



Imperial County Planning & Development Services Planning / Building

Jim Minnick
DIRECTOR

TO: Chairman Mike Goodsell
Vice-Chairman Jenell Guerrero
Commissioner Dennis Logue
Commissioner Jerry Arguelles
Commissioner Sylvia Chavez

FROM: Jim Minnick, Secretary
Planning & Development Services Director

SUBJECT: Public hearing to consider compatibility of La Valle Sabbia's requested Conditional Use Permit for a grain feed mill located within the boundaries of the existing hay press and hay storage facility. The proposed project is within the Imperial County Airport Compatibility Plan B1 Zone (Approach/Departure Zone and Adjacent to Runway). The proposed project site is located at 2015 Silsbee Road, El Centro, CA 92243 on the northwest corner of the intersection of Silsbee Road and West Evan Hewes Hwy. Parcel coordinates 115° 38' 54.8052" W, 32° 47' 53.7864" N; Assessor's Parcel Numbers 062-080-015-000 (Supervisorial District #3) (**ALUC 03-23**) [Derek Newland, Planner II, 442-265-1736, extension 1756 or by email at dereknewland@co.imperial.ca.us].

DATE OF REPORT: July 19, 2023

AGENDA ITEM NO: 1

HEARING DATE: July 19, 2023

HEARING TIME: 6:00 P.M.

HEARING LOCATION: County Administration Center
Board of Supervisors Chambers
940 Main Street
El Centro, CA 92243

STAFF RECOMMENDATION

It is the Secretary's recommendation that the Airport Land Use Commission finds the proposed grain feed mill located at 2015 Silsbee Road, El Centro, CA 92243 to be compatible with the 1996 Airport Land Use Compatibility Plan.

SECRETARY'S REPORT

Project Location:

The proposed project site consists of a +/- 5,730 square foot structure on a +/- 35.80 acres parcel located at 2015 Silsbee Road, El Centro, CA 92243 on the northwest corner of the intersection of Silsbee Road and West Evan Hewes Hwy; Assessor's Parcel Number 062-080-015-000 (See attached Vicinity Map).

Project Description:

The project applicant La Valle Sabbia, Inc, proposes Conditional Use Permit #23-0001 to construct and operate a grain feed mill located within the boundaries of the existing hay press and hay storage facility. The mill will be located on a +/- 5,730 square foot area of a +/- 35.80 acres parcel with Assessor's Parcel Number (APN) 062-080-015-000. The proposed project consists of two (2) 500-ton grain silos that are 46 feet high and a width of 29 feet, two (2) holding tanks that are 29 feet, 2 inches high and a width of 15 feet, 4 inches, and two (2) flaking mills with steam chests that are 34 feet high and a width of 7 feet that sit on top of structural and concrete bunkers that are 11 feet, 4 inches high and a width of 34 feet. The total height of the flaking mills with the structural bunkers will be 45 feet in height. Additionally, there will be two (2) grain elevators that are 70 feet high and a width of 10 feet, a 60 feet high grain elevator with a width of 8 feet and two (2) grain holding tanks are 29 feet high and 16 feet in width

The project parcel is currently zoned A-2 (General Agriculture) and the proposed grain feed mill would allow for the proposed use under Title 9, Division 5, Section 90515.02 "Uses Permitted Only with a conditional Use Permit".

General Plan/ALUCP Analysis:

This project is being brought to the Airport Land Use Commission due to the applicant proposing to erect new structures with a maximum height of 70 feet on developed land containing a hay press and hay storage yard within the B1 Zone (Approach/Departure Zone and Adjacent to Runway) of the Imperial County Airport Land Use Compatibility Plan. The B1 zone allows for any agricultural use except ones attracting bird flocks, pg 2-17 of the ALUCP. The corn and wheat to be stored onsite for use in the mill will be held in two (2) 500-ton enclosed silos as well as two (2) grain holding tanks which is expected to mitigate attraction of bird flocks to the site. In addition, the property is an active hay press and hay storage site with truck activity that is expected to prevent flocks of birds from congregating on the premises.

The ALUCP, Chapter 2, Policies, Section 2.1.3, provides "Types of Actions Reviewed" by the Commission, which shall include:

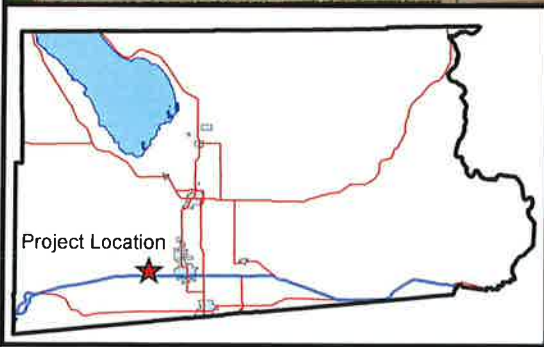
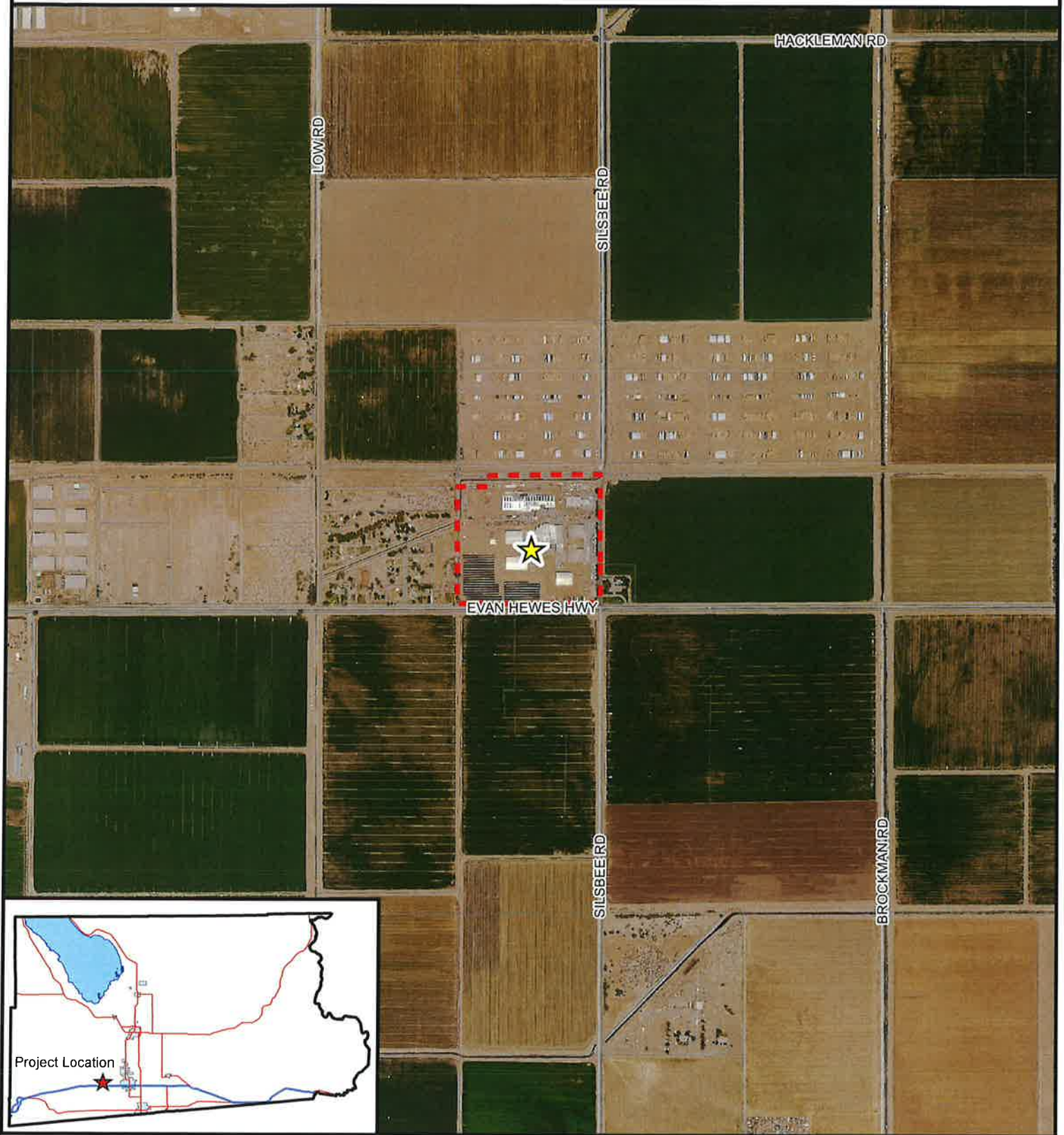
"Any other proposed land use action, as determined by the local planning agency, involving a question of compatibility with airport activities" (Section 2.1.3.3h, pg. 2-4).

Attachments

- A - Vicinity Map
- B - Site Plan
- C - Assessor's Plat Map
- D - ALUCP Zone Map
- E - ALUC Section

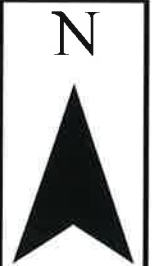
ATTACHMENT "A"
Vicinity Map

PROJECT LOCATION MAP



LA VALLE SABBIA, INC
CUP #23-0001
APN 062-080-015-000

-  Project Location
-  Centerline
-  Parcels
-  Proposed Feed Mill Location



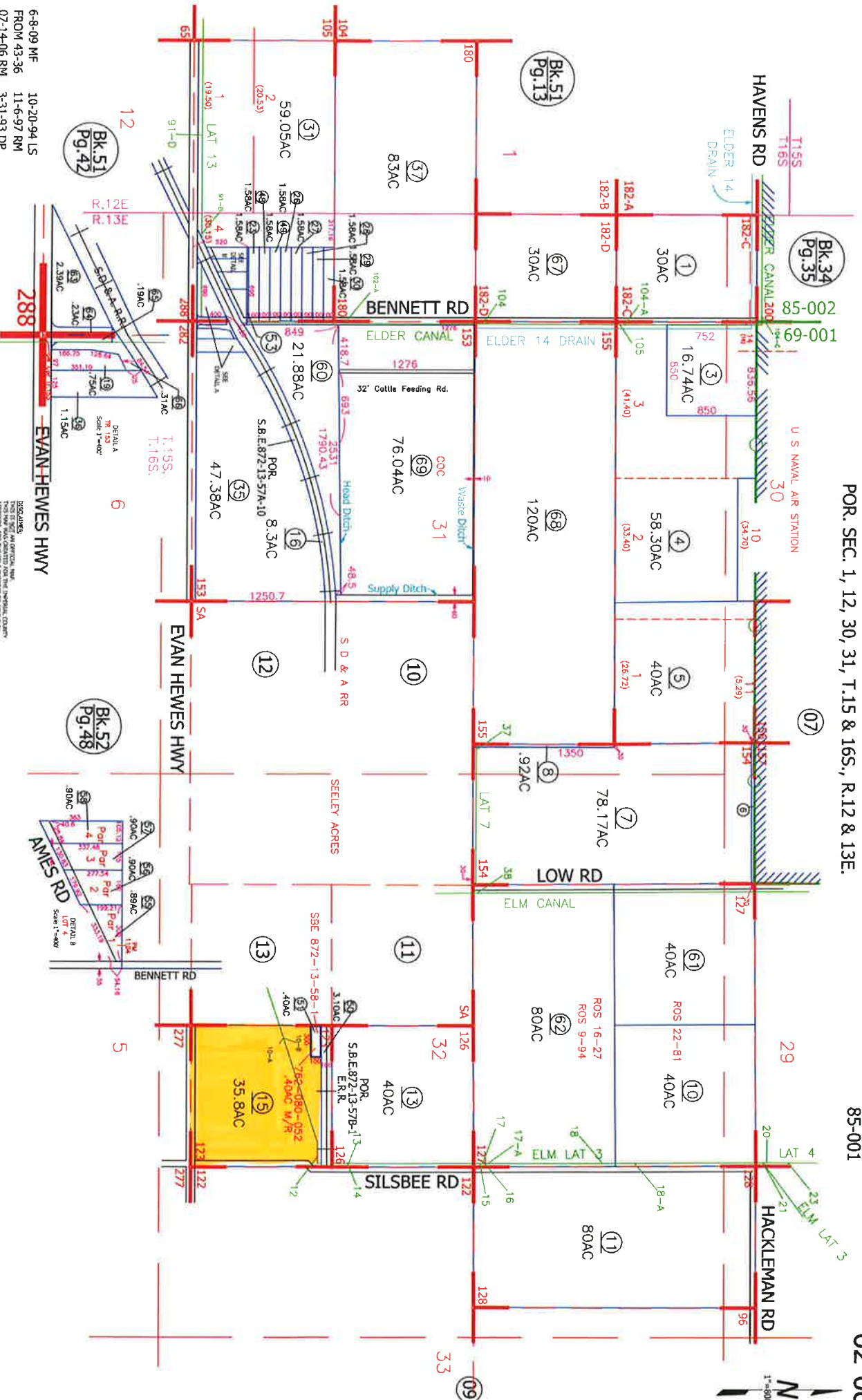
ATTACHMENT "B"
Site Plan

ATTACHMENT "C"
Assessor's Plat Map

TRACT 123, 126, 127, 128, 153, 154, 155, 180, 182C, 182D, SEC. 1, 29 TO 32 INCL., & POR. SEC. 1, 12, 30, 31, T.15 & 16S., R.12 & 13E.

Tax Area Code 85-001

62-08



6-8-09 MF 10-20-94 LS
 FROM 43-36 11-6-97 RM
 07-14-06 RM 3-31-93 DP
 5-12-99 RM 11-4-93 LS
 3-19-99 LS 9-1-94 LS 6-16-14 MF

288
 EVAN HEWES HWY

AMES RD
 DETAIL A
 DETAIL B
 Scale 1"=400'

Assessor's Map Bk. 62-Pg. 08
 County of Imperial, Calif.

ATTACHMENT "D"
ALUCP Zone Map

**ATTACHMENT "E" ALUCP
Chapter 2 Pages 2-2, 2-3, 2-
4 and 2-17**

2. *Countywide Impacts on Flight Safety* - Those lands, regardless of their location in the County, on which the uses could adversely affect the safety of flight in the County. The specific uses of concern are identified in Paragraph 2.
3. *New Airports and Heliports* - The site and environs of any proposed new airport or heliport anywhere in the County. The Brawley Pioneers Memorial Hospital has a heliport area on-site.

2. Types of Airport Impacts

The Commission is concerned only with the potential impacts related to aircraft noise, land use safety (with respect both to people on the ground and the occupants of aircraft), airspace protection, and aircraft over-flights. Other impacts sometimes created by airports (e.g., air pollution, automobile traffic, etc.) are beyond the scope of this plan. These impacts are within the authority of other local, state, and federal agencies and are addressed within the environmental review procedures for airport development.

3. Types of Actions Reviewed

1. *General Plan Consistency Review* - Within 180 days of adoption of the *Airport Land Use Compatibility Plan*, the Commission shall review the general plans and specific plans of affected local jurisdictions to determine their consistency with the Commission's policies. Until such time as (1) the Commission finds that the local general plan or specific plan is consistent with the *Airport Land Use Compatibility Plan*, or (2) the local agency has overruled the Commission's determination of inconsistency, the local jurisdiction shall refer all actions, regulations, and permits (as specified in Paragraph 3) involving the airport area of influence to the Commission for review (Section 21676.5 (a)).
2. *Statutory Requirements* -As required by state law, the following types of actions shall be referred to the Airport Land Use Commission for determination of consistency with the Commission's plan *prior to their approval* by the local jurisdiction:

- (a) The adoption or approval of any amendment to a general or specific plan affecting the Commission's geographic area of concern as indicated in Paragraph 1 (Section 21676 (b)).
- (b) The adoption or approval of a zoning ordinance or building regulation which (1) affects the Commission's geographic area of concern as indicated in Paragraph 1 and (2) involves the types of airport impact concerns listed in Paragraph 2 (Section 21676 (b)).
- (c) Adoption or modification of the master plan for an existing public-use airport (Section 21676 (c)).
- (d) Any proposal for a new airport or heliport whether for public use or private use (Section 21661.5).

3. *Other Project Review* - State law empowers the Commission to review additional types of land use "actions, regulations, and permits" involving a question of airport/land use compatibility if either: (1) the Commission and the local agency agree that these types of individual projects shall be reviewed by the Commission (Section 21676.5 (b)); or (2) the Commission finds that a local agency has not revised its general plan or specific plan or overruled the Commission and the Commission requires that the individual projects be submitted for review (Section 21676.5 (a)). For the purposes of this plan, the specific types of "actions, regulations, and permits" which the Commission shall review include:

- a) Any proposed expansion of a city's sphere of influence within an airport's planning area.
- b) Any proposed residential planned unit development consisting of five or more dwelling units within an airport's planning area.
- c) Any request for variance from a local agency's height limitation ordinance.
- d) Any proposal for construction or alteration of a structure (including antennas) taller than 150 feet above the ground anywhere within the County.

- e) Any major capital improvements (e.g., water, sewer, or roads) that would promote urban development.
- f) Proposed land acquisition by a government entity (especially, acquisition of a school site).
- g) Building permit applications for projects having a valuation greater than \$500,000.
- h) Any other proposed land use action, as determined by the local planning agency, involving a question of compatibility with airport activities.

4. Review Process

1. *Timing of Project Submittal* - Proposed actions listed in Paragraph 3.1 must be submitted to the Commission for review prior to approval by the local government entity. All projects shall be referred to the Commission at the earliest reasonable point in time so that the Commission's review can be duly considered by the local jurisdiction prior to formalizing its actions. At the local government's discretion, submittal of a project for Airport Land Use Commission review can be done before, after, or concurrently with review by the local planning commission or other local advisory bodies.
2. *Commission Action Choices* - When reviewing a land use project proposal, the Airport Land Use Commission has a choice of either of two actions: (1) find the project *consistent* with the *Airport Land Use Compatibility Plan*; or, (2) find the project *inconsistent* with the Plan. In making a finding of inconsistency, the Commission may note the conditions under which the project would be consistent with the Plan. The Commission cannot, however, find a project consistent with the Plan subject to the inclusion of certain conditions in the project.

Table 2A
Compatibility Criteria

Imperial County Airport Land Use Compatibility Plan

Zone	Location	Impact Elements	Maximum Densities		Required Open Land ³
			Residential (du/ac) ¹	Other Uses (people/ac) ²	
A	Runway Protection Zone or within Building Restriction Line	<ul style="list-style-type: none"> High risk High noise levels 	0	10	All Remaining
B1	Approach/Departure Zone and Adjacent to Runway	<ul style="list-style-type: none"> Substantial risk - aircraft commonly below 400 ft. AGL or within 1,000 ft. of runway Substantial noise 	0.1	100	30%
B2	Extended Approach/Departure Zone	<ul style="list-style-type: none"> Significant risk - aircraft commonly below 800 ft. AGL Significant noise 	1	100	30%
C	Common Traffic Pattern	<ul style="list-style-type: none"> Limited risk - aircraft at or below 1,000 ft. AGL Frequent noise intrusion 	6	200	15%
D	Other Airport Environs	<ul style="list-style-type: none"> Negligible risk Potential for annoyance from overflights 	No Limit	No Limit	No Requirement

Zone	Additional Criteria		Examples	
	Prohibited Uses	Other Development Conditions	Normally Acceptable Uses ⁴	Uses Not Normally Acceptable
A	<ul style="list-style-type: none"> All structures except ones with location set by aeronautical function Assemblages of people Objects exceeding FAR Part 77 height limits Hazards to flight⁶ 	<ul style="list-style-type: none"> Dedication of avigation easement 	<ul style="list-style-type: none"> Aircraft tiedown apron Pastures, field crops, vineyards Automobile parking 	<ul style="list-style-type: none"> Heavy poles, signs, large trees, etc.
B1 and B2	<ul style="list-style-type: none"> Schools, day care centers, libraries Hospitals, nursing homes Highly noise-sensitive uses Above ground storage Storage of highly flammable materials Hazards to flight⁶ 	<ul style="list-style-type: none"> Locate structures maximum distance from extended runway centerline Minimum NLR⁷ of 25 dBA in residential and office buildings Dedication of avigation easement 	<ul style="list-style-type: none"> Uses in Zone A Any agricultural use except ones attracting bird flocks Warehousing, truck terminals Single-story offices 	<ul style="list-style-type: none"> Residential subdivisions Intensive retail uses Intensive manufacturing or food processing uses Multiple story offices Hotels and motels
C	<ul style="list-style-type: none"> Schools Hospitals, nursing homes Hazards to flight⁶ 	<ul style="list-style-type: none"> Dedication of overflight easement for residential uses 	<ul style="list-style-type: none"> Uses in Zone B Parks, playgrounds Low-intensity retail, offices, etc. Low-intensity manufacturing, food processing Two-story motels 	<ul style="list-style-type: none"> Large shopping malls Theaters, auditoriums Large sports stadiums Hi-rise office buildings
D	<ul style="list-style-type: none"> Hazards to flight⁶ 	<ul style="list-style-type: none"> Deed notice required for residential development 	<ul style="list-style-type: none"> All except ones hazardous to flight 	