



Staff Report

Agenda Item No. D-1

To: City of Imperial Planning Commission

From: Yvonne Cordero, Planner

Date: October 16, 2025

Item: Variance 25-03 and Conditional Use Permit 25-06
Deviation from the Residential Property Development Standards for
Accessory Structures

Applicant:	Steve Cochran
Project Location:	221 W. 12th Street
Zoning:	R-1 Single-Family Residential
Environmental:	Categorically Exempt from CEQA per Section 15303, Class 3(e) - New Construction or Conversion of Small Structures
Recommendation:	Staff recommends Planning Commission approval of Variance 25-03 and Conditional Use Permit 25-06.

Background

Applicant Steve Cochran submitted an application for a Conditional Use Permit to allow an 18-foot accessory structure and a Variance request for the deviation of front and side yard setback requirements. The proposed structure is to be located within Old Imperial at 221 W. 12th Street. Due to the property's unique dimensions and configuration that deviate from the standard lot sizes defined in our Residential Zoning Code, the property is considered to have non-conforming characteristics, thus classified as a special

circumstance. The layout of the home was constructed to maximize lot utilization by positioning the primary dwelling to face 12th Street, resulting in the residence's side yard being situated facing G Street. The City of Imperial's Property Development Standards require a 10-foot street-side yard setback and a front yard setback of 20 feet.



Mr. Cochran's proposed accessory structure is intended to provide protection for his vehicles and recreational vehicle against our extreme heat conditions. Consistent with common developments in the vicinity of Old Imperial, Mr. Cochran seeks a formal approval for the deviation implementation, as numerous comparable accessory structures within the neighborhood exhibit non-conformities relative to established design standards. A survey conducted by staff identified four existing accessory structures within the same block that display similar non-compliance issues, along with several additional structures in the adjacent areas.

Land Use Analysis

The project site consists of approximately 7,300 square foot parcel situated within the R-1 Residential Zone of Old Imperial. The parcel is located at the northeastern intersection of 12th Street and G Street and, according to Imperial County property records, measures 50 feet by 145 feet. This contrasts with the standard lot dimensions, which typically measure 60 feet by 100 feet. The existing irregularities in lot dimensions and building footprints are acknowledged as legal non-conforming uses pursuant to current zoning ordinances.

The surrounding areas' zoning and land uses are as follows:

DIRECTION	ZONING	LAND USE
North	R-1 Single Family Residential	Residential
East	R-1 Single Family Residential	Residential
South	R-1 Single Family Residential	Residential
West	R-1 Single Family Residential	Residential

Project Location

The R-1 Residential Single Family Zone is intended as an area for single-family residential development on minimum lot sizes of 6,000 square feet and maximum densities of 6 units per net acre. Additional uses are permitted that are complementary to, and can exist in harmony within a single-family residential neighborhood. Accessory uses, such as accessory structures, located on the same site are a permitted use within the R-1 zone.



Required Findings for Variance 25-03:

In order to approve Variance 25-03, the Planning Commission is required to review six findings per Section 24.19.400 of the City of Imperial’s Zoning Ordinance. The findings are listed below, along with the reasons why staff considers that the findings are or are not met in this case. These findings are:

1. **There are special circumstances, such as size topography, location or surroundings applicable to the property or the intended use of the property, and because of this, the strict application of the Zoning Ordinance deprives the property of privileges enjoyed by other properties in the vicinity under identical zoning classification.**

A special circumstance applies to the subject property due to its unique dimensions and configuration, which deviate from standard lot sizes as defined by local zoning codes. The property is situated at the northeast corner of 12th Street and G Street, with dimensions of 50 by 145 feet, whereas the typical lot size in this area is 60 by 100 feet. Many residences in Old Imperial, including this one, feature non-conforming attributes, such as irregular lot dimensions or building placements, that are recognized as legal non-conforming uses under current zoning regulations.

The layout of the home was constructed to maximize lot utilization, positioning the primary structure facing 12th Street, which is consistent with site planning that considers setbacks, easements, and buildable area. Mr. Cochran's property is designated as having special circumstances because the side yard facing G Street is narrower than standard, and the front yard along 12th Street exceeds typical lot length restrictions. These elements may qualify the property for Variances, subject to review to accommodate existing conditions while maintaining zoning compliance.

2. The granting of the variance or its modification is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity and zone and denied to the property for which the Variance is sought.

The granting of the Variance and the Conditional Use Permit is necessary for Mr. Cochran's right to enjoy the functions of the proposed accessory structure for the storage of his vehicles and recreational vehicle, a property right possessed by other property owners in the same vicinity and zone with accessory structures with equivalent deviation features.

3. That granting the Variance or its modification will not be materially detrimental to the public health, safety or welfare, or injurious to the property or improvements in such vicinity and zone in which the property is located.

The applicant has submitted building plans that confirm the accessory structure will be structurally sound and will not be materially detrimental to public health, safety, or welfare. Additionally, if approved, the project will be further reviewed by our Building Division to ensure the structure will not be injurious to the applicant's property and the surrounding properties. The Imperial County Fire Department and the Imperial Police Department have reviewed the project and have determined that the project will not obstruct traffic.

4. The Variance will not constitute a privilege inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated.

Variance approval will not grant a privilege that conflicts with nearby properties. This process is governed by local zoning laws and regulations, which aim to maintain the character, safety, and compatibility of the community. Many existing homes in Old Imperial, including four accessory structures in the applicant's neighborhood on G Street, as well as surrounding properties to the East and West, have accessory structures that do not meet the current standards outlined in the Residential Zone's Property Development Standards. These standards typically specify criteria such as setback requirements, height restrictions, lot coverage limits, and design consistency to ensure that new developments are harmonious with existing structures and community layouts. Variance approval thus involves a meticulous review process where the Planning Department evaluates whether the requested deviation from standard codes is justified based on reasons such as unique site conditions or hardship, while ensuring that such deviations will not adversely affect neighboring properties or violate the intent of the zoning regulations.

5. The granting of this Variance does not allow a use or activity which is not otherwise expressly authorized by the zoning regulation governing the parcel of property.

The subject property is zoned **Residential Single Family (R-1)**, where accessory structures are a permitted use, and those exceeding twelve (12) feet in height are conditionally permitted. The approval of Variance 25-03 allows only deviations from front and side yard setback standards and does not authorize any use not otherwise permitted by the R-1 Zone or the City's Zoning Ordinance.

6. That granting the Variance or its modification will not be incompatible with the City of Imperial General Plan.

The approval of Variance 25-03 or its modification will not be incompatible with the strategic objectives and land use policies outlined in The City of Imperial's General Plan.

Required Findings for Conditional Use Permit 25-06:

The Zoning Ordinance provides flexibility in the regulation of uses to ensure that unusual characteristics of certain uses are properly addressed in furtherance of the Imperial Zoning Ordinance. Section 24.19.340 of the City of Imperial Zoning Ordinance requires that the Commission make specific findings be made when reviewing a Conditional Use Permit. The required findings are listed below in ***bold italics***, followed by an evaluation:

- a) ***That the proposed location, size, design, and operating characteristics of the proposed use is in accord with the Title and Purpose of this Ordinance, the Purpose of the zone in which the site is located, the Imperial General Plan, and the development policies and standard of the City.***

The subject site is situated within the R-1 Single-Family Residential zoning district, designated for detached single-family dwelling units. Incidental uses, including accessory structures that are auxiliary and compatible with the residential character of the neighborhood, are permitted within this zoning classification.

- b) ***That the location, size, design, and operating characteristics of the proposed use will be compatible with and will not adversely affect or be materially detrimental to adjacent uses, residents, buildings, structures, or natural resources with consideration given to those items listed in Section 24.19.340.B of the Imperial Zoning Ordinance.***

The proposed accessory structure's location, dimensions, and design are congruent with existing development standards and will not adversely impact or cause material detriment to neighboring properties, residents, structures, or natural resources. The operational characteristics pertinent to vehicle and RV storage will not impose nuisance or adverse effects on the subject residence or adjacent residential properties.

- c) ***That the proposed location, size, design, and operating characteristics of the proposed use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.***

Under the approved Conditions of Approval, the proposed project is not anticipated to pose a risk to public health, safety, or welfare of residents in the immediate vicinity of the project site. Upon the conditional approval of Conditional Use Permit 25-06, the City of Imperial's Building Division will execute the building permit review

process to verify structural integrity and compliance with the applicable California Building Codes adopted by the City.

d) That the proposed Conditional Use will comply with each of the applicable provisions of the Zoning Ordinance, except for any approved Variance.

The proposed accessory structure conforms to all applicable provisions of the City of Imperial's Zoning Ordinance. The issuance of Conditional Use Permit 25-06 will authorize the extension of the structure's height to eighteen feet, exceeding the maximum allowable height of twelve feet established in the Property Development Standards. Additionally, a Variance is being sought concurrently with the Conditional Use Permit to deviations from the prescribed side and front yard setback requirements.

CEQA Analysis:

1. No significant environmental impact:

The accessory structure will not result in significant environmental effects. No sensitive environmental resources, such as wetlands or endangered species habitats, are present at or near the location.

2. Land Use Consistency:

The existing project is located within the (R-1) Single Family Residential Zone which allows for accessory structures and is consistent with and aligns with the surrounding R-1 land use policies and zoning regulations.

3. Adequate Infrastructure:

The project will not result in an increase in population or demand for public services that would exceed the capacity of public utilities.

4. Traffic and Parking Considerations:

The accessory structure of a private residence does not present a significant impact on traffic generation. Any potential traffic or parking concerns are to be addressed through compliance with local traffic ordinances and regulations. The IC Fire Department and Imperial PD have determined that the project is safe and will not obstruct traffic.

Environmental Compliance & Noticing Requirements:

The project qualifies for an exemption under CEQA Guidelines Section 15303, Class 3(e)-New Construction or Conversion of Small Structures. The conversion of existing small structures from one use to another where only minor modifications are made to the exterior of the structure. Examples of this exemption include but are not limited to (e) accessory structures including garages, carports, patios, swimming pools, and fences.

The public hearing scheduled for October 22, 2025, was duly noticed in the Holtville Tribune and Calexico Chronicle, a newspaper of general circulation on October 9, 2025. A Notice of Public Hearing was sent to all property owners within 300 feet of the property.

Staff Recommendation:

Staff recommends the Planning Commission conduct a public hearing to receive comments for and against the project. Incorporating the recommended conditions of approval, the project as proposed is compatible with the surrounding area and consistent with the General Plan. Unless sufficient evidence to the contrary is presented at the public hearing, staff recommends that the Planning Commission **APPROVES** Variance 25-03 to allow the deviation of the required front and street side yard setbacks defined in the City of Imperial's Property Development Standards and Conditional Use Permit 25-06 to allow the existing accessory structure with a height that exceeds the City of Imperial's Property Development Standards.

Attachment

- Attachment A - *DRAFT* Resolution PC2025-15 with Conditions of Approval

Respectfully submitted,



Othon Mora, MCM, CBO
Community Development Director