

STAFF REPORT
Planning Commission Meeting
November 13, 2024
Lot Merger (MERG) #00162

Applicant: **Courtney Ludwin**
 30 W Imperial Hwy
 Ocotillo, CA 92259

Project Location:

The proposed project site consists of three (3) lots located at 30 W. Imperial Hwy, Ocotillo, CA 92259; and further identified as Assessor's Parcel Number(s) 033-321-006-000, 033-321-007-000 and 033-321-008-000; legally described as Lots 24, 23, and 22, from Block 6 Ocotillo Unit No. 3, Tract 539. FM 6 12, respectively, in an unincorporated area of the County of Imperial, State of California.

Project Summary:

The applicant proposes a merger between three (3) continuous lots identified under Assessor's Parcel Number(s) 033-321-006-000, 033-321-007-000 and 033-321-008-000 to create a single and larger lot. This proposed lot merger is intended for the future construction of one (1) residential unit.

Water and sewer services for the newly merged lot will be provided through the existing water service from Ocotillo Mutual Water Company, along with a proposed new septic system. Physical access to the proposed merged lot would continue to be via Imperial Hwy.

Existing Parcels:

- "Parcel A" (033-321-006) – ±600 Sq. Ft.
- "Parcel B" (033-321-007) – ±600 Sq. Ft.
- "Parcel C" (033-321-008) – ±600 Sq. Ft.

Total: ± 18,000 SF (± 0.41 Acres)

Proposed Merged Parcel Size:

- Parcel A+B+C= ± 0.41 Acres

County Ordinance:

Lot Merger (MERG) #00162 is consistent with the Imperial County Land Use Ordinance Title 9, Division 8 (Subdivision Ordinance), Section 90808.00 "Lot Mergers Initiated by Property Owner".

Land Use Analysis:

Under the Imperial County General Plan, the land use designation for the three parcels is Community "Ocotillo / Nomirage Community Area Plan" and the zoning is R-1 (Low Density Residential Zone) per Zoning Map #59 of the Imperial County Title 9 Land Use Ordinance. The proposed project is consistent with the County's General Plan and zoning ordinances.

Surrounding Land Uses, Zoning and General Plan Designations:

DIRECTION	CURRENT LAND USE	ZONING	GENERAL PLAN
Project Site	Residential	R-1 (Low Density Residential Zone)	Ocotillo Nomirage Community Area Plan
North	Vacant	R-1-L-5 (Low Density Residential, Lot size minimum 5 Acre Zone)	Ocotillo Nomirage Community Area Plan
South	Residential	R-1 (Low Density Residential Zone)	Ocotillo Nomirage Community Area Plan
East	Residential	R-1 (Low Density Residential Zone)	Ocotillo Nomirage Community Area Plan
West	Residential	R-1 (Low Density Residential Zone)	Ocotillo Nomirage Community Area Plan

Environmental Determination:

After review of the CEQA Guidelines, it has been determined that Lot Merger #00162 is categorically exempt from CEQA per Article 19, Section 15305, Class 5 (minor alterations to land use limitations); therefore, no further environmental documentation is required by State Law.

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 Lot Merger (MERC) #00162 is categorically exempt from CEQA per Article 19, Section 15305 (Minor Alterations in Land Use Limitations) and that no further environmental documentation is necessary; and,
2. Find that Lot Merger (MERC) #00162 is consistent with applicable Zoning and Building Ordinances; and,
3. Approve Lot Merger (MERC) #00162, subject to the attached conditions.

PREPARED BY: Rocio Yee, Planner II
Planning & Development Services



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



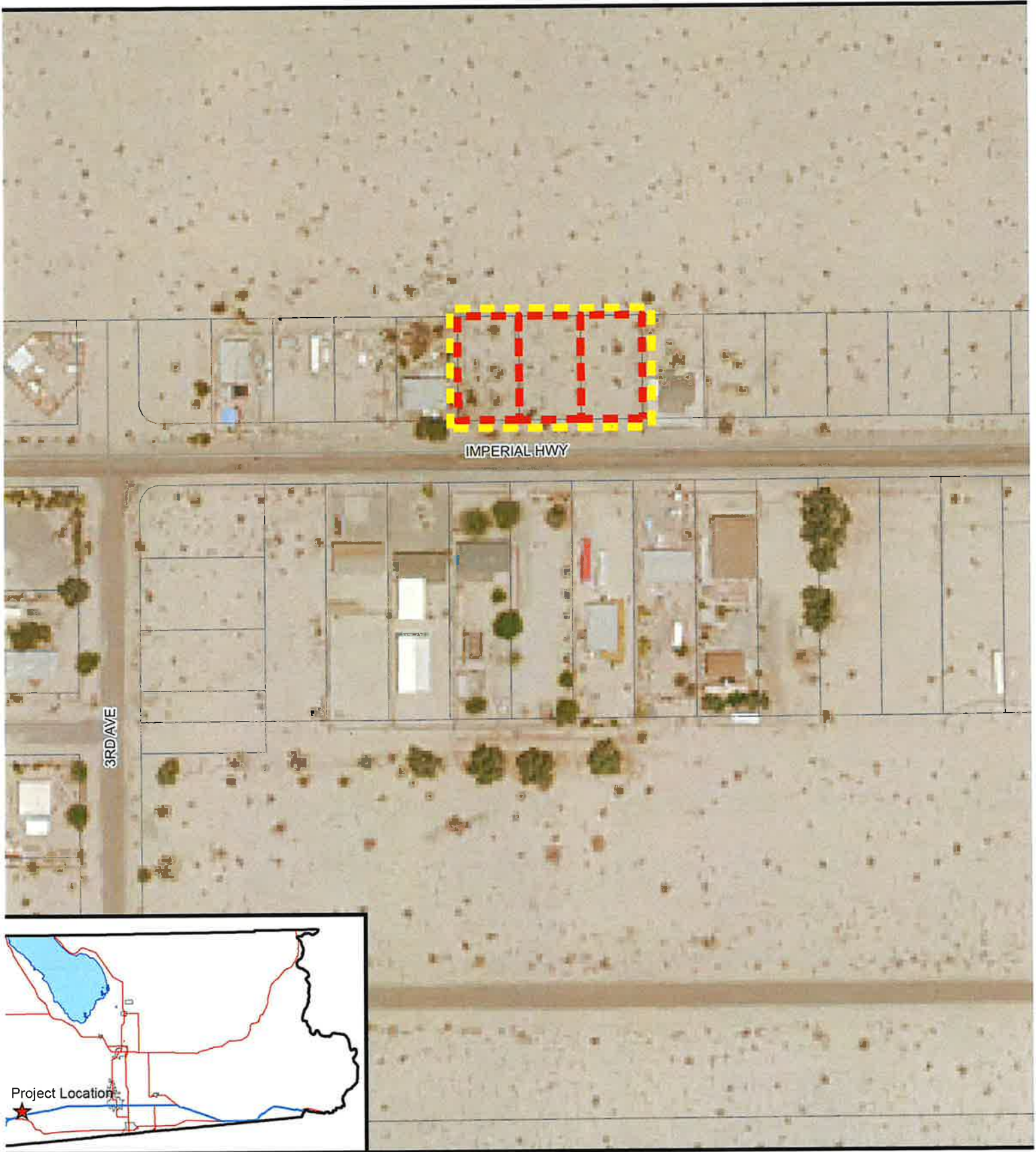
APPROVED BY: Jim Minnick, Director of
Planning & Development Services






- ATTACHMENTS:**
- A. Vicinity Map
 - B. Site Plan
 - C. PC Resolution & Findings
 - D. Conditions of Approval
 - E. Application & Supporting Documentation
 - F. Comment Letters

ATTACHMENT "A"
VICINITY MAP

PROJECT LOCATION MAP



COURTNEY LUDWIN
MERG #00162
APN 033-321-006, -007 AND -008-000

-  Proposed Parcel
-  Current Parcels
-  Centerline
-  Parcels



ATTACHMENT "B"
SITE PLAN

EXHIBIT 1

LEGEND INFORMATION

- PROPERTY LINE
- - - - - LOT LINES TO MERGE



SCALE: 1"=30'



DATE: 07.09.24



PROJECT DESCRIPTION:

LOT MERGER PLAT - LOTS 22, 23 & 24 OF FM 6-11

DRAWING DESCRIPTION: LOCATION OF THREE LOTS TO MERGE

CLIENT / LOCATION: OCOTILLO, IMPERIAL COUNTY

SHEET: **EXHIBIT 1**

2/3

DATE: JA 07.09.24

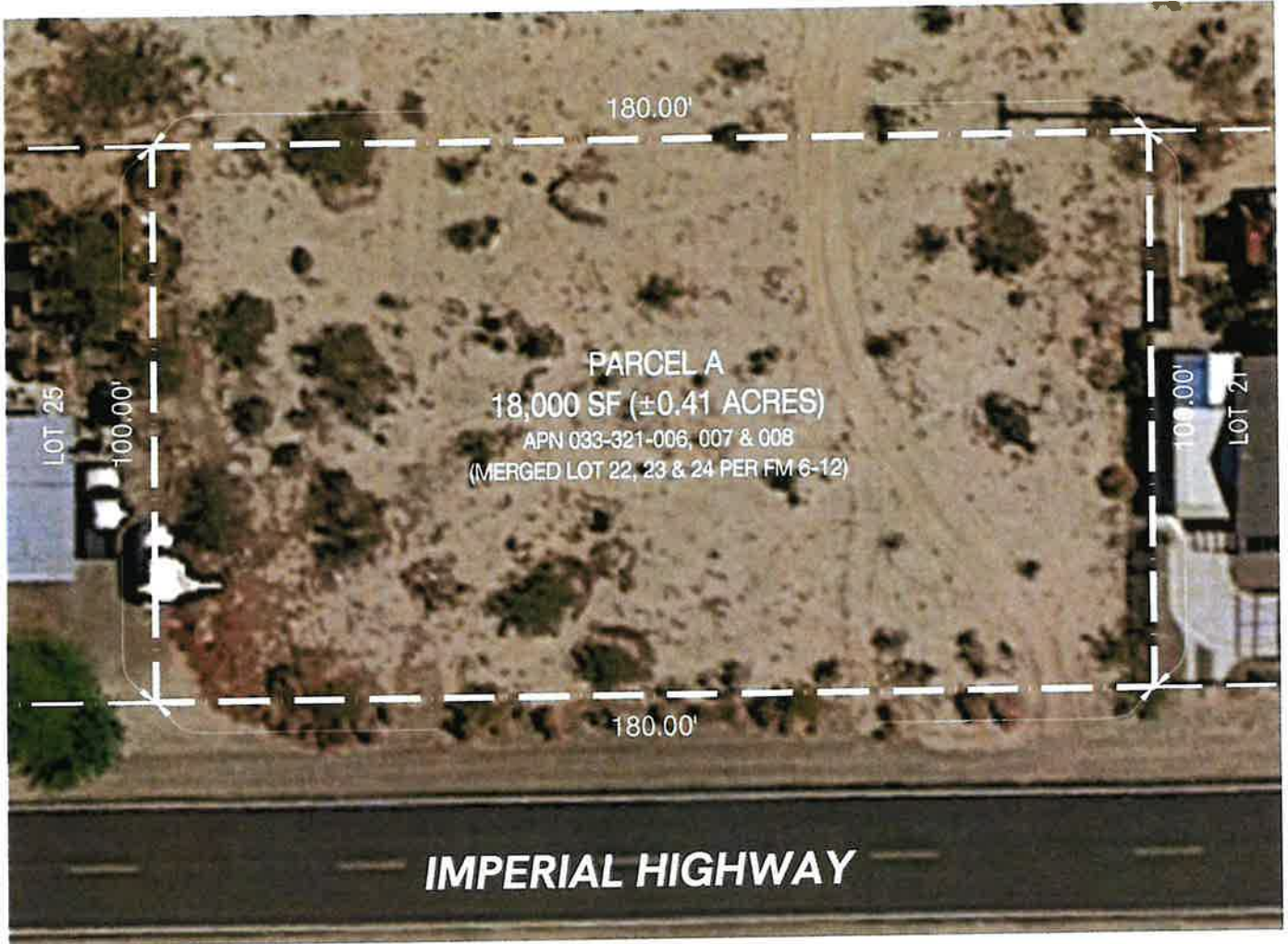
EXHIBIT 1

LEGEND INFORMATION

- · · · — PROPERTY LINE
- - - - - LOT LINES TO MERGE



SCALE: 1"=30'



DATE: 07.09.24



PROJECT DESCRIPTION:
LOT MERGER PLAT - LOTS 22, 23 & 24 OF FM 6-11

DRAWING DESCRIPTION: LOCATION OF THREE LOTS TO MERGE - PER FM 6-11

CLIENT / LOCATION: OCOTILLO, IMPERIAL COUNTY

SHEET: **EXHIBIT 1**
3/3
DATE: JA 07.09.24

ATTACHMENT "C"
PLANNING COMMISSION
RESOLUTIONS

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE COUNTY OF IMPERIAL, CALIFORNIA, APPROVING “LOT MERGER #00162” FOR COURTNEY LUDWIN.

WHEREAS, Courtney Ludwin submitted an application for Lot Merger #00162 to combine three (3) lots to create a larger lot for the future construction of one (1) residential unit; and,

WHEREAS, the project is exempt from the California Environmental Quality Act (CEQA), per Government Code 15305; and,

WHEREAS, public notice of said application 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 November 13, 2024; 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 Lot Merger prior to approval. The Planning Commission finds and determines that the Lot Merger is adequately prepared in accordance with the requirements of the Imperial County General Plan, Land Use Ordinance, Subdivision Map Act, and California Environmental Quality Act (which assesses 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 the Lot Merger #00162 have been made as follows:

A. Are the lots or parcels contiguous?

The three (3) parcels are contiguous, and the proposed lot merger is consistent with the Subdivision Map Act and the County of Imperial Land Use Ordinance Title 9, Division 8 – Subdivision Ordinance, Section 90808.00.

B. The lot merger conforms to State Law and County Ordinance.

MERG #00162 is zoned as R-1 (Low Density Residential Zone) per the Ocotillo / Nomirage Community Area Plan under the Imperial County Land Use Ordinance Title 9 and conforms to both State Law and County of Imperial Ordinance.

- C. The lot merger is between lots or parcels that were created by a parcel or tract map consistent with the Subdivision Map Act and County Ordinance in effect at the time they were created.**

The lots are consistent with the Subdivision Map Act and County Ordinance. All three (3) subject lots were created through Final Map (FM) #6-12 – Tract Map #539, Lots 24, 23 & 22 of Block 6.

- D. The lots or parcels are not separated or affected by any easement, right-of-way, road, alley or canal (including public utility easements).**

The three (3) parcels are contiguous, and the proposed merger is consistent with the Subdivision Map Act and the County of Imperial Land Use Ordinance Title 9, Division 8 – Subdivision Ordinance, Section 90808.00 and will not result in any potential project-related or cumulative easement, right-of-way, road, alley, or canal impacts.

- E. The parcel as merged will not be deprived access as a result of the merger.**

The project will not result in depriving access to any easement, right-of-way, road, alley, or canal (including private easements). The purpose of this comprehensive lot merger is to combine three (3) continuous lots to create a single and larger lot. This newly consolidated lot is intended for a future construction of one (1) Residential Unit.

- F. Access to the adjoining parcels will not be restricted by the merger.**

Access to the adjoining lots will not be restricted by the lot merger. If approved, the newly merged parcel will continue to have access via Imperial Highway.

- G. The parcels, as merged, will not conflict with the location of any existing structures on the property.**

The lot merger does not conflict with the location of any existing structures on the property, as the lots in question are currently vacant.

- H. No new lots are created through the merger.**

The merger will not create new lots. The three (3) commercial parcels will be combined to create a larger one for a future construction of one (1) Residential Unit.

NOW, THEREFORE, based on the above findings, the Imperial County Planning Commission **DOES HEREBY APPROVE** Lot Merger #00162, subject to the attached 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 **November 13, 2024**, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

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

ATTACHMENT "D"
CONDITIONS OF APPROVAL

CONDITIONS OF APPROVAL

LOT MERGER (MERG) #00162

APN(s) # 033-321-006, 033-321-007 and 033-321-008-000

NOTICE TO APPLICANT!

The above-referenced Lot Merger, upon approval by the County, shall be subject to all of the following conditions, which may include modification or rescission, in whole or in part, by the PLANNING DIRECTOR, PLANNING COMMISSION and/or BOARD OF SUPERVISORS from the conditions recommended by staff. In the event any conditions are deferred the APPLICANT or any subsequent owner(s), shall comply with all of the CONDITIONS specified herein, whether at the time of recordation of the Map/Legal Descriptions or prior to any development permits. It is the obligation of the property owner (current or future) to comply with these conditions; hereinafter the term "applicant" shall mean the current and future owners. If approved, this project having been reviewed for compliance with the General Plan, the Subdivision Map Act and County Land Use Ordinance, the applicant shall comply with all of the requirements of said documents whether specified herein or not.

GENERAL CONDITIONS:

[General Conditions may be either advisory or mandatory depending on the condition. These conditions appear on all lot mergers as generic conditions; however they are as important as the Site Specific Conditions. The Planning Director established these conditions to be consistent, to be informative, and to cover a broad range of generic requirements and notices. The term applicant(s) shall mean the current and future owner(s) of record.]

Unless expressly deferred in these conditions all conditions are to be satisfied prior to recordation of the lot merger.

1. The applicant shall pay any and all amounts as determined by the County to defray all costs for the review of reports, field investigations, or other activities related to compliance with this permit/approval, County Ordinances, and/or any other laws that apply to this Lot Merger.
2. The applicant shall comply with all local, state and/or federal laws, rules, regulations, and/or standards as they may pertain to this project, whether specified herein or not.
3. As a condition of this Lot Merger, the applicant agrees to defend, indemnify, hold harmless, and release the County, its agents, officers, attorneys, and employees from any claim, action, or proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the lot merger or adoption of the environmental document which accompanies it. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorney's fees, or

expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the approval of this Lot Merger, whether or not there is concurrent, passive or active negligence on the part of the County, its agents, officers, attorneys, or employees.

4. Each parcel created or affected by this merger shall abut a maintained road and/or have legal and physical access to a public road before this Lot Merger is recorded.
5. Applicant shall provide water and sewer to Federal, State and County standards. Water and sewer systems shall be approved by the Environmental Health Services and the Planning & Development Services Department upon further development.
6. The applicant shall comply with all County Fire Department regulations, rules and standards and shall meet all Fire Department requirements necessary to attain compliance upon further development. Any physical improvements required by the Fire Department shall be inspected and approved prior to a building permit being issued by the Planning & Development Services Building Department.
7. All applicable plans, reports, and studies shall be reviewed and approved by the respective responsible agencies when further development occurs for constructing or installing any site improvements and the installation of future improvements shall be reviewed, inspected, and approved by the respective responsible agency.
8. Applicant shall provide a full legal description acceptable to the Planning & Development Services Department, for review and approval by the County Department of Public Works. The legal description shall be prepared, signed and stamped along with closure sheets by a California Licensed Land Surveyor or a California Registered Civil Engineer licensed to practice in the category of work performed. The legal description shall be typed on plain bond paper (8 ½" x11"). Letterhead is not acceptable.
9. Applicant shall obtain a **Tax Certificate** from the Tax Collector.
10. Applicant shall pay all applicable fees for the recordation of the **Certificate of Compliance and the Tax Certificate**.

SITE SPECIFIC CONDITIONS:

1. Provide a Lot Merger prepared by a California-licensed Land Surveyor or Civil Engineer and submit to the Department of Public Works, for review and recordation. The Engineer must be licensed in the category required by the California Business & Professions Code.
2. Provide tax certificated from the Tax Collector's Office prior to recordation of the Lot Merger.

3. The legal description and plat shall be prepared by a California Licensed Land Surveyor and submitted to the Imperial County Department of Public Works for review and approval.¹
4. The lot merger shall be reflected in a deed, which shall be recorded.¹
5. Electrical capacity is limited in the project area. A circuit study may be required. Any system improvements or mitigation identified in the circuit study to enable the provision of electrical service to the project shall be the financial responsibility of the applicant.²
6. Applicant shall provide a surveyed legal description, and an associated exhibit certified by a licensed surveyor for all rights of way deemed by IID as necessary to accommodate the project electrical infrastructure. Rights-of-Way and easements shall be in a form acceptable to and at no cost to IID for installation, operation, and maintenance of all electrical facilities.²
7. The applicant will be required to provide rights of ways and easements for any proposed power line extensions and/or any other infrastructure needed to serve the project as well as the necessary access to allow for continued operation and maintenance of any IID facilities located on adjoining properties.²
8. The applicant will be required to bear all costs associated with acquisition of land, rights of way, easements, and the relocation and/or realignment of IID infrastructure deemed necessary to accommodate the project. Any street or road improvements imposed by the local governing authority shall also be at the project proponent cost.²
9. Public utility easements over all private public roads and additional ten (10) feet in width on both side of the private and public roads shall be dedicated to IID for the construction, operation, and maintenance of its electrical infrastructure.²
10. The Air District reminds the applicant that the project and all future developments must comply with all Air District Rules & Regulations and would emphasize Regulation VIII- Fugitive Dust Rules, a collection of rules designed to maintain fugitive dust emissions below 20% visual opacity.³
11. The Air District request a copy of the finalized map for its records.³

1- Imperial County Department of Public Works comment letter dated September 17, 2024.

2- Imperial Irrigation District comment letter dated September 19, 2024.

3- Imperial County Air Pollution Control District comment letter dated September 20, 2024.

ATTACHMENT "E"
APPLICANT SUBMITTAL

LOT MERGER

I.C. PLANNING & DEVELOPMENT SERVICES DEPT
801 Main Street, El Centro, CA 92243 (442) 265-1736

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

1. PROPERTY OWNER'S NAME <u>Courtney Ludwin</u>		EMAIL ADDRESS <u>cludwin@gmail.com</u>	
2. MAILING ADDRESS <u>1260 Law Street, San Diego, CA</u>		ZIP CODE <u>92109</u>	PHONE NUMBER <u>1-858-366-2324</u>
3. ENGINEER'S NAME <u>Jose C. Romero * Pro Terra</u>		CAL. LICENSE NO. <u>PLS 7,671</u>	EMAIL ADDRESS <u>jcrproterraus@gmail.com</u>
4. MAILING ADDRESS <u>444 South 8th Street - Suite B4, El Centro, CA</u>		ZIP CODE <u>92243</u>	PHONE NUMBER <u>760-235-5185</u>
5. PROPERTY "A" (site) ADDRESS <u>30 W. Imperial Highway, Ocotillo CA 92559</u>		LOCATION <u>310 FT East from the NE Corner 3rd Avenue & Imperial HWY</u>	
6. PROPERTY "A" ASSESSOR'S PARCEL NO (s) <u>Lot A= 033-321-006 + Lot B= 033-321-007 + Lot C = 033-321-008</u>		SIZE OF PROPERTY (in acres or square foot) <u>60' x 100' = 6,000 SF each of the 3 Lots to be merged</u>	
7. EXISTING USE <u>Three (3) Empty Lots</u>			CURRENT ZONE <u>R1</u>
8. PROPERTY "A" LEGAL DESCRIPTION (attach separate sheet if necessary) <u>Lot 24 + Lot 23 + Lot 22 of Block 6 Ocotillo Unit No. 3 Tract 539 FM 6-11</u> <i>JCR</i>			
9. PROPERTY "B" (site) ADDRESS <u>See Item 5</u>		LOCATION <u>Same as Item 5</u>	
10. PROPERTY "B" ASSESSOR'S PARCEL NO.(s) <u>See Item 6</u>		SIZE OF PROPERTY (in acres or square foot) <u>Same as Item 5</u>	
11. EXISTING USE <u>See Item 7</u>			CURRENT ZONE
12. PROPERTY "B" LEGAL DESCRIPTION (attach separate sheet if necessary) <u>See Item 8</u>			
13. EXPLAIN PURPOSE/REASON FOR LOT MERGER <u>Construction of One (1) New Residential Unit</u>			
14. PROPOSED MERGED PARCEL SIZE <u>18,000 SF (0.41 Acres)</u>		PROPOSED USE <u>Single Family Residential</u>	

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

15. DESCRIBE PROPOSED SEWER SYSTEM(s)	<u>New Sewage Septic System</u>
16. DESCRIBE PROPOSED WATER SYSTEM	<u>New Water Service Lareral from the Ocotillo Mutual Water Company</u>
17. DESCRIBE PROPOSED ACCESS TO MERGED PARCEL	<u>New Driveway from -to the existing Imperial Highway</u>
18. IS THIS PARCEL PLANNED TO BE ANNEXED? <input type="checkbox"/> Yes <input type="checkbox"/> No	IF YES, TO WHAT CITY or DISTRICT?

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

Courtney Ludwin 7/28/24
Print Name (owner) Date

[Signature]
Signature (owner)

Print Name (Agent) Date

Signature (Agent)

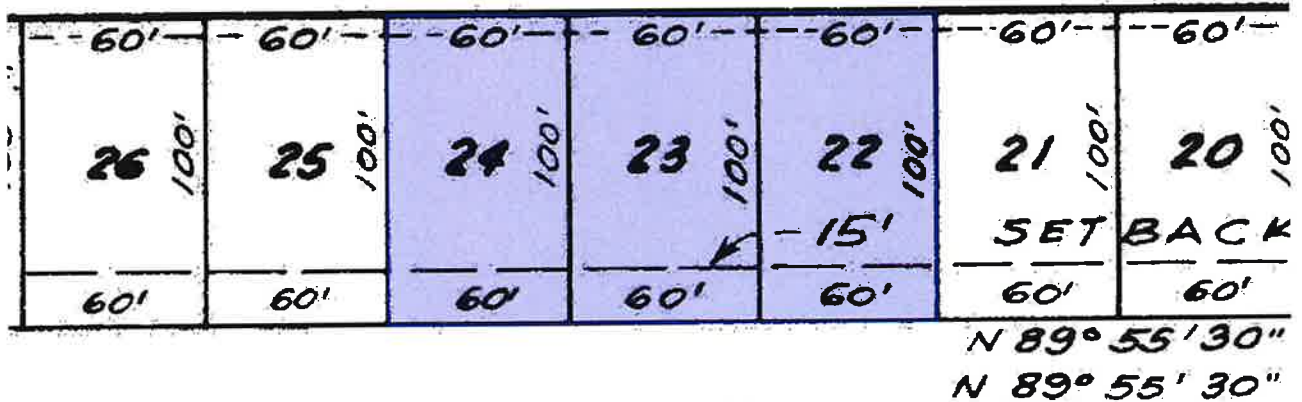
An owners notarized affidavit is required if application is signed by Agent

REQUIRED SUPPORT DOCUMENTS

- A. SITE PLAN Attached Assessor's Plat & GIS Images
- B. PROPOSED LEGAL DESCRIPTION EXHIBIT A&B
- C. PRELIMINARY TITLE REPORT (6 months or newer) Attached
- D. FEE \$4,500 Check (a)
- E. OTHER Planning Forms + Submittal Letter

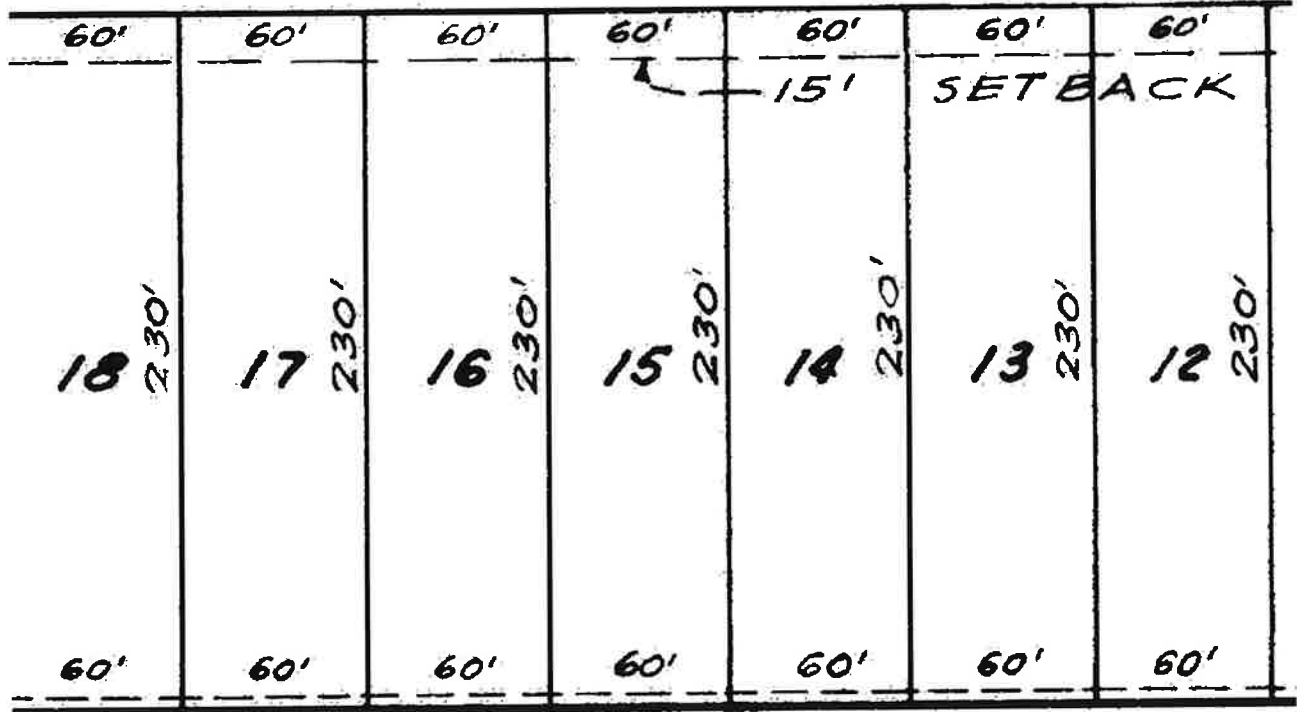
APPLICATION RECEIVED BY: _____	DATE _____	REVIEW / APPROVAL BY OTHER DEPT'S required
APPLICATION DEEMED COMPLETE BY: _____	DATE _____	<input type="checkbox"/> P W
APPLICATION REJECTED BY: _____	DATE _____	<input type="checkbox"/> E H S
TENTATIVE HEARING BY: _____	DATE _____	<input type="checkbox"/> A P C D
FINAL ACTION: <input type="checkbox"/> APPROVED <input type="checkbox"/> DENIED	DATE _____	<input type="checkbox"/> O E S
		<input type="checkbox"/> _____
		<input type="checkbox"/> _____

MERG#



IMPERIAL HIGHWAY

N 89° 55' 30"



SCALE: 1"=60'

EXHIBIT 1

LEGEND INFORMATION

- PROPERTY LINE
- - - LOT LINES TO MERGE



SCALE: 1"=30'



DATE: 07.09.24



PROJECT DESCRIPTION: **LOT MERGER PLAT - LOTS 22, 23 & 24 OF FM 6-11**

DRAWING DESCRIPTION: LOCATION OF THREE LOTS TO MERGE

CLIENT / LOCATION: OCOTILLO, IMPERIAL COUNTY

SHEET: **EXHIBIT 1**

2/3

DATE: JA 07.09.24

EXHIBIT 1

LEGEND INFORMATION

- PROPERTY LINE
- - - LOT LINES TO MERGE



SCALE: 1"=30'



DATE: 07.09.24



PROJECT DESCRIPTION:
LOT MERGER PLAT - LOTS 22, 23 & 24 OF FM 6-11

DRAWING DESCRIPTION: LOCATION OF THREE LOTS TO MERGE - PER FM 6-11

CLIENT / LOCATION: OCOTILLO, IMPERIAL COUNTY

SHEET: **EXHIBIT 1**
3/3
DATE: JA 07.09.24

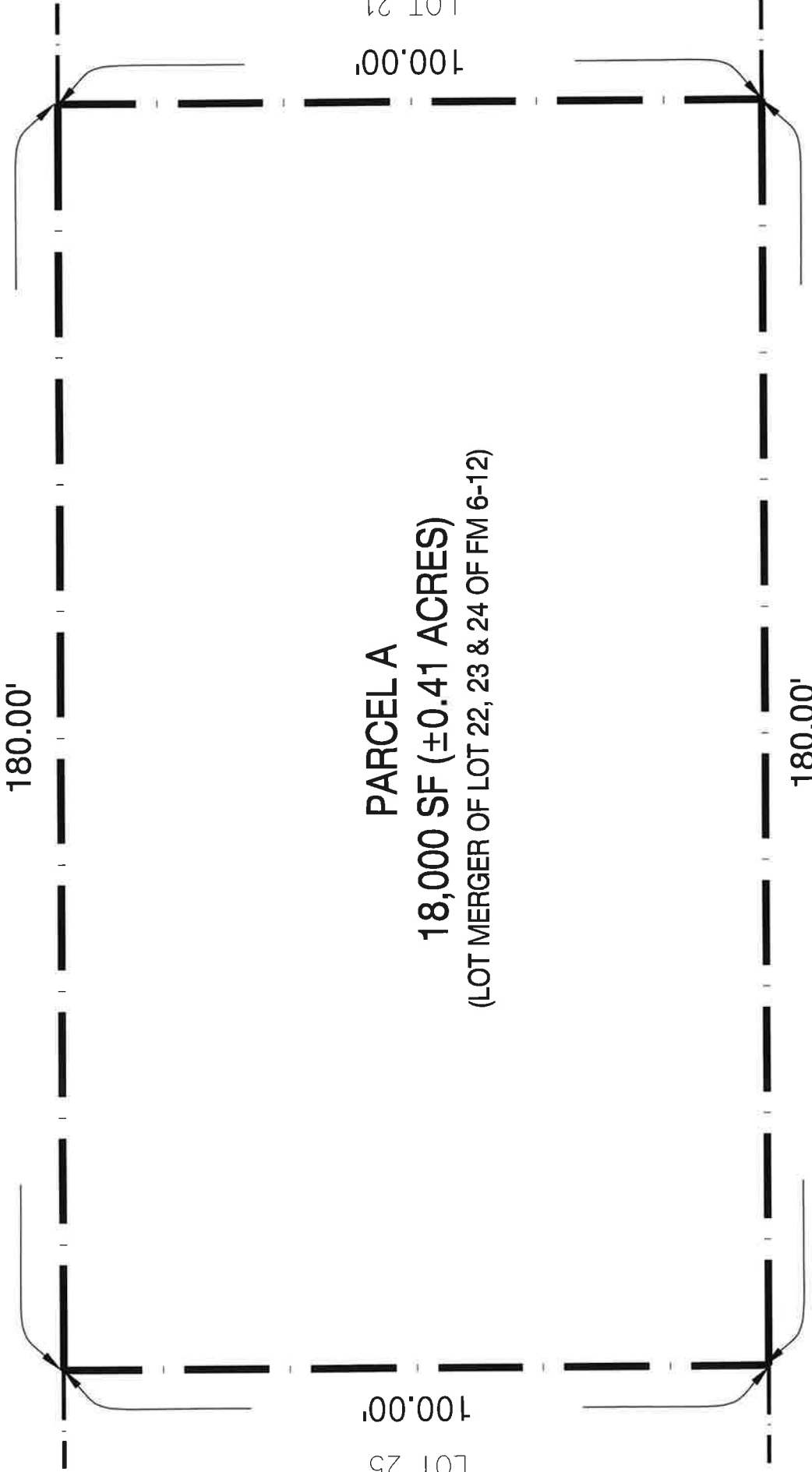
EXHIBIT "A"
LOT MERGER NO. _____
LEGAL DESCRIPTION

THIS LOT MERGER CONSISTS OF THE MERGING OF LOTS 22, 23 AND 24 OF TRACT NO.539 – OCOTILLO UNIT 3, IN AN UNINCORPORATED TERRITORY OF IMPERIAL COUNTY, STATE OF CALIFORNIA, ACCORDING TO THE MAP ON FILE IN BOOK 6, PAGE 11 OF FINAL MAPS IN THE IMPERIAL COUNTY RECORDER'S OFFICE.

THE TOTAL AREA OF THIS LOT MERGER OF 0.41 ACRES, MORE OR LESS, IS AS SHOWN ON EXHIBIT "B" ATTACHED HERETO.



EXHIBIT B



DATE: 07.09.24

SCALE: 1"=20'
N

IMPERIAL COUNTY PLANNING & DEVELOPMENT SERVICES GENERAL INDEMNIFICATION AGREEMENT


As part of this application, applicant and real party in interest, if different, agree to defend, indemnify, hold harmless, and release the County of Imperial ("County"), its agents, officers, attorneys, and employees (including consultants) from any claim, action, or proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the approval of this application or adoption of the environmental document which accompanies it. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorney fees, or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the approval of this application, whether or not there is concurrent negligence on the part of the County, its agents, officers, attorneys, or employees (including consultants).

If any claim, action, or proceeding is brought against the County, its agents, officers, attorneys, or employees (including consultants), to attack, set aside, void, or annul the approval of the application or adoption of the environmental document which accompanies it, then the following procedures shall apply:

1. The Planning Director shall promptly notify the County Board of Supervisors of any claim, action or proceeding brought by an applicant challenging the County's action. The County, its agents, attorneys and employees (including consultants) shall fully cooperate in the defense of that action.
2. The County shall have the final determination on how to best defend the case and will consult with applicant regularly regarding status and the plan for defense. The County will also consult and discuss with applicant the counsel to be used by County to defend it, either with in-house counsel, or by retaining outside counsel provided that the County shall have the final decision on the counsel retained to defend it. Applicant shall be fully responsible for all costs incurred. Applicant shall be entitled to provide his or her own counsel to defend the case, and said independent counsel shall work with County Counsel to provide a joint defense.

Executed at El Centro, CA California on 8/16/24, 2024

APPLICANT

Name: Courtney Ludwin
By 
Title Property Owner

Mailing Address:
1260 Law Street
San Diego, CA 92559

REAL PARTY IN INTEREST (If different from Applicant)

Name _____
By _____
Title _____

Mailing Address:

ACCEPTED/RECEIVED BY _____ Date _____

PROJECT ID NO _____ APN _____

S:\FORMS_LISTS\General Indemnification FORM 041516.doc



Imperial County Planning & Development Services Planning / Building / Parks & Recreation

Jim Minnick
DIRECTOR

NOTICE TO APPLICANT

SUBJECT: PAYMENT OF FEES

Dear Applicant:

Pursuant to County Codified Ordinance Division 9, Chapter 1, Section 90901.02, all Land Use Applications must be submitted with their appropriate application fee. Failure to comply will cause application to be rejected.

Please note that once the Department application is received and accepted, a "time track" billing will commence immediately. Therefore, should you decide to cancel or withdraw your project at any time, the amount of time incurred against your project will be billed and deducted from your payment. As a consequence, if you request a refund pursuant to County Ordinance, your refund, if any, will be the actual amount paid minus all costs incurred against the project.

Please note there will be no exceptions to this policy. Thank you for your attention.

Sincerely yours,

Jim Minnick, Director
Planning & Development Services

RECEIVED BY:

DATE:

7/28/14

Courtney Ludwin, Property Owner

TRACT No. 539

OCOTILLO UNIT 3

SHEET 1 OF 2 SHEETS

BEING A SUBDIVISION OF LOTS 7 & 8, ALL WITHIN TR. 54,
SEC. 25, T16S, R 9E, S.B.B.#1M, COUNTY OF IMPERIAL,
STATE OF CALIFORNIA

WE HEREBY CERTIFY THAT WE ARE THE SOLE OWNERS
HAVING ANY RECORD TITLE INTEREST IN SAID LAND, AND
THAT WE CONSENT TO THE PREPARATION AND RECORDATION
OF THIS MAP AND DO HEREBY DEDICATE TO PUBLIC USE
ALL STREETS, AVENUES, AND ALLEYS SHOWN ON THIS MAP.

Thomas L. Clifford
THOMAS L. CLIFFORD

Eileen M. Clifford
EILEEN M. CLIFFORD

Albert R. White
ALBERT R. WHITE

Halsey F. White
HALSEY F. WHITE

STATE OF CALIFORNIA

COUNTY OF IMPERIAL

ON THIS 15th DAY OF MARCH A.D. 1959 BEFORE
ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE
Said County and State, PERSONALLY APPEARED
THOMAS L. CLIFFORD, EILEEN M. CLIFFORD,
ALBERT R. WHITE, and HALSEY F. WHITE,
INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED
THE SAME. IN WITNESS WHEREOF, I HAVE HEREUNTO SET
MY HAND AND AFFIXED MY OFFICIAL SEAL, THIS DAY AND
YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.

MY COMMISSION EXPIRES. *Oct. 2, 1961*
NOTARY PUBLIC

I, EVALYN B. WESTERFIELD, COUNTY RECORDER OF THE COUNTY
OF IMPERIAL, CALIFORNIA, HEREBY CERTIFY THAT I HAVE
ACCEPTED FOR RECORDATION THIS MAP, CONSISTING OF TWO
PAGES, FILED AT THE REQUEST OF Pioneer Title Insurance Co.
THIS 18th DAY OF March A.D. 1959 AT 3:00 O'CLOCK P.M.
in Book 6 Page 11 of Final Maps
F.E. 370

Shirley B. Westfield
COUNTY RECORDER

BY *Shirley B. Westfield*
DEPUTY

APPROVED BY THE IMPERIAL COUNTY PLANNING
COMMISSION IN ACCORDANCE WITH THE REQUIRE-
MENTS OF THE LAW IN DAILY AUTHORIZED MEETING
HELD ON THE 15th DAY OF *March* 1958

Robert L. Henderson
SECRETARY

THE BOARD OF SUPERVISORS IN AND FOR THE COUNTY
OF IMPERIAL, STATE OF CALIFORNIA, HEREBY APPROVES
THIS FINAL MAP CONSISTING OF TWO (2) SHEETS AS
THE OFFICIAL MAP OF OCOTILLO UNIT 3
IN ACCORDANCE WITH THE APPROVAL OF THE TEN-
TATIVE MAP THEREOF AND DOES ACCRPT ON BEHALF
OF THE PUBLIC THE PARCELS OF LAND OFFERED
FOR DEDICATION FOR PUBLIC USE.

David E. Pietsen
COUNTY CLERK AND EX OFFICIO CLERK
OF THE BOARD OF SUPERVISORS IN
AND FOR THE COUNTY OF IMPERIAL,
STATE OF CALIFORNIA.

THE STATE OF CALIFORNIA HOLDS MINERAL AND
OTHER RIGHTS AS SET FORTH IN THE PATENT RE-
CORDED MARCH 27, 1931 IN BOOK 309, PAGE 14,
OF OFFICIAL RECORDS.

M. D. NEUMAN
REGISTERED CIVIL ENGINEER
No. 9473

I, MILTON D. NEUMAN HEREBY CERTIFY THAT I AM A REGISTERED
CIVIL ENGINEER OF THE STATE OF CALIFORNIA, AND THAT THIS
MAP CONSISTING OF TWO (2) SHEETS CORRECTLY REPRE-
SENTS THIS SURVEY MADE UNDER MY SUPERVISION IN
THAT 5'-2.4" CONCRETE MONUMENTS HAVE BEEN SET AT THE
BOUNDARY CORNERS OF THIS SUBDIVISION, AND I WILL SET
3/4" IRON PIPES AT ALL BLOCK AND LOT CORNERS SHOWN BY
LEGEND ON THIS MAP, WITHIN 90 DAYS AFTER THE ACCEPTANCE
OF THE FINAL MAP; ALL SUCH CORNERS ARE OR WILL BE SUF-
FICIENT TO ENABLE THE SURVEY TO BE RETRACED AND WILL
OCCUPY THE POSITIONS SHOWN HEREON

Milton D. Neuman
REGISTERED CIVIL ENGINEER
No. 9473

I, David E. Pietsen, COUNTY SURVEYOR OF IMPERIAL COUNTY,
CERTIFY THAT I HAVE EXAMINED THIS MAP, BOTH GENERALLY
AND WITH RESPECT TO:

- (A) ITS CONFORMITY TO OTHER RECORDS OR MATHEMATICAL DATA,
- (B) ITS CONFORMITY TO THE PROVISIONS OF CHAPTER 15,
DIVISION 3, BUSINESS AND PROFESSIONS CODE, AND
COUNTY ORDINANCE 230 ADOPTED JULY 1, 1957, THAT
THE SUBDIVISION AS SHOWN IS SUBSTANTIALLY THE SAME
AS IT APPEARED ON THE TENTATIVE MAP AND ANY AP-
PROPRIATE CORRECTIONS, AND THAT THE PROVISIONS
OF CHAPTER 2, PART II, DIVISION 4, OF THE BUSINESS
AND PROFESSIONS CODE OF THE STATE OF CALIFORNIA
HAVE BEEN COMPLIED WITH, THAT I AM SATISFIED THAT
THIS MAP IS TECHNICALLY CORRECT.

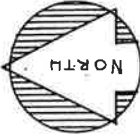
David E. Pietsen
COUNTY SURVEYOR OF IMPERIAL COUNTY

I, Harry M. Fife, COUNTY CLERK AND EX OFFICIO
CLERK OF THE BOARD OF SUPERVISORS IN AND FOR THE
COUNTY OF IMPERIAL, STATE OF CALIFORNIA, HEREBY
CERTIFY THAT AN UNDERTAKING SATISFACTORY TO THE
SAID BOARD OF SUPERVISORS GUARANTEEING THE CON-
STRUCTION OF REQUIRED STREET IMPROVEMENTS IN
THIS SUBDIVISION WAS APPROVED AND FILED IN MY
OFFICE PRIOR TO THE FINAL ACCEPTANCE OF THIS
SUBDIVISION MAP

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND
AND AFFIXED THE OFFICIAL SEAL OF THE COUNTY
OF IMPERIAL, STATE OF CALIFORNIA THIS 17th DAY
OF MARCH, 1959

Harry M. Fife
COUNTY CLERK AND EX OFFICIO CLERK
OF THE BOARD OF SUPERVISORS IN AND
FOR THE COUNTY OF IMPERIAL, STATE
OF CALIFORNIA.

FM 6-11
1 of 2



1" = 100'

N.E. COR. TR. 54
RD. 3/4" I.P. & CAR

1:17.6m Plat

N 89° 55' 30" E 3076.03' MEAS. / 3076.00' REC. PER F.M. 1-13A

N 89° 55' 30" E 1756.03'

N 89° 55' 30" E 967.91'

N 89° 55' 30" E 60.00'

N 89° 55' 30" E 1500.00' MEAS. (NO. 0' N. 1500' PER OR 6-11)
MEAS. = REC. PER OR 6-11

N 89° 55' 30" E 1500.00' MEAS. (NO. 0' N. 1500' PER OR 6-11)
MEAS. = REC. PER OR 6-11

NO.	Δ	R	L	T
1	30°	31.42'		20.00'
2	90° 05'	30'	31.43'	20.01'
3	89° 58'	30'	31.41'	19.99'
4	90°	30'	7.86'	5.00'
5	89° 58'	30'	31.39'	19.97'
6	90° 05'	30'	31.45'	20.03'
7	18° 02' 30"	488'	150.05'	65.42'
8	18° 02' 30"	522'	131.28'	63.39'
9	18° 02' 30"	570'	116.50'	61.36'
10	18° 02' 30"	620'	103.86'	59.33'
11	18° 02' 30"	670'	92.84'	57.30'
12	18° 02' 30"	720'	82.84'	55.27'
13	18° 02' 30"	770'	73.45'	53.24'
14	18° 02' 30"	820'	64.28'	51.21'
15	18° 02' 30"	870'	55.84'	49.18'
16	18° 02' 30"	920'	47.84'	47.15'
17	18° 02' 30"	970'	40.00'	45.12'
18	18° 02' 30"	1020'	32.84'	43.09'
19	18° 02' 30"	1070'	26.00'	41.06'
20	18° 02' 30"	1120'	19.45'	39.03'
21	18° 02' 30"	1170'	13.00'	37.00'
22	18° 02' 30"	1220'	6.84'	34.97'
23	18° 02' 30"	1270'	1.00'	32.94'
24	18° 02' 30"	1320'		30.91'
25	18° 02' 30"	1370'		28.88'
26	18° 02' 30"	1420'		26.85'
27	18° 02' 30"	1470'		24.82'
28	18° 02' 30"	1520'		22.79'
29	18° 02' 30"	1570'		20.76'
30	18° 02' 30"	1620'		18.73'
31	18° 02' 30"	1670'		16.70'
32	18° 02' 30"	1720'		14.67'
33	18° 02' 30"	1770'		12.64'
34	18° 02' 30"	1820'		10.61'
35	18° 02' 30"	1870'		8.58'
36	18° 02' 30"	1920'		6.55'
37	18° 02' 30"	1970'		4.52'
38	18° 02' 30"	2020'		2.49'
39	18° 02' 30"	2070'		0.46'
40	18° 02' 30"	2120'		

TRACT NO. 539 OCOTILLO UNIT 3

DECEMBER 1958
BASIS OF BEARINGS - EAST LINE
TRACT 54 AS SHOWN ON F.M. 1-13A,
I.E., S 0° 06' 30" E

Milton R. Neuman
MILTON R. NEUMAN R.C.E. 8473

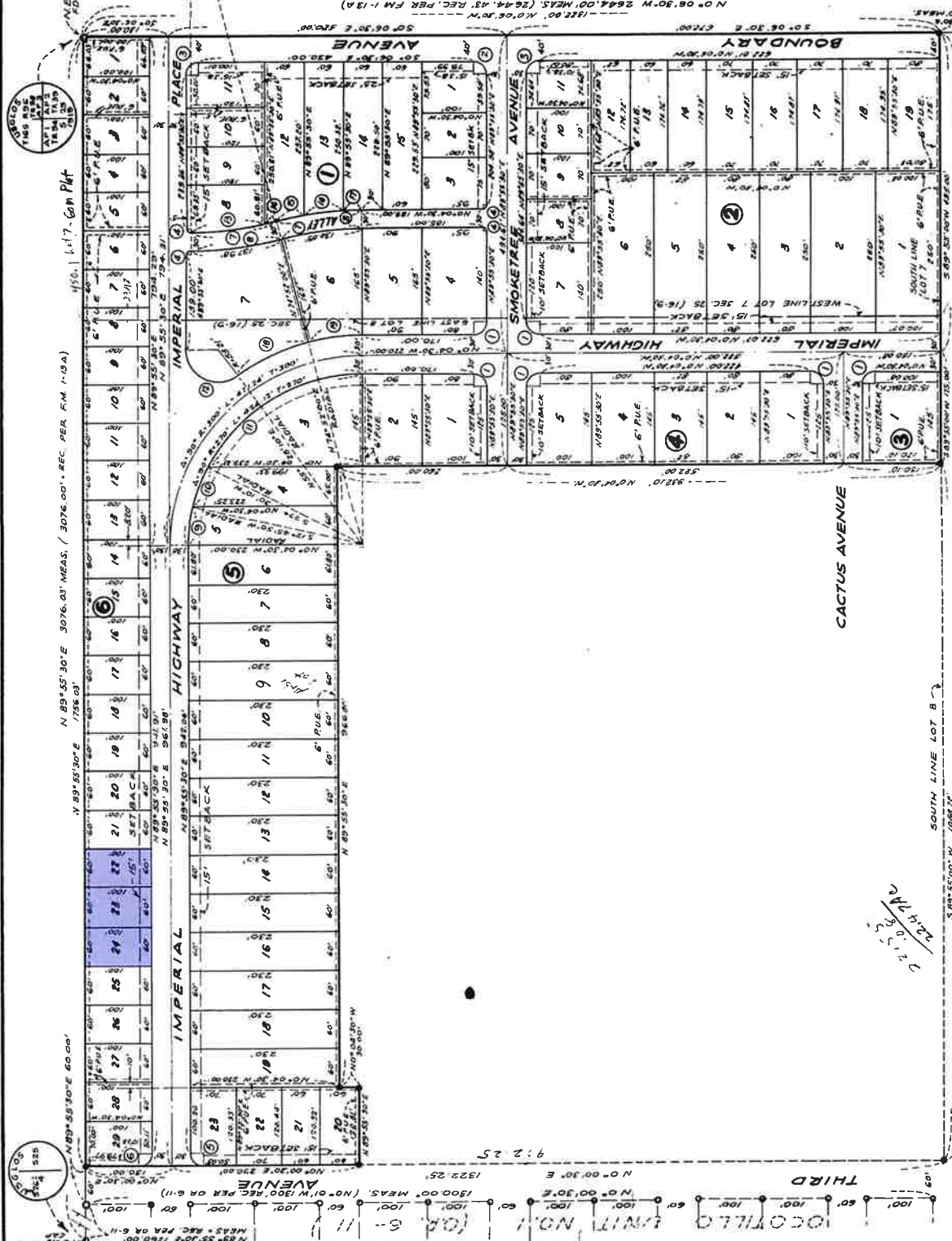
LEGEND

- FOUND SURVEY CORNER AS NOTED
- SET 5" DIAMETER CONCRETE MONUMENT FOR SUBDIVISION CORNER

NOTE: SET 3/4" IRON PIPE TAGGED RE 9.473 AT ALL LOT AND BLOCK CORNERS

FO. 3/4" I.P. CAP

NEUMAN ENGINEERS
SHEET 2 OF 2 SHEETS
JOB NO. 5893-S



9:2.25

72.14 MC
12.5

ATTACHMENT "F"
COMMENT LETTERS



Imperial County Planning & Development Services Planning / Building

Jim Minnick
DIRECTOR

RECEIVED

By Imperial County Planning & Development Services at 2:07 pm, Sep 16, 2024

**September 12TH, 2024
REQUEST FOR REVIEW
AND COMMENTS**

The attached project and materials are being sent to you for your review and as an early notification that the following project is being requested and being processed by the County's Planning & Development Services Department. Please review the proposed project based on your agency/department area of interest, expertise, and/or jurisdiction.

- | To: County Agencies | State Agencies/Other | Cities/Other |
|--|---|--|
| <input checked="" type="checkbox"/> County Executive Office – Miguel Figueroa/Bari Smith Bean/Rosa Lopez | <input checked="" type="checkbox"/> IC Sheriff's Office – Robert Benavidez/Fred Miramontes/Ryan Kelley | <input checked="" type="checkbox"/> IC Fire/OES Office – Andrew Loper/Sal Flores/Robert Malek / David Lantzer |
| <input checked="" type="checkbox"/> Public Works – Carlos Yee/John Gay | <input checked="" type="checkbox"/> Board of Supervisors – Luis Plancarte District #2 | <input checked="" type="checkbox"/> EHD – Jeff Lamoure / Jorge Perez / Vanessa R. Ramirez/Alphonso Andrade/Mario Salinas |
| <input checked="" type="checkbox"/> IID – Donald Vargas | <input checked="" type="checkbox"/> Ag. Commissioner – Margo Sanchez/Antonio Venegas/ Ashley Jauregui/ Jolene Dessert | <input checked="" type="checkbox"/> APCD – Jesus Ramirez/Belen Leon-Lopez/ Monica Soucier |

From: Rocio Yee Planner I - (442) 265-1736 or rociyee@co.imperial.ca.us

Project ID: Lot Merger #00162

Project Location: Address: N/A; APN: 033-321-006, 033-321-007, 033-321-008

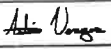
Project Description: The Applicant proposes that the Lot Merger of three (3) continuous parcels is to build through the appropriate County Permits a future Barndominium in a Residential Zone.

Applicants: COURTNEY LUDWIN

Comments due by: **September 27th, 2024, at 5:00PM**

COMMENTS: (attach a separate sheet if necessary) (if no comments, please state below and mail, fax, or e-mail this sheet to Case Planner)

No comment from the Agricultural Commissioner/Sealer of Weights & Measures

Name: Antonio Venegas Signature:  Title: Agricultural Biologist/Standards Specialist IV

Date: 09/13/2024 Telephone No.: (442) 265-1500 E-mail: antoniovenegas@co.imperial.ca.us

RY\MTS:\AllUsers\APN033\321\006\MERG00162\COMMENTS\ROUTE FOR COMMENTS\MERG00162 Request for Comments 09 12 2024 .docx

AIR POLLUTION CONTROL DISTRICT



September 20, 2024

RECEIVED

By Imperial County Planning & Development Services at 10:24 am, Sep 24, 2024

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

SUBJECT: Lot Merger 00162 – Courtney Ludwin

Dear Mr. Minnick:

The Imperial County Air Pollution Control District (Air District) would like to thank you for the opportunity to review and comment on Lot Merger (MERG) 00162 (Project). The project proposes merging three continuous parcels to create a single lot to build a future Barndominium. The project consists of existing parcels identified with Assessor's Parcel Numbers 033-321-006, 033-321-007, & 033-321-008.

The Air District reminds the applicant that the project and all future developments must comply with all Air District Rules & Regulations and would emphasize Regulation VIII – Fugitive Dust Rules, a collection of rules designed to maintain fugitive dust emissions below 20 % visual opacity.

Finally, the Air District requests a copy of the finalized map for its records.

For convenience, all Air District rules and regulations can be accessed online at <https://apcd.imperialcounty.org/rules-and-regulations>. Should you have any questions or concerns please feel free to contact the Air District by calling our office at (442) 265-1800.

Respectfully,


Ismael Garcia
Environmental Coordinator


Reviewed by,
Monica Soucier
APC Division Manager



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September 19, 2024

RECEIVED

By Imperial County Planning & Development Services at 11:10 am, Sep 19, 2024

Ms. Rocio Yee
Planner I
Planning & Development Services Department
County of Imperial
801 Main Street
El Centro, CA 92243

SUBJECT: Courtney Ludwin Lot Merger No. 00162 in Ocotillo, CA

Dear Ms. Yee:

On September 12, 2024, the Imperial Irrigation District received from the Imperial County Planning & Development Services Department, a request for agency comments on Lot Merger No. 00162. The applicant, Courtney Ludwin, proposes to merge three (3) parcels located at 30 West Imperial Highway, Ocotillo, California (APNs 033-321-006, -007, -008) for residential use.

The IID has reviewed the application and has the following comments:

1. For electrical service for the future development of the resulting parcel, the applicant should be advised to contact Ignacio Romo, IID project development planner, at 760-482-3426 or e-mail Mr. Romo at IGRomo@IID.com to initiate the customer service application process. In addition to submitting a formal application (available at <http://www.iid.com/home/showdocument?id=12923>), the applicant will be required to submit an AutoCAD file of site plan, approved electrical plans, electrical panel size and panel location, operating voltage, electrical loads, project schedule, and the applicable fees, permits, easements and environmental compliance documentation pertaining to the provision of electrical service to a project. The applicant shall be responsible for all costs and mitigation measures related to providing electrical service to a project.
2. Electrical capacity is limited in the project area. A circuit study may be required. Any system improvements or mitigation identified in the circuit study to enable the provision of electrical service to the project shall be the financial responsibility of the applicant.
3. Applicant shall provide a surveyed legal description and an associated exhibit certified by a licensed surveyor for all rights of way deemed by IID as necessary to accommodate the project electrical infrastructure. Rights-of-Way and

easements shall be in a form acceptable to and at no cost to IID for installation, operation, and maintenance of all electrical facilities.

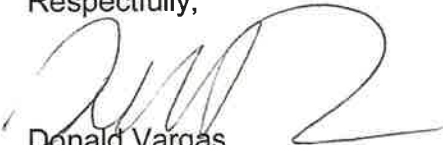
4. The applicant will be required to provide rights of ways and easements for any proposed power line extensions and/or any other infrastructure needed to serve the project as well as the necessary access to allow for continued operation and maintenance of any IID facilities located on adjoining properties.
5. The applicant will be required to bear all costs associated with acquisition of land, rights of way, easements, and the relocation and/or realignment of IID infrastructure deemed necessary to accommodate the project. Any street or road improvements imposed by the local governing authority shall also be at the project proponent cost.
6. Public utility easements over all private public roads and additional ten (10) feet in width on both side of the private and public roads shall be dedicated to IID for the construction, operation, and maintenance of its electrical infrastructure.
7. Any construction or operation on IID property or within its existing and proposed right of way or easements including but not limited to: surface improvements such as proposed new streets, driveways, parking lots, landscape; and all water, sewer, storm water, or any other above ground or underground utilities; will require an encroachment permit, or encroachment agreement (depending on the circumstances). A copy of the IID encroachment permit application and instructions for its completion are available at the IID website <https://www.iid.com/about-iid/department-directory/real-estate>. No foundations or buildings will be allowed within IID's right of way. The IID Real Estate Section should be contacted at (760) 339-9239 for additional information regarding encroachment permits or agreements.
8. Any new, relocated, modified or reconstructed IID facilities required for and by the project (which can include but is not limited to electrical utility substations, electrical transmission and distribution lines, water deliveries, canals, drains, etc.) need to be included as part of the project's California Environmental Quality Act (CEQA) and/or National Environmental Policy Act (NEPA) documentation, environmental impact analysis and mitigation. Failure to do so will result in postponement of any construction and/or modification of IID facilities until such time as the environmental documentation is amended and environmental impacts are fully analyzed. Any and all mitigation necessary as a result of the construction, relocation and/or upgrade of IID facilities is the responsibility of the project proponent.
9. When a project goes through the CEQA compliance process, it is important to bear in mind that to address the project impacts to the electrical utility (i.e., the IID

Rocio Yee
September 19, 2024
Page 3

electrical grid), considered under the environmental factor "Utilities and Services" of the Environmental Checklist/Initial Study, and determine if the project would require or result in the relocation or construction of new or expanded electric power facilities, the construction or relocation of which could cause significant environmental effects; a circuit study/distribution impact study, facility study, and/or system impact study must be performed.

Should you have any questions, please do not hesitate to contact me at 760-482-3609 or at dvargas@iid.com. Thank you for the opportunity to comment on this matter.

Respectfully,



Donald Vargas
Compliance Administrator II

Jamie Asbury – General Manager
Mike Pacheco – Manager, Water Dept.
Matthew H Smelser – Manager, Power Dept.
Paul Rodriguez – Deputy Mgr. Power Dept.
Geoffrey Holbrook – General Counsel
Michael P. Kemp – Superintendent General, Fleet & Compliance Services
Laura Cervantes. – Supervisor, Real Estate
Jessica Humes – Environmental Project Mgr. Sr., Water Dept.



COUNTY OF
IMPERIAL

DEPARTMENT OF
PUBLIC WORKS

155 S. 11th Street
El Centro, CA
92243

Tel: (442) 265-1818
Fax: (442) 265-1858

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[https://twitter.com/
CountyDpw/](https://twitter.com/CountyDpw/)



Public Works works for the Public

September 17, 2024

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

RECEIVED

By Imperial County Planning & Development Services at 1:41 pm, Sep 16, 2024

Attention: Rocio Yee, Planner I

SUBJECT: LM 162 – Courtney Ludwin;
located on 30 W. Imperial Highway, Ocotillo, CA 92259
APN's 033-321-006, 033-321-007 & 033-321-008.

Dear Mr. Minnick:

This letter is in response to your submittal package received by this department on September 12, 2024 for the above mentioned project. The applicant proposes a comprehensive lot merger between five continuous lots to create a single and larger lot for a new commercial development at this site.

Department staff has reviewed the package information and the following comments are provided for the applicant use:

1. The legal description and plat shall be prepared by a California Licensed Land Surveyor and submitted to the Imperial County Department of Public Works for review and approval.
2. The lot merger shall be reflected in a deed, which shall be recorded

Should you have any questions, please do not hesitate to contact this office. Thank you for the opportunity to review and comment on this project.

Respectfully,

Veronica Atondo, PE, PLS
Deputy Director of Public Works - Engineering