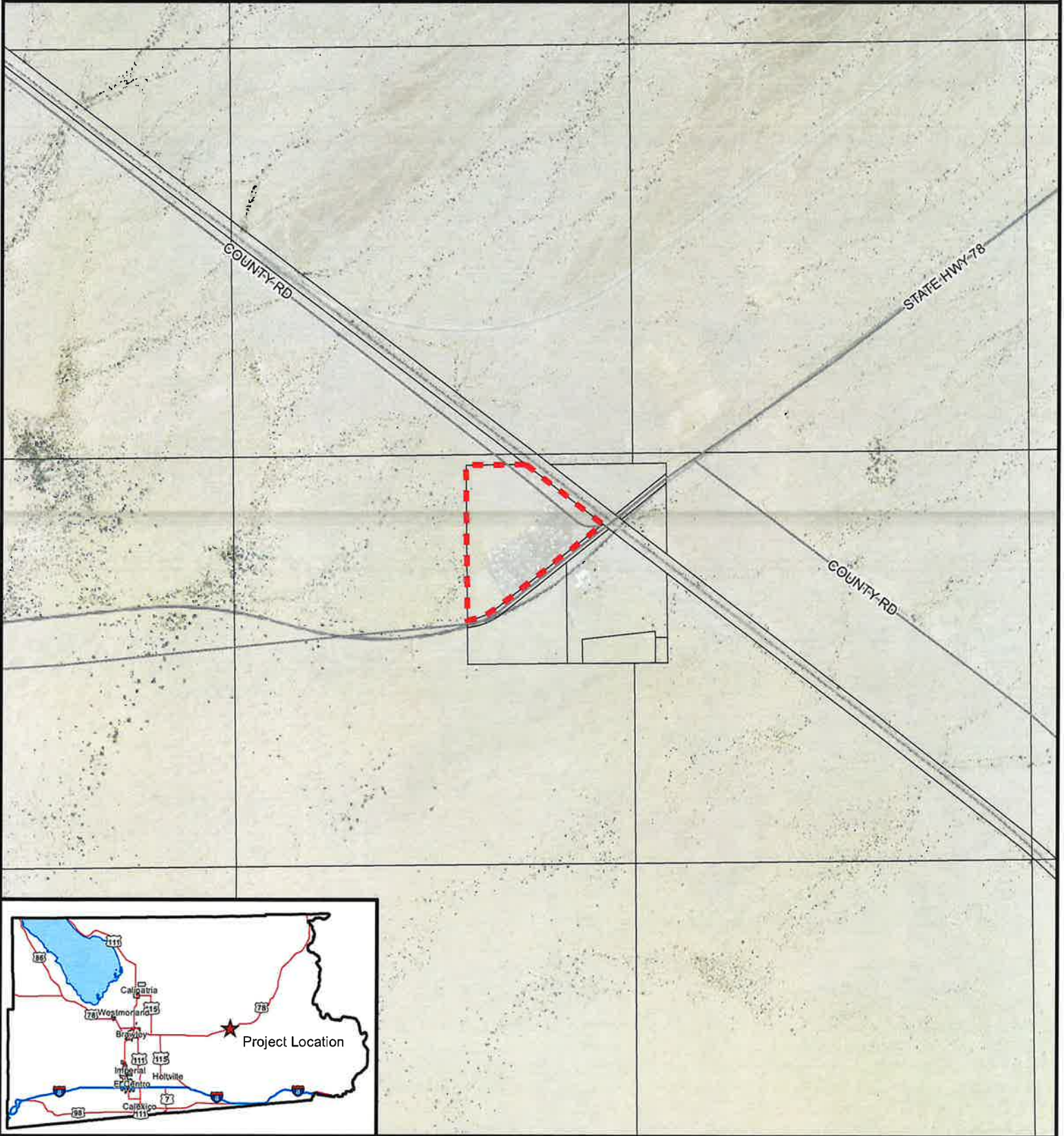


ATTACHMENTS:

- A. Vicinity Map
- B. Site Plan
- C. Planning Commission Resolutions
- D. Conditional Use Permit #06-0039
- E. Time Extension Request Documents
- F. Comment Letters

ATTACHMENT "A" – VICINITY MAP

PROJECT LOCATION MAP

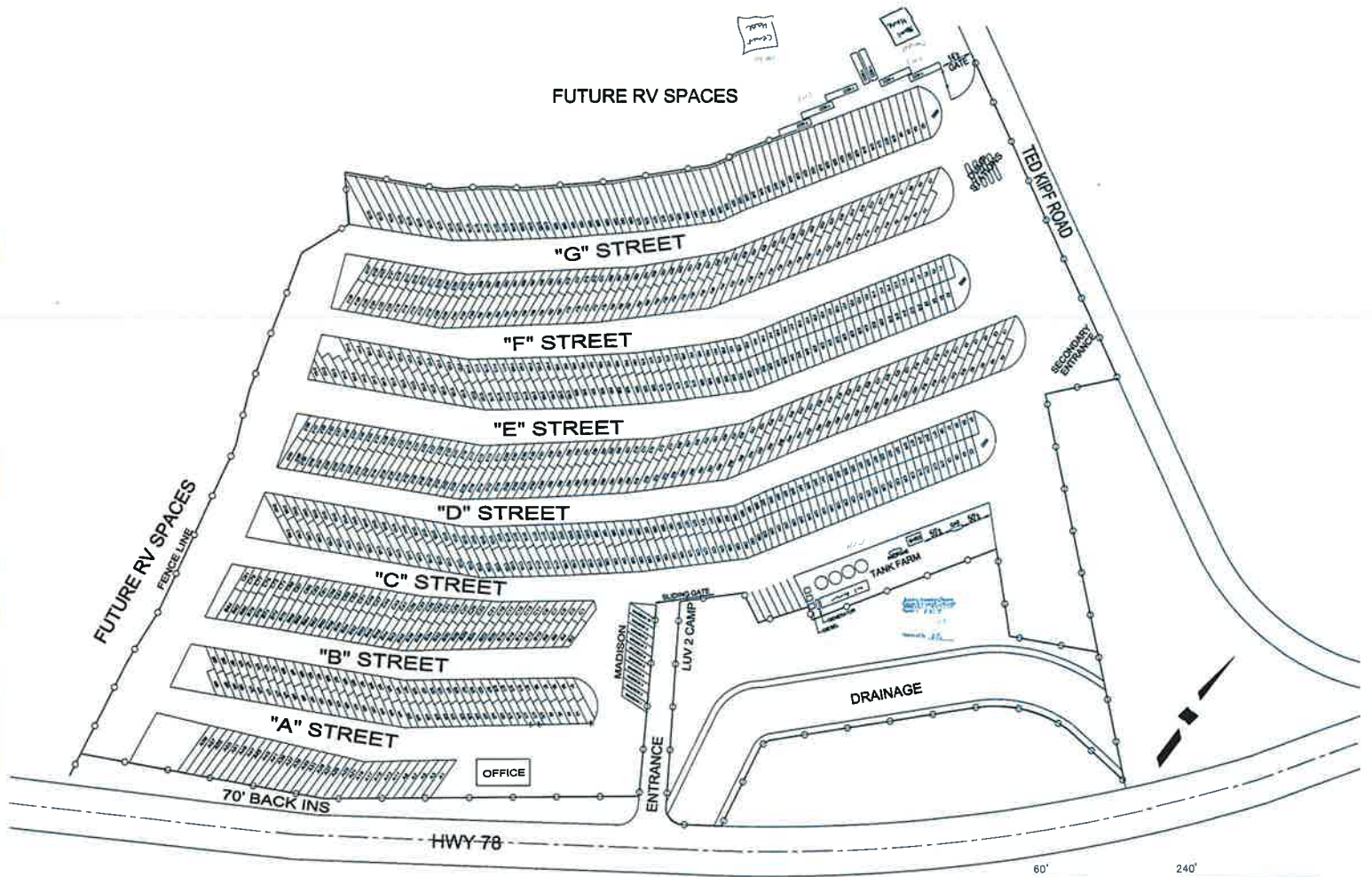


**GLAMIS DUNES STORAGE
EXT 22-0026 FOR CUP 06-0039
APN 039-310-026-000**

-  Project Location
-  Roads
-  Parcels



ATTACHMENT "B" – SITE PLAN



Rev 1 (2-14-2012)

ATTACHMENT "C" – PC RESOLUTIONS

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE COUNTY OF IMPERIAL, CALIFORNIA, APPROVING "TIME EXTENSION #22-0026" FOR A NEW (15-YEAR) TERM UNDER "CONDITIONAL USE PERMIT #06-0039" FOR MIKE MAMELLI, JR. - GLAMIS DUNES STORAGE.

WHEREAS, Mike Mamelli, Jr. and Polaris Experience, LLC have submitted Time Extension #22-0026 requesting a new 15-year term for the existing Recreational Vehicle storage facility; and,

WHEREAS, this Recreational Vehicle storage facility was previously approved under Conditional Use Permit #06-0039; and,

WHEREAS, the project is categorically exempt in accordance with section 15301 of the requirements of the California Environmental Quality Act, the State Guidelines, and the County's "Rules and Regulations to Implement CEQA as Amended"; and,

WHEREAS, the Planning Commission of the County of Imperial has been delegated with the responsibility of CEQA determinations, and adoptions and certifications of CEQA documents; and,

WHEREAS, public notice of said request has been given, and the Planning Commission has considered evidence presented by the Imperial County Planning & Development Services Department and other interested parties at a public hearing held with respect to this item on January 25, 2023; and,

NOW, THEREFORE, the Planning Commission of the County of Imperial **DOES HEREBY RESOLVE** as follows:

SECTION 1. The Planning Commission has considered the proposed Time Extension #22-0026 request for Conditional Use Permit #06-0039 prior to approval. The Planning Commission finds and determines that the Time Extension for Conditional Use Permit #06-0039 is adequate and prepared in accordance with the requirements of the Imperial County General Plan, Land Use Ordinance and the California Environmental Quality Act (CEQA), which analyses environmental effects, based upon the following findings and determinations.

SECTION 2. That in accordance with State Planning and Zoning law and the County of Imperial regulations, the following findings for approving Time Extension #22-0026 have been made as follows:

A. The proposed use is consistent with goals and policies of the adopted County General Plan.

The General Plan designates the subject site as "Specific Plan Area". This site is zoned S-2 (Open Space / Preservation) pursuant to Title 9, Division 5, Section 90519.00. The Time Extension request is found consistent with the approved Conditional Use Permit #06-0039 and with the goals and policies of the General Plan.

B. The proposed use is consistent with the purpose of the zone or sub-zone within which the use will be used.

The Project could be consistent with the purpose of the zone it is located within. The existing use is a compatible use with a Conditional Use Permit pursuant to Title 9 Division 5 Section 90519.2 "Uses Permitted Only with a Conditional Use Permit"; Subsection (o)-Recreational vehicle storage compounds/mini storage provided at least 75% of total use is for RV storage.

C. The proposed use is listed as a use within the zone or sub-zone or is found to be similar to a listed or similar conditional use according to the procedures of Section 90203.00.

The existing Recreational Vehicle storage facility is listed as a use subject to a Conditional Use Permit in the Land Use Ordinance, Title 9, Division 5, Section 90519.2, Subsection (o)-Recreational vehicle storage compounds/mini storage provided at least 75% of total use is for RV storage.

D. The proposed use meets the minimum requirements of this Title applicable to the use and complies with all applicable laws, ordinances and regulation of the County of Imperial and the State of California.

The Project complies with the minimum requirements of this Title and with the applicable laws by obtaining a CUP pursuant to Title 9, Division 5, and Section 90519.02. The Conditions of Approval further ensure that the project complies with all applicable regulations of the County of Imperial and the State of California. Additionally, pursuant to CUP#06-0039, General Condition 10 (Time Limit), a CUP shall be limited to a maximum of three (3) years from the date of recordation. The CUP may be extended for successive three (3) years by the Planning Director upon finding that the project is in full and complete compliance with all conditions of the CUP and any applicable land use regulations. No CUP shall be extended for more than four consecutive periods. If an extension is necessary beyond fifteen (15) years, the Permittee shall file a written request with the Planning Director for a hearing before the Planning Commission. An extension shall not be granted if the project is in violation of any one or all of the conditions or if there is a history of non-compliance with the project conditions. Therefore, the existing Conditional Use Permit (CUP#06-0039) meets the minimum requirements of the Land Use Ordinance of Imperial County.

E. The proposed use will not be detrimental to the health, safety, and welfare of the public or to the property and residents in the vicinity.

The project is zoned S-2 (Open Space / Preservation). The project site is surrounded by open desert space, BLM-administered lands, US Highway 78 and other S-2 zoned parcels; the existing recreational vehicle storage facility does not appear to create potential impacts near or around the project site. The existing recreational vehicle storage facility appears not to be detrimental to the health, safety, and welfare of the public or to the property and residents in the vicinity.

F. The proposed use does not violate any other law or ordinance.

The project consists on the request of a new fifteen (15) year term for the existing Conditional Use Permit (CUP#06-0039) which is currently subjected to current Federal, State, and Local regulations and will not violate any laws or ordinances.

G. The proposed use is not granting a special privilege.

The existing project is a permitted use subject to approval of Conditional Use Permit #06-0039 under the Land Use Ordinance, Section 90203.00 and 90519.00 *et. seq.* and complies with the minimum requirements of this Title and with the applicable laws by obtaining a CUP pursuant to Title 9, Division 5, and Section 90519.02. The Conditions of Approval further ensure that the project complies with all applicable regulations of the County of Imperial and the State of California. Additionally, pursuant to CUP#06-0039, General Condition 10 (Time Limit), a CUP shall be limited to a maximum of three (3) years from the date of recordation. The CUP may be extended for successive three (3) yeas by the Planning Director upon finding that the project is in full and complete compliance with all conditions of the CUP and any applicable lad use regulations. No CUP shall be extended for more than four consecutive periods. If an extension is necessary beyond fifteen (15) years, the Permittee shall file a written request with the Planning Director for a hearing before the Planning Commission. An extension shall not be granted if the project is in violation of any one or all of the conditions or if there is a history of non-compliance with the project conditions. Therefore, the existing Conditional Use Permit (CUP#06-0039) will not grant a special privilege.

NOW, THEREFORE, based on the above findings, the Imperial County Planning Commission **DOES HEREBY APPROVE** Time Extension #22-0026 for a new 15-year term under Conditional Use Permit #06-0039, subject to the existing Conditions of Approval.

Rudy Schaffner, Chairperson
Imperial County Planning Commission

I hereby certify that the preceding resolution was taken by the Planning Commission at a meeting conducted on January 25, 2023 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Jim Minnick, Director of Planning & Development Services
Secretary to the Planning Commission

ATTACHMENT "D" – CUP#06-0039

Dolores Provencio
County Clerk / Recorder

When Recorded Return To:

P Public

Imperial County Planning & Development
Services Department
801 Main Street
El Centro, California 92243

Doc#: 2007-014374

Titles: 1 Pages: 17



Fees 54.00
Taxes 0.00
Other 0.00
PAID \$54.00

**AGREEMENT FOR CONDITIONAL USE PERMIT #06-0039
FOR
GLAMIS DUNES STORAGE FACILITY
Planning Commission 03/14/07
(Mike Mamelli and Eugene Le Blanc)
(Approved at Planning Commission on March 14, 2007)**

This Agreement is made and entered into on this 29 day of March 2007 by and between Eugene Le Blanc and Mike Mamelli, hereinafter referred to as Permittee, and the COUNTY OF IMPERIAL, a political subdivision of the State of California, (hereinafter referred to as "COUNTY").

RECITALS

WHEREAS, Permittee is the owner, lessee or successor in interest in certain land in Imperial County located at 5379 East Highway 78, Glamis, CA., near the intersection of Ted Kiff Road and Highway 78 and legally identified as that portion of the west half of the Northeast quarter of the west half of Tract 37, Township 13 South, Range 18 East, SBBM .Further identified as Assessor's Parcel Number 039-310-026-000.

WHEREAS, Permittee has applied to the County to be allowed to construct and operate up to 2,500 Space Recreational Vehicle Storage Center (with private dump stations, 1 caretakers residence, 1 night watchman residence, commercial

1 office, 20 cargo containers and .the selling of propane, fire wood and potable water to
2 their customers).

3 **WHEREAS**, the County, after a noticed public hearing, agreed to issue
4 Conditional Use Permit #06-0039 to Permittee, and/or his or her successor in interest
5 subject to the following conditions:
6

7 The "GENERAL CONDITIONS" are shown by the letter "G". These conditions are conditions
8 that are either routinely and commonly included in all Conditional Use Permits as "standardized"
9 conditions and/or are conditions that the Imperial County Planning Commission has established
10 as a requirement on all CUP's for consistent application and enforcement. The Permittee is
11 advised that the General Conditions are as applicable as the SITE SPECIFIC conditions!

12 **GENERAL CONDITIONS:**

13 **G-1 GENERAL LAWS:**

14 The Permittee shall comply with any and all local, state, and/or federal laws, rules, regulations, ordinances, and/or standards as they may pertain to this project whether specified herein or not.

15 **G-2 PERMIT/LICENSE:**

16 Permittee shall obtain any and all permits, licenses, and/or approvals, for the construction and/or operation of this project. This shall include, but shall not be limited to, County Division of Environmental Health Services (EHS), Planning & Development Services Department, Office of Emergency Services (OES), and Public Works Department. Permittee shall likewise comply with all such permit requirements for the life of the project. Additionally, Permittee shall submit a copy of such additional permit and/or licenses to the Planning & Development Services Department within 30-days of receipt, including amendments or alternatives thereto.

17 **G-3 RECORDATION:**

18 This permit shall not be effective until it is recorded at the Imperial County
19 Recorders Office, and payment of the recordation fee shall be the
20 responsibility of the Permittee. If the Permittee fails to pay the recordation fee
21 within six (6) months from the date of approval, and/or this permit is not
22 recorded within 180 days from the date of approval, this permit shall be
23 deemed null and void, without notice having to be provided to Permittee.
24 Permittee may request a written extension by filing such a request with the
25 Planning Director at least 30 days prior to the original 180-day expiration. The
26 Director may approve an extension for a period not to exceed 180 days. An
27 extension may not be granted if the request for an extension is filed after the
28 expiration date.

1 **G-4 CONDITION PRIORITY:**

2 This project shall be constructed/operated as described in the Conditional Use
3 Permit application, the Environmental Assessment, the project description,
4 and as specified in these conditions. Where a conflict occurs, the Conditional
5 Use Permit conditions shall govern and take precedence.

6 **G-5 INDEMNIFICATION:**

7 As a condition of this Permit, Permittee agrees to defend, indemnify, hold
8 harmless, and release the County, its agents, officers, attorneys, and
9 employees from any claim, action, or proceeding brought against any of them,
10 the purpose of which is to attack, set aside, void, or annul the Permit or
11 adoption of the environmental document which accompanies it. This
12 indemnification obligation shall include, but not be limited to, damages, costs,
13 expenses, attorneys fees, or expert witness fees that may be asserted by any
14 person or entity, including the Permittee, arising out of or in connection with
15 the approval of this Permit, whether or not there is concurrent, passive or
16 active negligence on the part of the County, its agents, officers, attorneys, or
17 employees.

18 **G-6 RIGHT OF ENTRY:**

19 The County reserves the right to enter the premises at any time, announced or
20 unannounced, in order to make the appropriate inspection(s) and to determine
21 if the condition(s) of this permit are complied with. Access to authorized
22 enforcement agency personnel shall not be denied.

23 **G-7 SEVERABILITY:**

24 Should any condition(s) of this permit be determined by a Court or other
25 agency with proper jurisdiction to be invalid for any reason, such determination
26 shall not invalidate the remaining provision(s) of this permit.

27 **G-8 PROVISION TO RUN WITH LAND:**

28 The provisions of this project are to run with the land/project and shall bind the
current and future owner(s) successor(s) of interest; assignee(s) and/or
transferee(s) of said project. **Permittee shall not without prior notification
to the Planning & Development Services Department assign, sell, or
transfer, or grant control of project or any right or privilege therein.** The
Permittee shall provide a minimum of 60 days written notice prior to such
proposed transfer becoming effective. The permitted use identified herein is
limited for use upon this parcel described herein and may not be transferred to
another parcel.

G-9 COMPLIANCE/REVOCATION:

Upon the determination by the Planning & Development Services Department
that the project is or may not be in full compliance with any one or all of the
conditions of this Conditional Use Permit, or upon the finding that the project is
creating a nuisance as defined by law, the issue shall be brought immediately
to the appropriate enforcement agency or to the Planning Commission for

1 hearing to consider appropriate response including but not limited to the
2 revocation of the CUP or to consider possible amendments to the CUP. The
3 hearing shall be held upon due notice having been provided to the Permittee
and to the public in accordance with established ordinance/policy.

4 **G-10 TIME LIMIT:**

5 Unless otherwise specified within the project's specific conditions this permit
6 shall be limited to a maximum of (3) three years from the recordation of
7 the CUP. The CUP may be extended for successive three (3) year(s) by the
8 Planning Director upon a finding by the Planning & Development Services
9 Department that the project is in full and complete compliance with all
10 conditions of the CUP and any applicable land use regulation(s) and extension
11 fees of the County of Imperial. Unless specified otherwise herein no
12 conditional use permit shall be extended for more than four consecutive
periods. If an extension is necessary or requested beyond fifteen years,
Permittee shall file a written request with the Planning Director for a hearing
before the Planning Commission. Such request shall include the appropriate
extension fee. **An extension shall not be granted if the project is in**
violation of any one or all of the conditions or if there is a history of non-
compliance with the project conditions.

13 In the event that the Permittee is unable to get lender financing for the initial
14 construction of the facility due to the fifteen year time period noted above, the
15 Permittee may request the Planning Director extend the time period to
16 accommodate the lender financing requirements. The request must be in
17 written form and be accompanied by the lender information and requirements
18 calling for the requested time period. If the documentation is found acceptable
the Planning Director may either make the minor modification and grant the
additional time period or defer the request to the Planning Commission for
consideration.⁵

19 **G-11 COSTS:**

20 Permittee shall pay any and all amounts determined by the County to defray
21 any and all cost(s) for the review of reports, field investigations, monitoring,
22 and other activities directly related to the enforcement/monitoring for
23 compliance of this Conditional Use Permit, County Ordinance or any other
applicable law. Any billing against this project, now or in the future, by the
Planning & Development Services Department or any County Department for
costs incurred as a result of this Permit, shall be billed through the Planning &
Development Services Department.

24 **G-12 WATER AND SEWER:**

25 Permittee shall provide water and sewer to Federal, State and County
26 standards. Water and sewer systems shall be approved by the Environmental
27 Health Services and the Planning & Development Services Department.
Permittee shall hook up to a public water system or supplier if and when
available.

G-13 DEFINITIONS:

In the event of a dispute, the meaning(s) or the intent of any word(s) phrase(s) and/or conditions or sections herein shall be determined by the Planning Commission of the County of Imperial. Their determination shall be final unless an appeal is made to the Board of Supervisors 10 days from the date of their decision.

G-14 SPECIFICITY:

The issuance of this permit does not authorize the Permittee to construct or operate this project in violation of any state, federal, local law nor beyond the specified boundaries of the project as shown the application/project description/permit, nor shall this permit allow any accessory or ancillary use not specified herein. This permit does not provide any prescriptive right or use to the Permittee for future addition and/or modification to this project.

G-15 HEALTH HAZARD:

If the County Health Officer determines that a significant health hazard exists to the public, the County Health Officer may require appropriate measures and the Permittee shall implement such measures to mitigate the health hazard. If the hazard to the public is determined to be imminent, such measures may be imposed immediately and may include temporary suspension of the subject operations. However, within 45 days of any such suspension of operations, the measures imposed by the County Health Officer must be submitted to the Planning Commission for review and approval. Nothing shall prohibit Permittee from requesting a special Planning Commission meeting provided Permittee bears all costs.

G-16 CHANGE OF OWNER/OPERATOR:

In the event the ownership of the site or the operation of the site transfers from the current Permittee to a new successor Permittee, the successor Permittee shall be bound by all terms and conditions of this Permit as if said successor was the original Permittee. Current Permittee shall inform the County Planning & Development Services Department in writing at least 60 days prior to any such transfer. Failure of a notice of change of ownership or change of operator shall be grounds for the immediate revocation of the CUP. In the event of a change, the new Owner/Operator shall file with the Department, via certified mail, a letter stating that they are fully aware of all conditions and acknowledge that they will adhere to all. If this Permit or any subservient or associated permit requires financial surety, the transfer of this Permit shall not be effective until the new Permittee has requisite surety on file. Furthermore, existing surety shall not be released until replacement surety is accepted by Imperial County. Failure to provide timely notice of transfer by Permittee shall forfeit current surety.

G-17 COMMENCEMENT OF WORK:

No commencement of work until all conditions pursuant to the CUP has been satisfied. Evidence that all conditions pursuant to the CUP have been satisfied shall be provided to the Planning Director prior to commencement.

G-18 FIRE PROTECTION:

Permittee shall provide an adequate fire protection system and accessibility to the site in accordance with the National Fire Protection Act (NFPA), Uniform Fire Code, and County Fire Department standards. This shall include all requirements by the Imperial County Fire Department regarding fire protection water storage and access roads. Additionally, Permittee shall provide to Imperial County Fire Department a plot plan, drawn to scale, indicating the exact location and size of the water storage tanks and the access roads.

PROJECT SPECIFIC CONDITIONS:**S-1 PROJECT DESCRIPTION:**

The permittee intends to establish up to 2,500 space recreational vehicle storage center, the selling of propane, fire wood and water on approximately 49.64 ± acres. The project is proposed to be developed in sixteen (16) phases and the phasing will be based on demand. The applicant proposes to initially develop four (4) phases which will consist of approximately 600 parking spaces, fire protection system, lighting, an on-site commercial office (coach) & care taker and night watchman residence for 24-hour security.

The sewer facilities will include twenty (20) RV dump stations (minimum capacity 1,000 gallons) and septic tank system shall be installed per 1997 Plumbing Code for both residences and office restrooms. The water system proposed consists of (4) 5,000 gallon potable water tanks. For the life of the project you will truck water to the facility. Fire protection will be via a 5,000 gallon per plan dedicated fire water tank along with the other necessary fire protection equipment (water truck & dry hydrants) required by the Imperial County Fire Department. All roads and parking spaces will be asphalt or concrete. Security will include area lighting, an automatic entrance gate, fencing, and the on-site night watchman. Shade structures will be built along the West side of the project site and the applicant proposes to install twenty (20) cargo containers. Desert landscaping will be provided on the east and west (facing Highway 78) side and maintained for the life of the project. Applicant may build metal buildings on the individual spaces if requested by tenants provided applicant secures necessary permits. Power will be supplied by generators, not to exceed 49 HP (50 HP and higher must secure permits from APCD) located through out the site until such time that power lines reach project site. The generators will be run clean per California Air Resources Board (CARB).

S-2 ACCESS TO SITE:

The subject property will access from Highway 78.

S-3 ENCROACHMENT PERMIT:

An encroachment permit(s) shall be secured from the Department of Public Works for any and all new, altered or unauthorized existing driveways that may be necessary to access the property.^{1 (PW)}

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S-4 RIGHT OF WAY:

The proposed project borders Highway 78, which is classified as a "Major Collectors" requiring eighty-four (84) feet of right-of-way, being forty-two (42) feet from existing road centerline. Right-of-way should be provided for those portions of these roadways located within subject parcel. ^{1 (PW)}

Ted Kipf Road is classified as a Local County Road requiring sixty (60) feet of right of way, being (30) feet from existing road centerline. It is therefore requested that sufficient right of way be provided to meet this road classification. ^{1 (PW)}

S-5 DRIVEWAY IMPROVEMENTS:

All access driveways shall be developed and maintained to County Standard S-131A commercial driveway improvement standards (or amended) as approved by the Department of Public Works and Air Pollution Control District. ^{1 (PW) 2 (APCD)}

S-6 ON-SITE ROADS/PARKING:

All on-site roads/driveways and parking areas shall be constructed with a minimum of three (3) inches of asphalt or concrete per Imperial County Land Use Ordinance and shall be maintained in a dust-free manner

Permittee has the option to pave each phase with an initial layer of two (2) inches of asphalt. Before commencing subsequent phase, the Permittee shall add an additional one (1) inch layer of asphalt to the previous two (2) inch phase, this meeting the minimum of three (3) inches per County Standards. The applicant will notify the Imperial County Planning and Development Services Department and the Public Works Department prior to each new phase of development for an inspection to determine compliance. However, at any time the Planning and Development Services Department may require the applicant to pave the remaining site with the three (3) inches of asphalt. ⁵

S-7 GRADING & DRAINAGE PLAN:

The Permittee shall provide a Drainage and Grading Study/Plan to provide for property grading and drainage control, which shall include prevention of sedimentation or damage to off-site properties. The Study/Plan shall be submitted to the Department of Public Works for review and approval. The Permittee shall implement the approved plan. Employment of appropriate storm water Best Management Practices (BPMs) shall also be included. ^{1 (PW)}

S-8 Ted Kipf Road along the project frontage, as a minimum should be paved to mitigate dust control issues (PM 10) or alternate dust suppression measure subject to the Public Works Director and/or APCD approval. ^{1 (PW)}

S-9 APCD DUST CONTROL:

The project site and Ted Kipf Road (approximately 1300 feet along the project site) will be maintained to ensure mitigation of any fugitive dust that may occur on the property (ICAPCD Rule 800 – Fugitive Dust), and comply with the fugitive dust control plan submitted for APCD approval.^{2 (APCD)}

S-10 WATER & SEWER:

Permittee shall secure or provide water and sewer in compliance with County, State and Federal Regulations. The water system proposed is (6) 5,000 gallon potable water tanks including drafting hydrants, with bulk water delivery by a California Licensed hauler and as approved by the Department of Health Services.

A) POTABLE WATER: A potable water supply shall be installed as required and approved by Environmental Health Services. The bulk water must test to the level of public water drinking standards, or the development of a State and County approved onsite public water supply system. Permittee shall provide documented proof (approved permits) from the County Environmental Health Services that all necessary approvals for an acceptable potable water system meeting all applicable Local, State, and Federal regulations has been completed prior to any building permits being issued. Public water supply infrastructure shall be installed and approved by EHS, which can be done concurrent with the building construction stage. The potable water system shall be installed with the minimum pressure water supply pipe of a diameter conforming to County standards.

B) DUMP STATION: The dumping of recreational vehicles and equipment waste tanks in an Environmental Health Services approved dump station. No septic leach system shall be allowed for the dump station.

C) SEPTIC SYSTEM: The onsite office, caretakers and security guard residence may be served by a properly sized septic tank and leach system with an approved percolation test. The septic tank and leach system shall need to be permitted and approved by the Environmental Health Services.

S-11 HAZARDOUS MATERIALS DISPOSAL:

Any vehicle (equipment used in daily operations) spills shall meet all applicable County, State and Federal regulations for the disposal of hazardous materials. The Permittee shall work with Environmental Health Services to ensure proper safeguards are in place to prevent hazardous waste such as motor oil, grease, lubricants, fuels, etc., from being released into the environment. Permittee shall, additionally development EHS approved procedures for the cleanup, notification, and disposal of hazardous material. All spills of hazardous or non-hazardous materials shall be cleaned up immediately. There shall remain on-site sufficient tools and materials to clean up spills on permeable surfaces.

1
2 All spills of hazardous materials shall be reported, with "major" spills defined
3 as more than five (5) gallons of fuel or lubricants, and less than one (1) gallon
4 for coolant, solvents, and brake fluid. Said "major" spills shall further be
5 defined as spills meeting the above quantities at any one time or cumulative
6 over the life of the project. All spills shall be documented and reported to
7 Environmental Health Services Department. All hazardous waste including
8 used oil and used oil filters shall be kept within fully contained areas with
9 proper disposal.

10 **S-12 REPORTING:**

11 Permittee shall provide an annual report or statement to the Planning &
12 Development Services Department to show compliance with the conditions
13 herein. Planning & Development Services Department Staff may perform an
14 annual site inspection in addition to the Permittee submittal.

15 **S-13 RESPONSIBLE AGENT:**

16 Permittee shall maintain on file with the Planning & Development Services
17 Department the name and phone number of the responsible agent for the site.
18 A backup name shall also be provided, and a phone number for 24 hour
19 emergency contact shall also be on file.

20 **S-14 ALLOWABLE MINI STORAGE:**

21 Is generally defined as a structure or group of structures containing generally
22 small, individual, compartmentalized stalls or lockers rented as individual
23 storage spaces used for storing personal property, commercial, retail
24 materials, and/or recreational vehicles. The CUP allows the storage of those
25 uses and materials typically found within mini storage facilities. No outside
26 storage with exception of those identified in Specific Condition S-1 and S-38 is
27 allowed.

28 **S-15 ALLOWABLE RECREATION VEHICLE STORAGE:**

The CUP allows the Permittee to store the following recreational equipment,
pull trailers (non-motorized), recreational vehicles (motorized), motorized off-
road vehicles (bikes, quads, buggies, trucks, etc...), water vehicles (boats, jet
skis, wave runners, etc...) All recreational equipment shall have current
Department of Motor Vehicle (DMV) registration and be in working order.

Minimal on-site maintenance equipment will also be permitted. The facility is
intended for the storage of recreation vehicles therefore outside storage of
personal, commercial, and industrial vehicles such as, commercial trucks and
equipment, and Simi-trucks and trailers are prohibited. It is the Permittee's
responsibility to ensure compliance with the type, operating condition, or
legalization of the recreational equipment, failure to comply could result in
termination of this CUP.

The temporary storage of passenger cars and trucks used as transportation to
the facility for pick-up of the recreational vehicle(s) may be permitted, provided
that said passenger cars and trucks are (1) have a valid lease with the facility

1 operator, (2) are parked in the leased recreational vehicle(s) assigned space,
2 (3) have current DMV registration, and (4) are in operating condition.

3 **S-16 MAINTENANCE OF YARD:**

4 The recreational vehicle storage yard shall be kept free of rubbish, vehicles
5 will be in an organized manner, with all internal roadways and site access
6 maintained free of rubbish and debree.

7 **S-17 PROPANE AND FIREWOOD ON-SITE SALES:**

8 As an incidental component of the recreational vehicle storage operation the
9 permittee may operate a propane refilling station, via the installation of a
10 propane tank for the sole purpose of providing their clients the **on-site
11 propane sales only**.

12 Additionally, the permittee may store and sale firewood and potable water to
13 their **on-site clients only**. Said firewood shall be stored in neat and clean
14 rows/stacks. Firewood storage will be limited to a maximum three (3) "Cords"
15 of wood at any one time. A "Cord of wood" shall be described as a well-
16 stacked pile of wood, 4ft by 4ft by 8ft.

17 Both the propane and fire wood operations (installation, storage, and sales)
18 must meet local, state, and federal regulations and are subject to approval by
19 Imperial County Fire & Emergency Services Department, Planning and
20 Development Services Department and other applicable agencies.

21 **S-18 PROHIBITED ACTIVITIES:**

22 The CUP authorizes the Permittees to store recreational vehicles and
23 equipment, for dumping of waste tanks in an approved Dump station, and the
24 on-site sales of propane, firewood, and water only. The project area is not
25 designed or approved for any sort of activities associated in a RV Park
26 (permitted under Title 25) or other venue.

27 The following activities are prohibited:

- 28 • Repair and maintenance of vehicles and equipment,
- Overnight camping,
- Camp fires
- Parties
- Cooking (indoor and outdoor)
- Consumption of alcoholic beverages

29 **S-19 LIGHTING:**

30 On-site lighting shall be shielded and/or directed in such a way as to eliminate
31 and reduce off-site glare particularly towards roadways. The shielding shall
32 confine the direct rays to the site. Lighting shall be installed to provide a safe
33 working environment in and around the facility and/or equipment meeting
34 OSHA standards.

1 **S-20 FENCING:**

2 The property will be accessed via locked gates with membership and
3 emergency agency access only. Along the visual side (Highway 78) of the
4 property for both security and screening the construction/maintenance of a six
5 (6) foot high solid fence (if chain-link then must have screening slats and
6 coated) shall be installed. For the remainder of the development a perimeter
7 fence preventing off-road vehicles from entering or exiting the property from
8 via the desert areas shall also be installed. **The areas that are not
9 developed must be fenced to prevent customer and or employee access.**

10 **S-21 LANDSCAPING:**

11 In accordance with the Imperial County Land Use Ordinance a landscaping
12 plan shall be submitted to the Planning & Development Services Department
13 for approval. Landscaping shall be installed and maintained along Highway
14 78 and Ted Kiff Road. If the landscaping is developed to the extent that it
15 results in the screening of the development from the west side of the project,
16 relevant to that which could be accomplished by the requirement that the
17 fence be screened as noted above, said screening component of the fence
18 requirement could be waved by the Planning & Development Services
19 Department.

20 **S-22 SIGNAGE:**

21 Permittee shall be allowed to install "business signs" as permitted by the
22 Imperial County Land Use Ordinance. This permit **does not** authorize
23 installation of any variance of the sign requirements within the County
24 Ordinance. Additionally, **no off-site advertisement signage is permitted.**

25 **S-23 NOISE:**

26 All equipment shall be muffled or other wise noise-controlled to minimize the
27 generation of noise to both on and off-site sensitive receptors.

28 **S-24 BUILDING PERMITS:**

Permittee shall secure all necessary building permits and other required
permits from the Planning & Development Services Department and other
applicable Departments/ Agencies for utilities and other construction.

S-25 SHERIFF IMPACT FEE:

This project will have a potential intermediate impact on the Sheriff's
Department with calls for service during construction and upon completion,
when the storage units are occupied. Both the owners of this facility and the
subjects renting spaces are going to require patrol and responses by Sheriff's
Department Deputies. This will necessitate the inclusion of mitigation fees in
the project's budget to offset the cost of providing additional deputies for this
service, as provided for by Imperial County Ordinance 4.36.060.

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S-26 DEPARTMENT OF TRANSPORTATION (CALTRANS):

Driveway for proposed storage lot shall be opposite the Glamis store. The design of the driveway and/or private road intersection should be based on Section 205 of the Caltrans *Highway Design Manual*.⁴ (CALTRANS)

S-27 Provide left turn pockets for both directions of traffic.⁴ (CALTRANS)

S-28 Provide a right turn deceleration lane for the proposed project.⁴ (CALTRANS)

S-29 Have the property fenced along the state right-of-way.⁴ (CALTRANS)

S-30 Have a fence around all the detention basins.⁴ (CALTRANS)

S-31 All lighting (including reflected sunlight) within this project should be placed and/or shielded so as not to be hazardous to vehicles traveling on SR-78.⁴ (CALTRANS)

S-32 All signs visible to traffic on SR-78 need to be constructed in compliance with County and State regulations.⁴ (CALTRANS)

S-33 Any work performed within Caltrans Right of Way (R/W) will require an encroachment permit. Improvement plans for construction within Caltrans R/W must include: typical cross sections, adequate structural sections, traffic handling plans, and signing and striping plans stamped by a professional engineer.⁴ (CALTRANS)

S-34 Grading for this proposed project would modify existing drainage and increase runoff to State Facilities will not be allowed.⁴ (CALTRANS)

S-35 CULTURAL RESOURCES:

During any construction, if any cultural resources are found (e.g., pottery, bone, stone tools, fire hearth, burials, and wooden posts), Permittee shall stop all work and contact IVC Museum to have a qualified specialist inspect the site. Work shall not resume until a representative from IVC Museum has determined their concerns pertaining to cultural resources on-site has been adequately addressed.

S-36 RECLAMATION SITE ABANDONMENT:

When the operation of the facility herein authorized has ceased, or is suspended at any time for a period of two (2) years, all the facilities shall be dismantled, and removed. The land involved in the operation (all aspects, including roads, structures, parking, etc) of the facility shall be restored to its condition prior to development of the recreational vehicle storage yard. The land shall be restored/cleaned in accordance with a plan approved by the Planning Director and owner.

S-37 PERMIT TERMINATION:

This permit shall be null and void if any information submitted by the Permittee is found false.

S-38 PERMITTED USE OF PROPERTY:

This Permit authorizes the use of the identified project site as a mini storage and recreational vehicle storage facility. No other use not specifically authorized, within this permit or permitted as an outright use within the zoning classification of the S-2 Open Space/Recreational and C-2 "Medium Commercial Zone" (County Ordinance Section 90519.02 and 90513.02), shall be allowed on this project site.

S-39 CEMETARY MAINTENANCE

Applicant shall comply with the Imperial County Land Use Cemetery Ordinance as stated in Section 92701, et al. ³ (EEC-Mitigation)

S-40 DEMOLITION

Existing pool and building located northeast of project site shall be demolished before final is granted on Grading Permit.

The Permittee shall obtain all required permits from the Department of Public Works, APCD, Department of Health Services, Caltrans and other applicable agency(s).

-
- 1) Public Works Letter Dated December 6, 2006
 - 2) APCD, Letter dated
 - 3) EEC Hearing Mitigation Measure December 14, 2006
 - 4) CALTRANS Letter dated January 8, 2007 & February 24, 2007
 - 5) Planning Commission Meeting on March 14, 2007
-

NOW THEREFORE, County hereby issues Conditional Use Permit # 06-0039 and Permittee hereby accepts such permit upon the terms and conditions set forth herein.


(left blank intentionally)

1
2 **IN WITNESS THEREOF**, the parties hereto have executed this Agreement the
3 day and year first written.

4 **PERMITTEE :**

5
6
7 By: 
8 Mike Mamelli
9 (Applicant)

3-29-07
Date

10
11 By: 
12 Eugene Le Blanc
13 (Property Owner)

3-29-07
Date

14
15 **COUNTY OF IMPERIAL**, a political subdivision of the STATE OF CALIFORNIA:

16
17 By: 
18 JURG HEUBERGER, AICP, Director
19 Planning & Development Services Department

4/2/07
Date

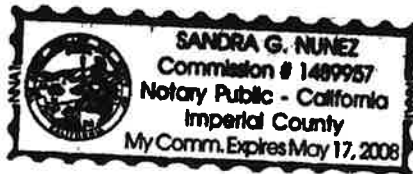
FOR PERMITTEE NOTARIZATION

STATE OF CALIFORNIA

COUNTY OF Imperial } S.S.

On March 29, 2007 before me, Sandra G. Nunez,
a Notary Public in and for said County and State, personally appeared
= Mike Mamelli =, personally known to me (or
proved to me on the basis of satisfactory evidence) to be the person(s) whose
name(s) is are subscribed to the within instrument and acknowledged to me that
he ~~she~~ ~~they~~ executed the same in his ~~her~~ ~~their~~ authorized capacity(ies), and that by
his ~~her~~ ~~their~~ signature(s) on the instrument the person(s), or the entity upon behalf of
which the person(s) acted, executed the instrument.

WITNESS my hand and official seal



Signature [Handwritten Signature]

ATTENTION NOTARY: Although the information requested below is OPTIONAL, it could prevent fraudulent attachment of this certificate to unauthorized document.

Title or Type of Document _____

Number of Pages _____ Date of Document _____

Signer(s) Other Than Named Above _____

FOR PERMITTED NOTARIZATION

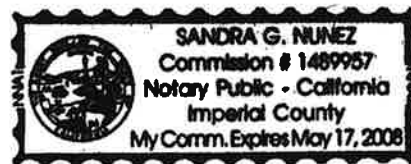
STATE OF CALIFORNIA

COUNTY OF Imperial } S.S.

On March 29, 2007 before me,
Sandra G. Nunez

a Notary Public in and for said County and State, personally appeared
Eugene LeBlanc, personally known to me
(or proved to me on the basis of satisfactory evidence) to be the person(s) whose
name(s) ~~is~~ are subscribed to the within instrument and acknowledged to me that
~~he~~/she/they executed the same in his/her/their authorized capacity(ies), and that by
~~his~~/her/their signature(s) on the instrument the person(s), or the entity upon behalf of
which the person(s) acted, executed the instrument.

WITNESS my hand and official seal



Signature [Handwritten Signature]

ATTENTION NOTARY: Although the information requested below is OPTIONAL, it could prevent fraudulent attachment of this certificate to unauthorized document.

Title or Type of Document _____

Number of Pages _____ Date of Document _____

Signer(s) Other Than Named Above _____

FOR COUNTY NOTARIZATION

STATE OF CALIFORNIA

COUNTY OF IMPERIAL } S.S.

On APRIL 2, 2007 before me, Patricia A. Valenzuela

a Notary Public in and for said County and State, personally appeared Jurg Heuberger, personally known to me (~~or proved to me on the basis of satisfactory evidence~~) to be the person(s) whose name(s) ~~is/are~~ subscribed to the within instrument and acknowledged to me that ~~he/she/they~~ executed the same in ~~his/her/their~~ authorized capacity(ies), and that by ~~his/her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

Signature Patricia A. Valenzuela

ATTENTION NOTARY: Although the information requested below is OPTIONAL, it could prevent fraudulent attachment of this certificate to unauthorized document.

Title or Type of Document Conditional Use Permit
Number of Pages 17 Date of Document March 29, 2007
Signer(s) Other Than Named Above _____

PAV/S:\APN FILES\039\310\26\cup agreement for 06-0039.doc



CONDITIONAL USE PERMIT

I.C. PLANNING & DEVELOPMENT SERVICES DEPT.
801 Main Street, El Centro, CA 92243 (760) 482-4236

- APPLICANT MUST COMPLETE ALL NUMBERED (black) SPACES - Please type or print -

PROPERTY OWNER'S NAME <u>Eugene De Blanc</u>		EMAIL ADDRESS <u>N/A</u>	
MAILING ADDRESS (Street / P O Box, City, State) <u>5775 Highway 78 Brawley Ca.</u>		ZIP CODE <u>92227</u>	PHONE NUMBER <u>760-344-9090</u>
APPLICANT'S NAME <u>Mike Mamelli</u>		EMAIL ADDRESS <u>N/A</u>	
MAILING ADDRESS (Street / P O Box, City, State) <u>5775 Highway 78 Brawley Ca.</u>		ZIP CODE <u>92227</u>	PHONE NUMBER <u>949-702-0416</u>
ENGINEER'S NAME <u>BJ Engineering + Survey Inc</u>		CA. LICENSE NO. <u>28447</u>	EMAIL ADDRESS <u>www.bjengandsurv.com</u>
MAILING ADDRESS (Street / P O Box, City, State) <u>1850 W. Main St. El Centro Ca.</u>		ZIP CODE <u>92243</u>	PHONE NUMBER <u>760-353-3552</u>
ASSESSOR'S PARCEL NO. <u>039-310-026-000</u>	SIZE OF PROPERTY (in acres or square-foot) <u>49.64 Acres</u>	ZONING (existing) <u>Commercial</u>	
PROPERTY (site) ADDRESS <u>5379 E State Hwy 78, Brawley, CA 92227</u>			
GENERAL LOCATION (i.e. city, town, cross street) <u>Highway 78 and Ted Kipf Rd.</u>			
LEGAL DESCRIPTION <u>POR W2 of NE4 of W2 TR 3713 -18</u>			

EASE PROVIDE CLEAR & CONCISE INFORMATION (ATTACH SEPARATE SHEET IF NEEDED)

1. DESCRIBE PROPOSED OF PROPERTY (list and describe in detail) <u>Caratakers Residence and Water Well</u>		<u>Recreational Storage Center</u> <u>(See Attached)</u>
2. DESCRIBE CURRENT USE OF PROPERTY <u>Vacant Land</u>		
3. DESCRIBE PROPOSED SEWER SYSTEM <u>See ENGINEERS PLAN</u>		
4. DESCRIBE PROPOSED WATER SYSTEM <u>See ENGINEERS PLAN</u>		
5. DESCRIBE PROPOSED FIRE PROTECTION SYSTEM <u>See ENGINEERS PLAN</u>		
6. IS PROPOSED USE A BUSINESS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		IF YES, HOW MANY EMPLOYEES WILL BE AT THIS SITE? <u>2-5</u>

I, THE LEGAL OWNER (S) OF THE ABOVE PROPERTY CERTIFY THAT THE INFORMATION SHOWN OR STATED HEREIN IS TRUE AND CORRECT.

EUGENE DE BLANC 10-30-06
Signature Date
[Signature]
Signature Date

REQUIRED SUPPORT DOCUMENTS

A. SITE PLAN	<input checked="" type="checkbox"/>
B. FEE	<u>\$5,500.</u>
C. OTHER	<u>see existing</u>
D. OTHER	<u>Pre Title</u>

APPLICATION RECEIVED BY: [Signature] DATE 11-5-06
 APPLICATION DEEMED COMPLETE BY: _____ DATE _____
 APPLICATION REJECTED BY: _____ DATE _____
 TENTATIVE HEARING BY: _____ DATE _____
 FINAL ACTION: APPROVED DENIED

REVIEW / APPROVAL BY OTHER DEPT'S required:
 P. W.
 E. H. S.
 A. P. C. D.
 C. E. S.

CUP #
06-0039

#1506-0050

ATTACHMENT "E" – TIME EXTENSION REQUEST DOCUMENTS

Glamis Dunes Storage
5379 E. Hwy 78
Glamis, Ca. 92227
760-351-1301

Patricia

Please extend my Conditional Use Permit for the Glamis
Dunes Storage permit # 06-0039.

G1 – IN COMPLIANCE

G2 – IN COMPLIANCE (ORDERING PRE FINAL
INSPECTION IN ACCORDANCE TO ALL PERMITS
ORDERED)

G3 – IN COMPLIANCE

G4 – IN COMPLIANCE

G5 – IN COMPLIANCE

G6 – IN COMPLIANCE

G7 – IN COMPLIANCE

G8 – IN COMPLIANCE

G9 – IN COMPLIANCE

G10- IN COMPLIANCE

G11 – IN COMPLIANCE

G12 – IN COMPLIANCE

G13 - IN COMPLIANCE

G14 - IN COMPLIANCE

G15 – IN COMPLIANCE

G16 – IN COMPLIANCE

G17 – IN COMPLIANCE

G18 – IN COMPLIANCE

S1 – IN COMPLIANCE (WE HAVE ONLY BUILT 17
Acres of the project so everything is not completely built
out)

S2 – IN COMPLIANCE

S3- IN COMPLIANCE

S4 – IN COMPLIANCE (ONLY 1/3 OF THE PROJECT
WAS COMPLETED. TRAFFIC WA NOT A FACTOR AS
OF YET AND WE AGREED IT WILL NOT BE NEED
UNTIL THE FULL SITE IS BUILT)

S5 - IN COMPLIANCE

S6 - IN COMPLIANCE (BUDGETING FOR A TOPCOAT WITH IN 1-2 YEARS)
S7 - IN COMPLIANCE
S8 - IN COMPLIANCE (BEING WATERED DAILY)
S9 - IN COMPLIANCE (TOUGH ON LARGE WEEKENDS TO MAINTAIN)
S10 - IN COMPLIANCE
S11 - IN COMPLIANCE
S12 - IN COMPLIANCE
S13 - IN COMPLIANCE (AIR POLLUTION REPORT IS DUE)
S14 - IN COMPLIANCE
S15 - IN COMPLIANCE (SOME CUSTOMERS HAVE SEMI TRUCK AS THEIR RECREATIONAL VEHICLE OR OWN TRUCKING COMPANIES THAT TRACTOR THEIR TOYS)
S16 - IN COMPLIANCE
S17 - IN COMPLIANCE
S18 - IN COMPLIANCE (ONLY APPROVED CONTRUCTION CREW, SECURITY STAFF, APPROVED CARETAKERS AND GDS PERSONEL TEAMS ARE ON PROPERTY
S19 - IN COMPLIANCE (BUDGETING FOR SOLAR AND LED)
S20 - IN COMPLIANCE
S21 - IN COMPLIANCE (DESERT LANDSCAPE IS APPROVED)
S22 - IN COMPLIANCE
S23 - IN COMPLIANCE
S24 - IN COMPLIANCE
S25 - IN COMPLIANCE (NEVER USED BY SHERIFF'S YET)
S26 - IN COMPLIANCE WITH CAL-TRANS
S27 - IN COMPLIANCE WITH CAL-TRANS
S28 - IN COMPLIANCE WITH UNDERSTANDING WITH CAL-TRANS
S29 - IN COMPLIANCE
S30 - IN COMPLIANCE
S31 - IN COMPLIANCE
S32 - IN COMPLIANCE
S33 - IN COMPLIANCE AND HAS BEEN PUT ON HOLD UNTIL WE BUILD MORE
S34 - IN COMPLIANCE

**S35 – IN COMPLIANCE
S36 – IN COMPLIANCE
S37 – IN COMPLIANCE
S38 – IN COMPLIANCE
S39 – IN COMPLIANCE
S40 – IN COMPLIANCE**

THANK YOU,

**MICHAEL MAMELLI JR.
PRESIDENT/SECRETARY
GLAMIS DUNES STORAGE**



2100 Highway 55
Medina, Minnesota 55340
763-542-0500
763-847-8149 fax

September 30, 2022

Jim Minnick
Imperial County Planning and Development Services
801 Main Street
El Centro, California 92243

Re: CUP #06-0039 Glamis Dunes Storage Extension Request Approval

Dear Mr. Minnick:

On behalf of Polaris Inc., this letter approves the request to extend CUP #06-0039 Season Event Area as requested by Mike Mamelli.

Please let me know if you need anything else.

Sincerely,

A handwritten signature in black ink that reads "Stefanie Schwalenberg". The signature is written in a cursive, flowing style.

Stefanie Schwalenberg
VP, Customer Experience Integration
Polaris Inc.
Stefanie.Schwalenberg@polaris.com
763-427-1444

Dolores Provencio
County Clerk / Recorder

When Recorded Return To:

P Public

Imperial County Planning & Development
Services Department
801 Main Street
El Centro, California 92243

Doc#: 2007-014374

Titles: 1 Pages: 17



Fees 54.00
Taxes 0.00
Other 0.00
PAID \$54.00

**AGREEMENT FOR CONDITIONAL USE PERMIT #06-0039
FOR
GLAMIS DUNES STORAGE FACILITY
Planning Commission 03/14/07
(Mike Mamelli and Eugene Le Blanc)
(Approved at Planning Commission on March 14, 2007)**

This Agreement is made and entered into on this 29 day of March 2007 by and between Eugene Le Blanc and Mike Mamelli, hereinafter referred to as Permittee, and the COUNTY OF IMPERIAL, a political subdivision of the State of California, (hereinafter referred to as "COUNTY").

RECITALS

WHEREAS, Permittee is the owner, lessee or successor in interest in certain land in Imperial County located at 5379 East Highway 78, Glamis, CA., near the intersection of Ted Kiff Road and Highway 78 and legally identified as that portion of the west half of the Northeast quarter of the west half of Tract 37, Township 13 South, Range 18 East, SBBM .Further identified as Assessor's Parcel Number 039-310-026-000.

WHEREAS, Permittee has applied to the County to be allowed to construct and operate up to 2,500 Space Recreational Vehicle Storage Center (with private dump stations, 1 caretakers residence, 1 night watchman residence, commercial

1 office, 20 cargo containers and .the selling of propane, fire wood and potable water to
2 their customers).

3 **WHEREAS**, the County, after a noticed public hearing, agreed to issue
4 Conditional Use Permit #06-0039 to Permittee, and/or his or her successor in interest
5 subject to the following conditions:
6

7 The "GENERAL CONDITIONS" are shown by the letter "G". These conditions are conditions
8 that are either routinely and commonly included in all Conditional Use Permits as "standardized"
9 conditions and/or are conditions that the Imperial County Planning Commission has established
10 as a requirement on all CUP's for consistent application and enforcement. The Permittee is
11 advised that the General Conditions are as applicable as the SITE SPECIFIC conditions!

12 **GENERAL CONDITIONS:**

13 **G-1 GENERAL LAWS:**

14 The Permittee shall comply with any and all local, state, and/or federal laws,
15 rules, regulations, ordinances, and/or standards as they may pertain to this
16 project whether specified herein or not.

17 **G-2 PERMIT/LICENSE:**

18 Permittee shall obtain any and all permits, licenses, and/or approvals, for the
19 construction and/or operation of this project. This shall include, but shall not
20 be limited to, County Division of Environmental Health Services (EHS),
21 Planning & Development Services Department, Office of Emergency Services
22 (OES), and Public Works Department. Permittee shall likewise comply with all
23 such permit requirements for the life of the project. Additionally, Permittee
24 shall submit a copy of such additional permit and/or licenses to the
25 Planning & Development Services Department within 30-days of receipt,
26 including amendments or alternatives thereto.

27 **G-3 RECORDATION:**

28 This permit shall not be effective until it is recorded at the Imperial County
Recorders Office, and payment of the recordation fee shall be the
responsibility of the Permittee. If the Permittee fails to pay the recordation fee
within six (6) months from the date of approval, and/or this permit is not
recorded within 180 days from the date of approval, this permit shall be
deemed null and void, without notice having to be provided to Permittee.
Permittee may request a written extension by filing such a request with the
Planning Director at least 30 days prior to the original 180-day expiration. The
Director may approve an extension for a period not to exceed 180 days. An
extension may not be granted if the request for an extension is filed after the
expiration date.

1 **G-4 CONDITION PRIORITY:**

2 This project shall be constructed/operated as described in the Conditional Use
3 Permit application, the Environmental Assessment, the project description,
4 and as specified in these conditions. Where a conflict occurs, the Conditional
5 Use Permit conditions shall govern and take precedence.

6 **G-5 INDEMNIFICATION:**

7 As a condition of this Permit, Permittee agrees to defend, indemnify, hold
8 harmless, and release the County, its agents, officers, attorneys, and
9 employees from any claim, action, or proceeding brought against any of them,
10 the purpose of which is to attack, set aside, void, or annul the Permit or
11 adoption of the environmental document which accompanies it. This
12 indemnification obligation shall include, but not be limited to, damages, costs,
13 expenses, attorneys fees, or expert witness fees that may be asserted by any
14 person or entity, including the Permittee, arising out of or in connection with
15 the approval of this Permit, whether or not there is concurrent, passive or
16 active negligence on the part of the County, its agents, officers, attorneys, or
17 employees.

18 **G-6 RIGHT OF ENTRY:**

19 The County reserves the right to enter the premises at any time, announced or
20 unannounced, in order to make the appropriate inspection(s) and to determine
21 if the condition(s) of this permit are complied with. Access to authorized
22 enforcement agency personnel shall not be denied.

23 **G-7 SEVERABILITY:**

24 Should any condition(s) of this permit be determined by a Court or other
25 agency with proper jurisdiction to be invalid for any reason, such determination
26 shall not invalidate the remaining provision(s) of this permit.

27 **G-8 PROVISION TO RUN WITH LAND:**

28 The provisions of this project are to run with the land/project and shall bind the
current and future owner(s) successor(s) of interest; assignee(s) and/or
transferee(s) of said project. **Permittee shall not without prior notification
to the Planning & Development Services Department assign, sell, or
transfer, or grant control of project or any right or privilege therein.** The
Permittee shall provide a minimum of 60 days written notice prior to such
proposed transfer becoming effective. The permitted use identified herein is
limited for use upon this parcel described herein and may not be transferred to
another parcel.

G-9 COMPLIANCE/REVOCAION:

Upon the determination by the Planning & Development Services Department
that the project is or may not be in full compliance with any one or all of the
conditions of this Conditional Use Permit, or upon the finding that the project is
creating a nuisance as defined by law, the issue shall be brought immediately
to the appropriate enforcement agency or to the Planning Commission for

1 hearing to consider appropriate response including but not limited to the
2 revocation of the CUP or to consider possible amendments to the CUP. The
3 hearing shall be held upon due notice having been provided to the Permittee
and to the public in accordance with established ordinance/policy.

4 **G-10 TIME LIMIT:**

5 Unless otherwise specified within the project's specific conditions this permit
6 shall be limited to a maximum of (3) three years from the recordation of
7 the CUP. The CUP may be extended for successive three (3) year(s) by the
8 Planning Director upon a finding by the Planning & Development Services
9 Department that the project is in full and complete compliance with all
10 conditions of the CUP and any applicable land use regulation(s) and extension
11 fees of the County of Imperial. Unless specified otherwise herein no
12 conditional use permit shall be extended for more than four consecutive
13 periods. If an extension is necessary or requested beyond fifteen years,
14 Permittee shall file a written request with the Planning Director for a hearing
15 before the Planning Commission. Such request shall include the appropriate
16 extension fee. **An extension shall not be granted if the project is in**
17 **violation of any one or all of the conditions or if there is a history of non-**
18 **compliance with the project conditions.**

13 In the event that the Permittee is unable to get lender financing for the initial
14 construction of the facility due to the fifteen year time period noted above, the
15 Permittee may request the Planning Director extend the time period to
16 accommodate the lender financing requirements. The request must be in
17 written form and be accompanied by the lender information and requirements
18 calling for the requested time period. If the documentation is found acceptable
19 the Planning Director may either make the minor modification and grant the
20 additional time period or defer the request to the Planning Commission for
21 consideration.⁵

19 **G-11 COSTS:**

20 Permittee shall pay any and all amounts determined by the County to defray
21 any and all cost(s) for the review of reports, field investigations, monitoring,
22 and other activities directly related to the enforcement/monitoring for
23 compliance of this Conditional Use Permit, County Ordinance or any other
24 applicable law. Any billing against this project, now or in the future, by the
25 Planning & Development Services Department or any County Department for
26 costs incurred as a result of this Permit, shall be billed through the Planning &
27 Development Services Department.

24 **G-12 WATER AND SEWER:**

25 Permittee shall provide water and sewer to Federal, State and County
26 standards. Water and sewer systems shall be approved by the Environmental
27 Health Services and the Planning & Development Services Department.
28 Permittee shall hook up to a public water system or supplier if and when
available.

G-13 DEFINITIONS:

In the event of a dispute, the meaning(s) or the intent of any word(s) phrase(s) and/or conditions or sections herein shall be determined by the Planning Commission of the County of Imperial. Their determination shall be final unless an appeal is made to the Board of Supervisors 10 days from the date of their decision.

G-14 SPECIFICITY:

The issuance of this permit does not authorize the Permittee to construct or operate this project in violation of any state, federal, local law nor beyond the specified boundaries of the project as shown the application/project description/permit, nor shall this permit allow any accessory or ancillary use not specified herein. This permit does not provide any prescriptive right or use to the Permittee for future addition and/or modification to this project.

G-15 HEALTH HAZARD:

If the County Health Officer determines that a significant health hazard exists to the public, the County Health Officer may require appropriate measures and the Permittee shall implement such measures to mitigate the health hazard. If the hazard to the public is determined to be imminent, such measures may be imposed immediately and may include temporary suspension of the subject operations. However, within 45 days of any such suspension of operations, the measures imposed by the County Health Officer must be submitted to the Planning Commission for review and approval. Nothing shall prohibit Permittee from requesting a special Planning Commission meeting provided Permittee bears all costs.

G-16 CHANGE OF OWNER/OPERATOR:

In the event the ownership of the site or the operation of the site transfers from the current Permittee to a new successor Permittee, the successor Permittee shall be bound by all terms and conditions of this Permit as if said successor was the original Permittee. Current Permittee shall inform the County Planning & Development Services Department in writing at least 60 days prior to any such transfer. Failure of a notice of change of ownership or change of operator shall be grounds for the immediate revocation of the CUP. In the event of a change, the new Owner/Operator shall file with the Department, via certified mail, a letter stating that they are fully aware of all conditions and acknowledge that they will adhere to all. If this Permit or any subservient or associated permit requires financial surety, the transfer of this Permit shall not be effective until the new Permittee has requisite surety on file. Furthermore, existing surety shall not be released until replacement surety is accepted by Imperial County. Failure to provide timely notice of transfer by Permittee shall forfeit current surety.

G-17 COMMENCEMENT OF WORK:

No commencement of work until all conditions pursuant to the CUP has been satisfied. Evidence that all conditions pursuant to the CUP have been satisfied shall be provided to the Planning Director prior to commencement.

G-18 FIRE PROTECTION:

Permittee shall provide an adequate fire protection system and accessibility to the site in accordance with the National Fire Protection Act (NFPA), Uniform Fire Code, and County Fire Department standards. This shall include all requirements by the Imperial County Fire Department regarding fire protection water storage and access roads. Additionally, Permittee shall provide to Imperial County Fire Department a plot plan, drawn to scale, indicating the exact location and size of the water storage tanks and the access roads.

PROJECT SPECIFIC CONDITIONS:**S-1 PROJECT DESCRIPTION:**

The permittee intends to establish up to 2,500 space recreational vehicle storage center, the selling of propane, fire wood and water on approximately 49.64 ± acres. The project is proposed to be developed in sixteen (16) phases and the phasing will be based on demand. The applicant proposes to initially develop four (4) phases which will consist of approximately 600 parking spaces, fire protection system, lighting, an on-site commercial office (coach) & care taker and night watchman residence for 24-hour security.

The sewer facilities will include twenty (20) RV dump stations (minimum capacity 1,000 gallons) and septic tank system shall be installed per 1997 Plumbing Code for both residences and office restrooms. The water system proposed consists of (4) 5,000 gallon potable water tanks. For the life of the project you will truck water to the facility. Fire protection will be via a 5,000 gallon per plan dedicated fire water tank along with the other necessary fire protection equipment (water truck & dry hydrants) required by the Imperial County Fire Department. All roads and parking spaces will be asphalt or concrete. Security will include area lighting, an automatic entrance gate, fencing, and the on-site night watchman. Shade structures will be built along the West side of the project site and the applicant proposes to install twenty (20) cargo containers. Desert landscaping will be provided on the east and west (facing Highway 78) side and maintained for the life of the project. Applicant may build metal buildings on the individual spaces if requested by tenants provided applicant secures necessary permits. Power will be supplied by generators, not to exceed 49 HP (50 HP and higher must secure permits from APCD) located through out the site until such time that power lines reach project site. The generators will be run clean per California Air Resources Board (CARB).

S-2 ACCESS TO SITE:

The subject property will access from Highway 78.

S-3 ENCROACHMENT PERMIT:

An encroachment permit(s) shall be secured from the Department of Public Works for any and all new, altered or unauthorized existing driveways that may be necessary to access the property. ^{1 (PW)}

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S-4 RIGHT OF WAY:

The proposed project borders Highway 78, which is classified as a "Major Collectors" requiring eighty-four (84) feet of right-of-way, being forty-two (42) feet from existing road centerline. Right-of-way should be provided for those portions of these roadways located within subject parcel. ^{1 (PW)}

Ted Kipf Road is classified as a Local County Road requiring sixty (60) feet of right of way, being (30) feet from existing road centerline. It is therefore requested that sufficient right of way be provided to meet this road classification. ^{1 (PW)}

S-5 DRIVEWAY IMPROVEMENTS:

All access driveways shall be developed and maintained to County Standard S-131A commercial driveway improvement standards (or amended) as approved by the Department of Public Works and Air Pollution Control District. ^{1 (PW) 2 (APCD)}

S-6 ON-SITE ROADS/PARKING:

All on-site roads/driveways and parking areas shall be constructed with a minimum of three (3) inches of asphalt or concrete per Imperial County Land Use Ordinance and shall be maintained in a dust-free manner

Permittee has the option to pave each phase with an initial layer of two (2) inches of asphalt. Before commencing subsequent phase, the Permittee shall add an additional one (1) inch layer of asphalt to the previous two (2) inch phase, this meeting the minimum of three (3) inches per County Standards. The applicant will notify the Imperial County Planning and Development Services Department and the Public Works Department prior to each new phase of development for an inspection to determine compliance. However, at any time the Planning and Development Services Department may require the applicant to pave the remaining site with the three (3) inches of asphalt. ⁵

S-7 GRADING & DRAINAGE PLAN:

The Permittee shall provide a Drainage and Grading Study/Plan to provide for property grading and drainage control, which shall include prevention of sedimentation or damage to off-site properties. The Study/Plan shall be submitted to the Department of Public Works for review and approval. The Permittee shall implement the approved plan. Employment of appropriate storm water Best Management Practices (BPMs) shall also be included. ^{1 (PW)}

S-8 Ted Kipf Road along the project frontage, as a minimum should be paved to mitigate dust control issues (PM 10) or alternate dust suppression measure subject to the Public Works Director and/or APCD approval. ^{1 (PW)}

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2 **S-9 APCD DUST CONTROL:**

3 The project site and Ted Kipf Road (approximately 1300 feet along the project
4 site) will be maintained to ensure mitigation of any fugitive dust that may
5 occur on the property (ICAPCD Rule 800 – Fugitive Dust), and comply with
6 the fugitive dust control plan submitted for APCD approval. ² (APCD)

7
8 **S-10 WATER & SEWER:**

9 Permittee shall secure or provide water and sewer in compliance with County,
10 State and Federal Regulations. The water system proposed is (6) 5,000
11 gallon potable water tanks including drafting hydrants, with bulk water delivery
12 by a California Licensed hauler and as approved by the Department of Health
13 Services.

14 **A) POTABLE WATER:** A potable water supply shall be installed as
15 required and approved by Environmental Health Services. The bulk
16 water must test to the level of public water drinking standards, or the
17 development of a State and County approved onsite public water
18 supply system. Permittee shall provide documented proof (approved
19 permits) from the County Environmental Health Services that all
20 necessary approvals for an acceptable potable water system meeting
21 all applicable Local, State, and Federal regulations has been completed
22 prior to any building permits being issued. Public water supply
23 infrastructure shall be installed and approved by EHS, which can be
24 done concurrent with the building construction stage. The potable
25 water system shall be installed with the minimum pressure water supply
26 pipe of a diameter conforming to County standards.

27 **B) DUMP STATION:** The dumping of recreational vehicles and equipment
28 waste tanks in an Environmental Health Services approved dump
station. No septic leach system shall be allowed for the dump station.

C) SEPTIC SYSTEM: The onsite office, caretakers and security guard
residence may be served by a properly sized septic tank and leach
system with an approved percolation test. The septic tank and leach
system shall need to be permitted and approved by the Environmental
Health Services.

S-11 HAZARDOUS MATERIALS DISPOSAL:

Any vehicle (equipment used in daily operations) spills shall meet all
applicable County, State and Federal regulations for the disposal of hazardous
materials. The Permittee shall work with Environmental Health Services to
ensure proper safeguards are in place to prevent hazardous waste such as
motor oil, grease, lubricants, fuels, etc., from being released into the
environment. Permittee shall, additionally development EHS approved
procedures for the cleanup, notification, and disposal of hazardous material.
All spills of hazardous or non-hazardous materials shall be cleaned up
immediately. There shall remain on-site sufficient tools and materials to clean
up spills on permeable surfaces.

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2 All spills of hazardous materials shall be reported, with "major" spills defined
3 as more than five (5) gallons of fuel or lubricants, and less than one (1) gallon
4 for coolant, solvents, and brake fluid. Said "major" spills shall further be
5 defined as spills meeting the above quantities at any one time or cumulative
6 over the life of the project. All spills shall be documented and reported to
7 Environmental Health Services Department. All hazardous waste including
8 used oil and used oil filters shall be kept within fully contained areas with
9 proper disposal.

10 **S-12 REPORTING:**

11 Permittee shall provide an annual report or statement to the Planning &
12 Development Services Department to show compliance with the conditions
13 herein. Planning & Development Services Department Staff may perform an
14 annual site inspection in addition to the Permittee submittal.

15 **S-13 RESPONSIBLE AGENT:**

16 Permittee shall maintain on file with the Planning & Development Services
17 Department the name and phone number of the responsible agent for the site.
18 A backup name shall also be provided, and a phone number for 24 hour
19 emergency contact shall also be on file.

20 **S-14 ALLOWABLE MINI STORAGE:**

21 Is generally defined as a structure or group of structures containing generally
22 small, individual, compartmentalized stalls or lockers rented as individual
23 storage spaces used for storing personal property, commercial, retail
24 materials, and/or recreational vehicles. The CUP allows the storage of those
25 uses and materials typically found within mini storage facilities. No outside
26 storage with exception of those identified in Specific Condition S-1 and S-38 is
27 allowed.

28 **S-15 ALLOWABLE RECREATION VEHICLE STORAGE:**

The CUP allows the Permittee to store the following recreational equipment,
pull trailers (non-motorized), recreational vehicles (motorized), motorized off-
road vehicles (bikes, quads, buggies, trucks, etc...), water vehicles (boats, jet
skis, wave runners, etc...) All recreational equipment shall have current
Department of Motor Vehicle (DMV) registration and be in working order.
Minimal on-site maintenance equipment will also be permitted. The facility is
intended for the storage of recreation vehicles therefore outside storage of
personal, commercial, and industrial vehicles such as, commercial trucks and
equipment, and Simi-trucks and trailers are prohibited. It is the Permittee's
responsibility to ensure compliance with the type, operating condition, or
legalization of the recreational equipment, failure to comply could result in
termination of this CUP.

The temporary storage of passenger cars and trucks used as transportation to
the facility for pick-up of the recreational vehicle(s) may be permitted, provided
that said passenger cars and trucks are (1) have a valid lease with the facility

1 operator, (2) are parked in the leased recreational vehicle(s) assigned space,
2 (3) have current DMV registration, and (4) are in operating condition.

3 **S-16 MAINTENANCE OF YARD:**

4 The recreational vehicle storage yard shall be kept free of rubbish, vehicles
5 will be in an organized manner, with all internal roadways and site access
6 maintained free of rubbish and debris.

7 **S-17 PROPANE AND FIREWOOD ON-SITE SALES:**

8 As an incidental component of the recreational vehicle storage operation the
9 permittee may operate a propane refilling station, via the installation of a
10 propane tank for the sole purpose of providing their clients the **on-site
11 propane sales only**.

12 Additionally, the permittee may store and sale firewood and potable water to
13 their **on-site clients only**. Said firewood shall be stored in neat and clean
14 rows/stacks. Firewood storage will be limited to a maximum three (3) "Cords"
15 of wood at any one time. A "Cord of wood" shall be described as a well-
16 stacked pile of wood, 4ft by 4ft by 8ft.

17 Both the propane and fire wood operations (installation, storage, and sales)
18 must meet local, state, and federal regulations and are subject to approval by
19 Imperial County Fire & Emergency Services Department, Planning and
20 Development Services Department and other applicable agencies.

21 **S-18 PROHIBITED ACTIVITIES:**

22 The CUP authorizes the Permittees to store recreational vehicles and
23 equipment, for dumping of waste tanks in an approved Dump station, and the
24 on-site sales of propane, firewood, and water only. The project area is not
25 designed or approved for any sort of activities associated in a RV Park
26 (permitted under Title 25) or other venue.

27 The following activities are prohibited:

- 28 • Repair and maintenance of vehicles and equipment,
- Overnight camping,
- Camp fires
- Parties
- Cooking (indoor and outdoor)
- Consumption of alcoholic beverages

29 **S-19 LIGHTING:**

30 On-site lighting shall be shielded and/or directed in such a way as to eliminate
31 and reduce off-site glare particularly towards roadways. The shielding shall
32 confine the direct rays to the site. Lighting shall be installed to provide a safe
33 working environment in and around the facility and/or equipment meeting
34 OSHA standards.

1 **S-20 FENCING:**

2 The property will be accessed via locked gates with membership and
3 emergency agency access only. Along the visual side (Highway 78) of the
4 property for both security and screening the construction/maintenance of a six
5 (6) foot high solid fence (if chain-link then must have screening slats and
6 coated) shall be installed. For the remainder of the development a perimeter
7 fence preventing off-road vehicles from entering or exiting the property from
8 via the desert areas shall also be installed. **The areas that are not
9 developed must be fenced to prevent customer and or employee access.**

10 **S-21 LANDSCAPING:**

11 In accordance with the Imperial County Land Use Ordinance a landscaping
12 plan shall be submitted to the Planning & Development Services Department
13 for approval. Landscaping shall be installed and maintained along Highway
14 78 and Ted Kiff Road. If the landscaping is developed to the extent that it
15 results in the screening of the development from the west side of the project,
16 relevant to that which could be accomplished by the requirement that the
17 fence be screened as noted above, said screening component of the fence
18 requirement could be waved by the Planning & Development Services
19 Department.

20 **S-22 SIGNAGE:**

21 Permittee shall be allowed to install "business signs" as permitted by the
22 Imperial County Land Use Ordinance. This permit **does not** authorize
23 installation of any variance of the sign requirements within the County
24 Ordinance. Additionally, **no off-site advertisement signage is permitted.**

25 **S-23 NOISE:**

26 All equipment shall be muffled or other wise noise-controlled to minimize the
27 generation of noise to both on and off-site sensitive receptors.

28 **S-24 BUILDING PERMITS:**

 Permittee shall secure all necessary building permits and other required
 permits from the Planning & Development Services Department and other
 applicable Departments/ Agencies for utilities and other construction.

S-25 SHERIFF IMPACT FEE:

 This project will have a potential intermediate impact on the Sheriff's
 Department with calls for service during construction and upon completion,
 when the storage units are occupied. Both the owners of this facility and the
 subjects renting spaces are going to require patrol and responses by Sheriff's
 Department Deputies. This will necessitate the inclusion of mitigation fees in
 the project's budget to offset the cost of providing additional deputies for this
 service, as provided for by Imperial County Ordinance 4.36.060.

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2 **S-26 DEPARTMENT OF TRANSPORTATION (CALTRANS):**

3 Driveway for proposed storage lot shall be opposite the Glamis store. The
4 design of the driveway and/or private road intersection should be based on
5 Section 205 of the Caltrans *Highway Design Manual*.⁴ (CALTRANS)

6 **S-27** Provide left turn pockets for both directions of traffic.⁴ (CALTRANS)

7 **S-28** Provide a right turn deceleration lane for the proposed project.⁴ (CALTRANS)

8 **S-29** Have the property fenced along the state right-of-way.⁴ (CALTRANS)

9 **S-30** Have a fence around all the detention basins.⁴ (CALTRANS)

10 **S-31** All lighting (including reflected sunlight) within this project should be placed
11 and/or shielded so as not to be hazardous to vehicles traveling on SR-78.
12 ⁴ (CALTRANS)

13 **S-32** All signs visible to traffic on SR-78 need to be constructed in compliance with
14 County and State regulations.⁴ (CALTRANS)

15 **S-33** Any work performed within Caltrans Right of Way (R/W) will require an
16 encroachment permit. Improvement plans for construction within Caltrans
17 R/W must include: typical cross sections, adequate structural sections, traffic
18 handling plans, and signing and striping plans stamped by a professional
19 engineer.⁴ (CALTRANS)

20 **S-34** Grading for this proposed project would modify existing drainage and increase
21 runoff to State Facilities will not be allowed.⁴ (CALTRANS)

22 **S-35 CULTURAL RESOURCES:**

23 During any construction, if any cultural resources are found (e.g., pottery,
24 bone, stone tools, fire hearth, burials, and wooden posts), Permittee shall stop
25 all work and contact IVC Museum to have a qualified specialist inspect the
26 site. Work shall not resume until a representative from IVC Museum has
27 determined their concerns pertaining to cultural resources on-site has been
28 adequately addressed.

S-36 RECLAMATION SITE ABANDONMENT:

When the operation of the facility herein authorized has ceased, or is
suspended at any time for a period of two (2) years, all the facilities shall be
dismantled, and removed. The land involved in the operation (all aspects,
including roads, structures, parking, etc) of the facility shall be restored to its
condition prior to development of the recreational vehicle storage yard. The
land shall be restored/cleaned in accordance with a plan approved by the
Planning Director and owner.

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S-37 PERMIT TERMINATION:

This permit shall be null and void if any information submitted by the Permittee is found false.

S-38 PERMITTED USE OF PROPERTY:

This Permit authorizes the use of the identified project site as a mini storage and recreational vehicle storage facility. No other use not specifically authorized, within this permit or permitted as an outright use within the zoning classification of the S-2 Open Space/Recreational and C-2 "Medium Commercial Zone" (County Ordinance Section 90519.02 and 90513.02), shall be allowed on this project site.

S-39 CEMETARY MAINTENANCE

Applicant shall comply with the Imperial County Land Use Cemetery Ordinance as stated in Section 92701, et al. ^{3 (EEC-Mitigation)}

S-40 DEMOLITION

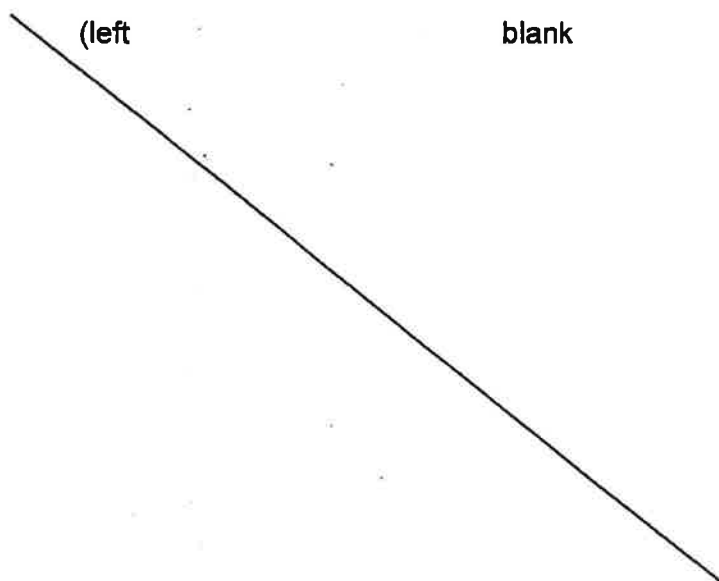
Existing pool and building located northeast of project site shall be demolished before final is granted on Grading Permit.

The Permittee shall obtain all required permits from the Department of Public Works, APCD, Department of Health Services, Caltrans and other applicable agency(s).

-
- 1) *Public Works Letter Dated December 6, 2006*
 - 2) *APCD, Letter dated*
 - 3) *EEC Hearing Mitigation Measure December 14, 2006*
 - 4) *CALTRANS Letter dated January 8, 2007 & February 24, 2007*
 - 5) *Planning Commission Meeting on March 14, 2007*
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NOW THEREFORE, County hereby issues Conditional Use Permit # 06-0039 and Permittee hereby accepts such permit upon the terms and conditions set forth herein.

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IN WITNESS THEREOF, the parties hereto have executed this Agreement the day and year first written.

PERMITTEE :

By: 
Mike Mamelli
(Applicant)

3-29-07
Date

By: 
Eugene Le Blanc
(Property Owner)

3-29-07
Date

COUNTY OF IMPERIAL, a political subdivision of the STATE OF CALIFORNIA:

By: 
JURG HEUBERGER, AICP, Director
Planning & Development Services Department

4/2/07
Date

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FOR PERMITTEE NOTARIZATION

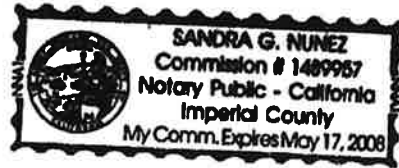
STATE OF CALIFORNIA

COUNTY OF Imperial } S.S.

On March 29, 2007 before me, Sandra G. Nunez

a Notary Public in and for said County and State, personally appeared
= Mike Mamelli =, personally known to me (or
proved to me on the basis of satisfactory evidence) to be the person(s) whose
name(s) (s) are subscribed to the within instrument and acknowledged to me that
he/she/they executed the same in his/her/their authorized capacity(ies), and that by
his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of
which the person(s) acted, executed the instrument.

WITNESS my hand and official seal



Signature [Handwritten Signature]

ATTENTION NOTARY: Although the information requested below is OPTIONAL, it could prevent fraudulent attachment of this certificate to unauthorized document.

Title or Type of Document _____

Number of Pages _____ Date of Document _____

Signer(s) Other Than Named Above _____

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FOR PERMITTE NOTARIZATION

STATE OF CALIFORNIA
COUNTY OF Imperial } S.S.

On March 29, 2007 before me,
Sandra G. Nunez,

a Notary Public in and for said County and State, personally appeared
Eugene LeBlanc, personally known to me
(or proved to me on the basis of satisfactory evidence) to be the person(s) whose
name(s) ~~(s)~~ are subscribed to the within instrument and acknowledged to me that
~~he/she/they~~ executed the same in his/her/their authorized capacity(ies), and that by
~~his/her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of
which the person(s) acted, executed the instrument.

WITNESS my hand and official seal



Signature Sandra G. Nunez

ATTENTION NOTARY: Although the information requested below is OPTIONAL, it could prevent fraudulent attachment of this certificate to unauthorized document.

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FOR COUNTY NOTARIZATION

STATE OF CALIFORNIA

COUNTY OF IMPERIAL } S.S.

On APRIL 2, 2007 before me, Patricia A. Valenzuela

a Notary Public in and for said County and State, personally appeared Jurg Heuberger, personally known to

me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

Signature Patricia A. Valenzuela

ATTENTION NOTARY: Although the information requested below is OPTIONAL, it could prevent fraudulent attachment of this certificate to unauthorized document.

Title or Type of Document Conditional Use Permit
Number of Pages 17 Date of Document March 29, 2007
Signer(s) Other Than Named Above _____

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ATTACHMENT "F" – COMMENT LETTERS



October 28, 2022

Jim Minnick
Planning & Development Services Director
801 Main Street
El Centro, CA 92243

SUBJECT: Time Extension 22-0026 – Glamis Dune Storage

Dear Mr. Minnick,

The Imperial County Air Pollution Control District ("Air District") appreciates the opportunity to review and comment on Time Extension ("EXT") 22-0026 for Conditional Use Permit ("CUP") 06-0039 ("Project"). The Project would allow the continued operation of a Recreational Vehicle Storage Center ("Storage Center") with a maximum of 2,500 spaces for an additional 15-year period. The Storage Center is located at 5379 E. Highway 78, Brawley, CA 92227 also identified as Assessor's Parcel Number 039-310-026.

The CUP was recorded in 2007 and contains Specific Condition S-9 APCD DUST CONTROL, requiring the Storage Center "comply with the fugitive dust control plan submitted for APCD approval." In 2013 the Air District developed and instituted Operational Dust Control Plans ("ODCP") and developed a White Paper to serve as guidance on developing an adequate ODCP. The Air District is providing a copy of the White Paper and, in order to comply with this condition, is requesting the Storage Center: develop an updated ODCP following the White Paper guidance and submit it to our office for approval.

Air District records show the Storage Center also holds an active Air District permit and the Air District reminds the applicant that the project must comply with all permit conditions as well as all applicable Air District rules and regulations.

For your convenience, the Air District's rules and regulations are available via the web at <https://apcd.imperialcounty.org/rules-and-regulations/>. Please feel free to call our office should you have any questions at (442) 265-1800.

Respectfully,



Ismael Garcia
Environmental Coordinator I



Reviewed by,
Monica N. Soucier
APC Division Manager



AIR POLLUTION CONTROL DISTRICT WHITE PAPER OPERATIONAL DUST CONTROL PLAN

PURPOSE

As part of the Air District's efforts to help maintain or reduce concentrations of fugitive dust emissions in the ambient air projects are required to submit and implement a variety of Dust Control Plans. One such plan is the Operational Dust Control Plan (ODCP). An ODCP is intended to provide pertinent information, **specific** to your **operation**, for the reduction of fugitive dust emissions created by the ongoing operations at your facility.

The ODCP is a living document intended for the **life of the project**. An initial site visit is required to confirm the elements of any draft ODCP before it can be finalized by the Air District. Once the ODCP is finalized continual site visits will typically occur on a yearly basis, if not sooner, to confirm project operations have not caused additional unforeseeable sources of fugitive dust emissions and/or that operations have not caused existing sources of fugitive dust emissions to increase

MINIMUM REQUIRED ELEMENTS

While some ODCP maybe longer or short dependant on the size, purpose and location of the project operations all ODCP must contain the following minimum elements.

- A. The ODCP must be on company letterhead, dated and signed by an authorizing agent
- B. The ODCP must indicate the version; draft vs final.
- C. The ODCP should contain sufficient information as to identify the legal owner by name, company name, location, headquarters etc.
- D. The ODCP should contain the identity and contact information of all responsible agents, and personnel involved in the day to day operations at the site.
 - This section should identify the primary contact for the implementation of the ODCP, etc.
 - This section must contain a statement of commitment to inform the Air District within 48 hours of any personnel changes concerning the primary contact.
- E. The ODCP must contain a brief description of the project and its purpose – this should be direct and to the point yet provide a well rounded understanding of the operations.
 - This section should identify ALL sources of fugitive dust emissions broken down as follows:
 - Existing sources of fugitive dust
 - Potential sources of fugitive dust



AIR POLLUTION CONTROL DISTRICT WHITE PAPER OPERATIONAL DUST CONTROL PLAN

- This section should identify ALL feasible mitigation measures to be implemented to address the identified existing and potential sources of fugitive dust.
- Where applicable a statement that records will be maintained on site and accessible to Air District personnel upon request. Some mitigation measures require proof of application such as the use of water application as a mitigation measure. Records would be required to verify that trucks are maintained in good working order on site as well as the record of the application schedules. These records would need to have signatures, dates, etc.
- Finally, the ODCP must contain a statement that site visits are understood as part of the implementation process of ODCP by Air District personnel which will be conducted, at a minimum, on a yearly basis.

SITE VISIT - THE USE OF MAPS

The Air District strongly recommends the use of maps to identify the existing sources of fugitive dust emissions. Experience has shown that utilizing Map's allows for easily identifiable sources and the logistics for application of the mitigation measures. The actual written portion may then be as short as a single page. For example, when identifying unpaved roads, a map can show the locations especially in relation let's say to the nearest receptor. If the indicated method of application is via a water truck then a map can easily show the path and practicality of the application, including benefits. Another example, if one of the mitigations is signage or vehicle speed limits, then identifying where those signs would be placed is much more easily discernible on a Map. Maps are a wonderful tool making the site visit much easier to verify. Some projects have utilized a color coding system to make the sources much more visible and understandable. As such, make more than one map for specific sources. One for Roads, identifying paved vs unpaved and graveled. Another map may identify water supply and routes for internal access, gates, and berms inside and outside your jurisdiction.

Gerardo Quero

From: Melina Rizo
Sent: Friday, 28 October, 2022 8:09 AM
To: Ana L Gomez; Gerardo Quero
Cc: ICPDSComentLetters; Margo Sanchez; Sandra Mendivil
Subject: RE: EXT22-0026 Michael Mamelli Jr

Good Morning,

Thank you for responding.

Regards,

Melina Rizo

Office Assistant III
Imperial County Planning & Development Services
801 Main St.
El Centro, CA 92243
(442)265-1736



From: Ana L Gomez <analomez@co.imperial.ca.us>
Sent: Friday, October 28, 2022 7:43 AM
To: Gerardo Quero <gerardoquero@co.imperial.ca.us>
Cc: ICPDSComentLetters <ICPDSComentLetters@co.imperial.ca.us>; Margo Sanchez <MargoSanchez@co.imperial.ca.us>; Sandra Mendivil <SandraMendivil@co.imperial.ca.us>
Subject: EXT22-0026 Michael Mamelli Jr

Good morning Mr. Quero,

Our office has no comment for the applicant, as they are already registered with us.

Thank you,

Ana Gomez

Agricultural Biologist/Standards Specialist
Special Projects Division
Imperial County Agricultural Commissioner
Sealer of Weights and Measures
(442) 265-1500
analomez@co.imperial.ca.us