MINUTES OF THE
PLANNING COMMISSION MEETING

October 14, 2015

The Imperial County Planning Commission convened a meeting on Wednesday, October 14, 2015 at 9:00 a.m. in the Board of Supervisors Chambers, El Centro, California.

Staff present: Director/Minnick, Planner II/Chavez, Clerk/Scoville and GIS Tech/Newland.

Chairman Rudy Schaffner called meeting to order at 9:00 a.m.

I. Roll Call: Commissioners present: Schaffner, Kalin, Bergh, Cabanas, Castillo, Wright, Medina, and Roben.

Commissioner Hargrave and Niver were absent.

II. Pledge of Allegiance:

III. Approval of Minutes: Chairman Schaffner entertained a motion to approve the Planning Commission Minutes for September 9th and 23rd as submitted by staff. Motion was made by Commissioner Kalin and seconded by Commissioner Bergh and carried on the affirmative vote by the Commissioners present Schaffner (yes), Kalin (yes), Bergh (yes), Cabanas (yes), Castillo (yes), Wright (yes), Medina (yes), and Roben (yes).

1. Consideration of the Conditional Use Permit #15-0017, as submitted by American Tower – Ogilby Road, proposing renewal of entitlements for an existing wireless communication facility previously approved by Conditional Use Permit #00-0008. On property legally described as Portion of the Northwest ¼ of Section 23, Portion Southwest ¼ Section 14, Township 16 South, Range 20 East, SBB&M. Assessor’s Parcel Number 056-050-027-000, (4324 Center of the World Drive, Winterhaven), (Supervisory District #5). The Commission took the following action:

Jim Minnick, Director gave a brief description of the American Tower CUP15-0017 and then introduced Planner Jared Chavez to read the project into the record.

Jared Chavez, Planner II read the project into the record and was there to answer any questions from the Commission.

Chairman Schaffner asked if there were any representative present on behalf of this project to come forward to the podium and introduce themselves into the record.

John Bitterly, The Planning Consortium on behalf of American Tower introduced himself and stated that he had read the entire project and agree with staff’s recommendations.

Chairman Schaffner then opened up the public portion for this project, there were no public comments. He then turned it over to the Commission for comments and/or a motion.

A. Motion made by commissioner Kalin and seconded by Commissioner Cabanas carried on the affirmative vote by the Commissioners present; Schaffner (yes), Kalin (yes), Bergh (yes), Cabanas (yes), Castillo (yes), Wright (yes), Medina (yes), and Roben (yes) to find that Conditional Use Permit #15-0017 is exempt from CEQA subject Government Code Section 15301, existing facilities”… licensing or minor alterations to existing facilities…” are categorically exempt from CEQA, and approve the Resolution(s) and supporting Findings, approving Conditional Use Permit (CUP) #15-0017, subject to all the conditions, and authorize the Planning & Development Services Director to sign the CUP contract upon receipt from the Permittee

Jim Minnick, Director stated that the project stands approved and adopted by the Planning Commission. If any interested party or member of the public wishing to appeal this decision, may do so within 10 days from today’s hearing and submit the appropriate fee of $650.00 to the Planning & Development Services Department.

2. Consideration of Parcel Map #02469 as submitted by Kavan Olesh for review and determination. The project proposes to legalize a parcel not included in a previous Parcel Map conducted in that property (Parcel Map#02277). The project proposes to split the remainder parcel into two parcels legally described as the North ½ of the Southwest ¼ of the Northwest ¼ of the North ½ of the Southwest ¼ of Section 8, Township 13 South, Range 16 East, SBB&M. Assessor Parcel Number(s) 039-030-026-000; 039-030-027-001, 039-
030-030-001 & 039-030-039-001, (220 East Herd Road, Brawley), (Supervisorial District #4). The Commission took the following action:

Jim Minnick, Director gave a brief description of Parcel Map #02469 and then introduced Planner Jared Chavez to read the project into the record.

Jared Chavez, Planner II read the project into the record and was there to answer any questions from the Commission.

Chairman Schaffner asked if there were any representative present on behalf of this project to come forward to the podium and introduce themselves into the record.

Kavan Olesh, representing the project introduced himself and stated that he had read the entire project and agree with staff's recommendations.

Chairman Schaffner opened up the project up to the public portion for comments, there were no public comments.

Chairman Schaffner then closed the public portion of the hearing and turned it over to the Commission for any comments and/or a motion.

A. Motion made by Commissioner Kain and seconded by Commissioner Bergh and carried on the affirmative vote by the Commissioners present; Schaffner (yes), Kain (yes), Bergh (yes), Cabanas (yes), Castillo (yes), Wright (yes), Medina (yes), and Roben (yes) to adopt the Negative Declaration on the basis of the Initial Study and any comments received showing no substantial evidence that the project will have a significant effect on the environment as determined by the Environmental Evaluation Committee (EEC) on September 10, 2015, make the De Minimus Findings as recommended by the September 10, 2015 EEC Hearing, 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, make the findings, and approve Parcel Map #02469, subject to the conditions.

Jim Minnick, Director stated that the project stands approved and adopted by the Planning Commission. If any interested party or member of the public wishing to appeal this decision, may do so within 10 days from today's hearing and submit the appropriate fee of $650.00 to the Planning & Development Services Department.

V. Public Comments: None

VI. Commissioner Comments: Max stated that as per staff's recommendations he took a trip out to the wind mills and did not hear any noise as concerned. Jim Minnick said that they need to get together with BLM and do another noise analysis to see what is going on. Chairman Schaffner also said he went out there when the wind mills are running and the only thing he can hear some type of blower it's not the fans. Mr. Minnick stated that when the Wind Zero projects was proposed the noise analysis.

VII. Planning Director Comments: stated that yesterday the Board of Supervisors approved the nomination of Luis Zendejas to replace Commissioner Niver. Commissioner Niver officially stepped down and the Board will be presenting him with a plaque for his services and will be presented to him at a future date. Mr. Minnick will notify the Commission as soon as possible so they may be able to attend the Board Hearing when Commissioner Niver gets recognized. Mr. Minnick stated that he would like to schedule a meeting with the Chair and Vice-Chair of the Commission to meet with Mr. Zendejas.

VIII. Adjournment – Meeting was adjourned at 9.13 am.

The next meeting of the Planning Commission will be held on October 28, 2015 at 9:00 A.M.

Submitted by: Rudy Schaffner, Chairman of the Planning Commission

Attest:

Jim Minnick, Director of Imperial County Planning Commission

Maria Scoville
PC Recording Clerk
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