



BOARD AGENDA FACT SHEET

CLERK USE ONLY
BOS ACTION

Planning & Development Services
Department /Agency

December 15, 2020
Requested Board Date

1. Request:

Board Approval	<input checked="" type="checkbox"/>	Information Only/Presentation	<input type="checkbox"/>
Other (specify) _____	<input type="checkbox"/>	Schedule Hearing	<input checked="" type="checkbox"/>
		Time: <u>11:00 a.m.</u>	

2. Requested Action: *Type requested action below*

The Imperial County Planning & Development Services Department respectfully requests the Board of Supervisors to conduct a public hearing to consider and take the following actions:

1. Adoption of the Resolution for approval of the Negative Declaration for Title 9 Land Use Ordinance Revisions to Divisions 4, 5, 8, 10, 12, 14 and 16; and
2. Adoption of the Resolution to Make the finding that the Title 9 Land Use Ordinance Revisions to Divisions 4, 5, 8, 10, 12, 14 and 16 are consistent with applicable zoning and building ordinance; and
3. Adoption of Ordinance that approves the Title 9 Land Use Ordinance Revisions to Divisions 4, 5, 8, 10, 12, 14 and 16.

3. Cost \$ 0 Source: N/A

4. If approval of Contract, reviewed/approved by County Counsel on: N/A

By: N/A Action Request # N/A
Assigned by County Counsel's Office

5. If approval of position allocation change, approved by Human Resources on: N/A

By: N/A

6. Electronic copy submittal date: 12/02/20 By: Carina A. Gomez, Admin, Secretary



Department Head/Agency Representative

INSTRUCTIONS: *Back-up must be submitted 11 BUSINESS days prior to requested date. Back-up submitted must contain an Original and 6 copies. Copies must be submitted double sided and three (3) hole punched. Back-up must be submitted in a PDF format to cobstaff@co.imperial.ca.us.*

CEO/CLERK USE ONLY:

DATE STAMP

BOARD DATE: _____

Action _____ Filing _____

Consent _____ Presentation _____

Hearing _____ CEO Approval _____

Other (specify) _____

CEO Date



Imperial County Planning & Development Services Planning / Building

Jim Minnick
DIRECTOR

TO: Board of Supervisors

December 15, 2020

FROM: Jim Minnick, Director of Planning & Dev. Ser.

SUBJECT: Title 9 Land Use Ordinance Revisions to Divisions 4, 5, 8, 10, 12, 14 and 16

Dear Board Members:

Please find attached, the revision amending Certain Codified Ordinances of the County of Imperial relating to Title 9, Land Use Ordinance, and the County Planning Commission Resolution No. 2020-0041, dated November 19, 2020 recommending approval of the Title 9 Land Use Ordinance Revisions to Divisions 4, 5, 8, 10, 12, 14 and 16, to keep the General Plan and Title 9 Ordinance current with recent State law and internally consistent.

REQUESTED ACTION:

The Imperial County Planning & Development Services respectfully requests the Board of Supervisors conduct a public hearing to consider:

1. Adoption of the Resolution for approval of the Negative Declaration for Title 9 Land Use Ordinance Revisions to Divisions 4, 5, 8, 10, 12, 14 and 16,; and
2. Adoption of the Resolution to Make the finding that the Title 9 Land Use Ordinance Revisions to Divisions 4, 5, 8, 10, 12, 14 and 16, are consistent with applicable zoning and building ordinance; and
3. Adoption of Ordinance that approves the Title 9 Land Use Ordinance Revisions to Divisions 4, 5, 8, 10, 12, 14 and 16,.

BACKGROUND:

The Imperial County Planning and Development Services (ICPDS) Department proposes to update its Title 9 Land Use Ordinance Divisions 4, 5, 8, 10, 12, 14 & 16, in a continuing effort to be consistent with recent changes in State Law and to make them internally consistent.

- **Division 4** (*Signs, Parking, Fence, Home Occupations, Accessory Dwelling Units and Cannabis & Industrial Hemp Operations*)
 - Add the Imperial Center Commercial Zone (IC CZ) to the list of sites/zones that allow the Cultivation of Cannabis as an allowed use.
 - Added Distribution and Testing under the C-2 Zone with a CUP
- **Division 5** (*Zoning Areas Established*)
 - Identifies revisions to various zones where “Special Occasion Facility” will be allowed with a Conditional Use Permit.
 - Tiny homes will be included in the list of allowed uses in all residential zones, to reflect consistency with State regulations.
 - Day Cares were revised to be listed as a permitted use and not CUP (in the R-2 zone).
 - Revisions were made to the Swimming Pool section.
 - Single Room Occupancy units were revised to be listed as permitted uses and not CUPs.
 - Added “Battery Storage Facility” under A-2 and A-3 CUP uses.
 - Added “Distribution and Testing” under the C-2 Zone with a CUP.
 - Added “Portable Restroom Facilities” under the M-1 CUP uses.
 - Minor Revisions made for consistency throughout Division 5.
- **Division 8** (*Subdivision*)
 - Changes are intended to reflect consistency with the Subdivision Map Act and are meant to correct inconsistencies within the Division itself.
 - Code sections have been reviewed and some have been changed to accurately reference State regulations.
- **Division 10** (*Building & Grading Regulations*)
 - Changes are intended to reflect reference to the 2019 Building Codes and to show consistency with the latest State codes regarding Title 25.
 - Additional text has been added regarding cargo containers and tiny homes, and information about the specifics of what and how those will be allowed is detailed.
 - Energy efficiency information has also been added per the latest State requirements.
- **Division 12** (*Mobile Home Parks Program*)
 - Added Chapter 2. Park Models and Recreational Vehicles Standards.
- **Division 14** (*Definitions/Clarifications*) *Ordinances*
 - Certain concepts have been added and/or clarified to provide guidance to potential developers.
- **Division 16** (*Flood Damage Prevention Regulation*)
 - Adding reference to latest editions regarding flood hazards.
- **Minor Revisions**
 - Minor Revisions include editorial changes, minor corrections in grammar or additional language to provide clarification.
 - Imperial County Division of Environmental Health replaced “Environmental Health Services” were applicable.

Land Use Analysis:

As previously mentioned, these revisions are being proposed to make the County's Title 9 Land Use Ordinance consistent with recent State and law and to make the Divisions internally consistent.

Environmental Review:

On October 29, 2020, the Environmental Evaluation Committee (EEC) determined that the proposed revisions to Title 9 Land Use Ordinance will not have a significant effect on the environment and recommended that a Negative Declaration (ND) be prepared. The EEC also made the De Minimus Finding that the project will not individually or cumulatively have an adverse effect on fish and wildlife resources, as defined in Section 711.2 of the Fish and Game Codes.

On October 30, 2020, a Notice of Intent to Adopt a Negative Declaration was filed with the Imperial County Clerk-Recorders and locally circulated from October 30, 2020 to November 18, 2020.