

**MINUTES OF THE
PLANNING COMMISSION MEETING
JANUARY 26, 2022**

The Imperial County Planning Commission convened a Meeting on Wednesday, January 26, 2022 at 9:00 a.m. in the Board of Supervisors Chambers, El Centro, California.

Staff present: Director, Jim Minnick/ Assistant Director, Michael Abraham/ Clerks- Carina Gomez & Kimberly Noriega.

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

- I. **Roll Call: Commissioners present:** Kalin, Bergh, Cabanas, Wright, Roben, Pacheco, Dunn, Schaffner in attendance. Medina arrived at 9:03 am in time to hear Agenda item #1 to be presented.

Zoom Call: Planning Division Manager Diana Robinson, Kalin, Roben, Wright, and Medina.

Absent: Castillo

- II. **Pledge of Allegiance:**

- III. **Public Hearings**

1. Consideration of Brown Act Resolution to "Adopt resolution authorizing remote teleconference meetings in accordance with Assembly Bill 361." The Commission took the following actions:

Jim Minnick, Director; gave a brief description of the project, and introduced Faye Winkler, Deputy County Counsel, to read the project into the record.

Faye Winkler, read the PowerPoint presentation of the project into the record.

Chairman Schaffner, Is this only for government things? Or if somebody went into a 4H, is all?

Faye Winkler, So this is for a legislative body which, the planning commission is under the Brown Act. There is a certain code section that I referenced earlier. Do you want me to go back to the slide?

Chairman Schaffner, No, I'm just curious.

Faye Winkler, No so.

Chairman Schaffner, If someone is going to talk about a church picnic in a church meeting will they have all the tools in order for that? But that does not have to.

Faye Winkler, No, so this only applies to those entities which would qualify as a legislative body under the brown act and that would host a meeting.

Chairman, Schaffner; Ok.

Faye Winkler, I see you shaking head. Do you have any questions? Or just general.

Commissioner Bergh, Well it makes it interesting, it makes it sound like this area is polluted or you shouldn't come into it.

Faye Winkler, And its not again, this is across the state. So it's not, this is not just an Imperial County thing. This is available to all legislative bodies in California.

Commissioner Bergh, Ok, every time I go donate anti-body blood, the first thing they ask me is if I've been in anywhere that has been conflicted. So this would be conflicted?

Faye Winkler, In your personal view it could be.

Commissioner Bergh, No I'm talking about the VA. What the VA would consider conflicted. Ok I'll have to ask that.

Faye Winkler, Question? You look like you have a question, no? Does anyone online have any questions or need me to clarify anything? No, ok then my presentation done and you guys can go ahead and move on to your resolution.

Chairman Schaffner, I'll entertain a motion.

Motion made by Commissioner **Kalin** and seconded by Commissioner **Cabañas**, on the affirmative vote by the Commissioners present as follow Kalin (yes), Bergh (yes), Cabañas (yes), Wright (yes), Roben (yes), Medina (yes), Pacheco (yes), Dunn (yes), and Schaffner (yes) to adopt resolution authorizing remote teleconference meetings in accordance with Assembly Bill 361.

Jim Minnick, Director, stated the Brown Act Resolution stands approved by the commission. And is in effect for 30 days and should there be a second hearing within the next 30 days the motion will not be presented; if not the resolution shall be presented in next month's meeting.

2. Election of Officers 2022

Jim Minnick, Director, entertained a nomination for the 2021 Planning Commission Chairman.

Nomination made by Commissioner **Kalin** to elect Commissioner Schaffner as the 2021 Planning Commission Chairman and seconded by Commissioner **Roben**. All commissioners were in favor.

Jim Minnick, Director, entertained a nomination for the 2021 Planning Commission Vice-Chairman.

Nomination made by Commissioner **Roben** to elect Commissioner Kalin as the 2021 Planning Commission Vice-Chairman and seconded by Commissioner **Cabañas**. All commissioners were in favor.

3. **Approval of Minutes:** Chairman Schaffner entertained a motion to approve the Planning Commission Minutes for the **December 16, 2022** meeting as submitted by staff. Motion was made by Commissioner **Kalin** seconded by Commissioner **Cabañas** and carried on the affirmative vote by the Commissioners present Kalin (yes), Bergh (yes), Cabañas (yes), Wright (yes), Roben (yes), Medina (yes), Dunn (yes), Pacheco (yes), and Schaffner (yes) to approve minutes as they stand.

4. Consideration of **Zone Change #21-0006** as submitted by Imperial County Planning and Development Services Department (ICPDS). The proposed project consists of updating Title 9 Land Use Ordinance Divisions 5, 8, 14 and 16 to make them consistent with recent changes regarding National Flood Insurance Program (NFIP) Floodplain Management Regulations, specifically with 2020 California Department of Water Resources (CDWR) and Title 44 of the Code of Federal Regulations (44 CFR), Sections 59 and 60. These revisions apply Countywide. (All Supervisorial Districts). The commission took the following action:

Jim Minnick, Director; gave a brief description of the project, and introduced Diana Robinson, Planning Division Manager, to read the project into the record.

Diana Robinson, Planning Division Manager; read the PowerPoint presentation of the project into the record and asked if there were any questions.

Chairman Schaffner; opened/closed the public portion of the meeting, there were no public comment he then turned it over to the Commission for any questions and/or comments

Commissioner Bergh, The manufactured home, I'm assuming is, presuming is the trailers.

Jim Minnick, Director, Yes, Based on the state.

Commissioner Bergh, All class, put them all in.

Jim Minnick, Director; A trailer is a recreational vehicle, a manufactured home would be more like a traditional mobile home. There's a definition in the state code differencing what would be licensed by DMV, right? So, a fifth wheel, a park model all those things under 400 sq. ft. are identified as recreational vehicles some have motors some don't. Anything that can be permanently affixed to a property is considered a manufactured, a mobile home, a factory building. Anything that is built in a factory qualifies under that mobile home or manufactured home definition.

Commissioner Bergh, Well it used to be with anything that had wheels or axels taken off of it. That was considered a manufactured home.

Jim Minnick, Director, Yeah, it still is, I'm just saying they're every specific about you can't call everything mobile home. Just to give you a real quick history lesson, prior to 1993 we had zones that were; had a T behind them especially like in Niland and Calipat areas and Heber. So, like an R-1 which would be single family dwelling T. "T" meant trailer because we were identify anything as a trailer and the state came back, mostly it was the manufactured home industry saying don't call us a trailer or a wobbly box. We are something that is built in a factory, so now you can't differentiate except for something that is classified by DMV which is under 400 sq. ft. Long story.

Motion made by Commissioner **Kalin** and seconded by Commissioner **Bergh**, on the affirmative vote by the Commissioners present as follow Kalin (yes), Bergh (yes), Cabañas (yes), Wright (yes), Roben (yes), Medina (yes), Pacheco (yes), Dunn (yes), and Schaffner (yes) to find that the project is categorically exempt from CEQA pursuant to Article 19, Section 15308 and that no further environmental document is necessary, and approve the Codified Ordinance for the approval of Zone Change #21-0006 and Initial Study #21-0034 to update Title 9 Land Use Ordinance Revisions to Divisions 5, 8, 14 and 16 and approve Findings .

Jim Minnick, Director; stated that **Zone Change #21-0002** stands approved by the Planning Commission. There is no appeal since the project will be presented to the Board of Supervisors.

VI. Public Comments, NONE.

VII. Commissioner Comments, NONE.


VIII. Director Comments, NONE.

IX. Adjournment: Meeting adjourned at 9:30 a.m.



Submitted by Rudy Schaffner
Chairman of the Planning Commission

Attest:



Jim Minnick, Director of
Imperial County Planning Commission
Kimberly Noriega & Carina A. Gomez PC Recording Clerks
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