

**MINUTES OF THE
PLANNING COMMISSION MEETING
February 24, 2021**

The Imperial County Planning Commission convened a Meeting on Wednesday, February 24, 2021 at 9:00 a.m. in the Board of Supervisors Chambers, El Centro, California.

Staff present: Director, Jim Minnick/Assistant Director, Michael Abraham/Planner III, Diana Robinson/Planner II, Mariela Moran/Clerk, Gabriela Robb.

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

- I. Roll Call: Commissioners present:** Schaffner, Bergh, Castillo and Cabañas in attendance.

Zoom Call: Kalin, Wright, Zuno

Absent: Medina, Roben

- II. Pledge of Allegiance:**

- III. Approval of Minutes:** Chairman Schaffner entertained a motion to approve the Planning Commission Minutes for the January 27, 2021 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 Schaffner (yes), Kalin (yes), Bergh (yes), Cabañas (yes), Castillo (yes), Wright (yes), and Zuno (yes).

- IV. Election of Officers:**

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 **Cabañas**. All commissioners were in favor.

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

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

At this time, Commissioner Medina logged into meeting via Zoom.

- 1. Continued from January 27, 2021. Consideration of Conditional Use Permit (CUP) #20-0014**
As submitted by Anastasia Miki on behalf of Hay Kingdom, Inc., proposing the expand its operation to include an increase in tonnage to 1,100 tons of hay pressed per day, increase the number of presses to 4 presses, increase the annual raw hay processed to 250,000 tons, increase the double trailer truck round trips to site to 100 peak/24 low, increase container trips out to 60, increase employees to 80 and operate the facility 22-hours per day, 6 days a week. The property is legally described as portion of Tract 114, Township 15 South, Range 14 East,

S.B.B.M. Assessor's Parcel Numbers 044-500-079-000, (393 E. Worthington Road, Imperial, CA, Supervisorial District #5). The Commission took the following actions:

Jim Minnick, Director, gave a brief description of the project, and introduced Mariela Moran, Planner II, to read the project into the record.

Mariela Moran, Planner II, read the project into the record and was there for any questions from the Commission.

Chairman Schaffner, asked if there were representatives for this project present to state their name and address for the record.

Anastasia Miki, WRA Consulting Engineers introduced herself and asked Ms. Moran for a clarification on the email received that morning from Air Pollution Control District regarding condition S-12.

Mariela Moran, Planner II, We received an email this morning from Air Pollution Control District. They are requesting to change condition S-12. It states, "Either option must be approved in advance by the Air District prior to the issuance of an authority to construct." They are requesting to change that language to "Either option must be approved in advance by the Air District at which time, the party shall agree to a completion date."

Anastasia Miki, Thank you for the clarification, I appreciate it. I have read the project and agree with everything in it. I would like to clarify for the commission, that from 5:00am to 6:00am there will be trucks only queuing up to get them off the right of way so we don't have any hazards out in the road. As we know, truck drivers like to park on the side of the road until the gates open. Therefore, if there are trucks queuing up, they would open the gate and allow them to queue inside but no one will be running over the scales, weighing in, or unloading. No other action will occur. For the record, the acceleration line has been submitted to John Gay and his staff. Besides that, we have read and agree with everything.

Chairman Schaffner, opened/closed the public portion of the meeting, there were no public comment and then turned it over to the commission for any questions or comments and entertained a motion.

Commissioner Bergh, Asked for clarification on current hours of operation.

Jim Minnick, Director, 6:00am to 4:30pm and 6:00pm to 4:30am.

Commissioner Bergh, Why were they operating at 6:59pm last night?

Jim Minnick, Director, Because they can go from 6:00am to 4:30pm and 6:00pm to 4:30am. There is an hour and a half gap between 4:30pm and 6:00pm and there is an hour and a half gap between 4:30am and 6:00am. Which gives them 21 hours over a 24-hour period.

Commissioner Bergh, I was out there until about 7:30pm and there was a certain amount of dust by what appeared to be a forklift going back and forth scattering stuff. I can see why Mr. Miller would be concerned with pollution especially if the wind is coming from the West or the South. It would be coming right onto his property. There are no restrictions for that.

Chairman Schaffner, Aren't they putting up a shade cloth?

Jim Minnick, Director, Yes.

Commissioner Bergh, Do they have the same kind of dust collector that they have at Danenburg and Dogwood?

Jim Minnick, Director, They do have a dust collector that is large enough scaled to handle the additional presses.

Commissioner Bergh, They are going to have the same kind of collections system there?

Jim Minnick, Director, They are proposing to use the existing collector they have that is sized to handle an extra press. We would have to ask Anastasia if it is the exact same one.

Anastasia Miki, It is the same one. It is permitted for the expansion of the facility and that would be reviewed by Air Pollution Control District when they do the PTC. The other thing that you mentioned would be mitigated through the mitigation that was brought up by the Environmental Evaluation Committee. That was not in play in the original Conditional Use Permit but it will be in place as soon as we move past this Planning Commission. Additional water trucks as well as the cloth that is going on the fence will prevent any of the transfer.

Chairman Schaffner, I went out to the site and I did not find any hay or leaves in the concrete canal that was in question, but that does not mean it was not flushed out at some point in time. There was nothing getting through the fence except, in the center of the Eastern fence where there a couple of gates with no chain-link, there was some hay and leaves that got through the pipe gate. That got through but it ended up in the irrigation canal. They should put cloth somewhere on those gates also.

Jim Minnick, Director, Should they change out those gates to chain link?

Chairman Schaffner, Yes, I think so because the chain link now has nothing getting through it. I went up and down the fence and there was nothing getting through the chain link. They have a big pit on the inside of their property before the chain link so it is one of those things where anything heavy can fall out there with some hay. I do not want to make any condition but I just wanted to let them know that is the only place I can see where heavy stuff is going to get through.

Commissioner Castillo, Do you feel that would satisfy Mr. Miller's letter of concerns?

Chairman Schaffner, I would think so. I did not find a stem of hay or a leaf in the canal on his side. Maybe at some point in time, if he has an ongoing problem, he can consider putting an ultra violet light system with a couple filters. They are inexpensive and that could be something that could make him happy. He does not have one at his house now.

Jim Minnick, Director, We do have Air Pollution Control District on the zoom meeting if you want to speak with Monica.

Chairman Schaffner, No, I am just telling you what I saw. I was amazed at what a good job the chain link did to stop leaves and hay stems.

Jim Minnick, Director, What is the gate on that side pull? Did you get to the ditch bank?

Chairman Schaffner, I believe it was another way out. If there was a fire, maybe that was a way for a fire truck to get in. Maybe maintenance. I am not sure.

Jim Minnick, Director, Why don't we condition that? Replace it with regular fencing. They plan to put the cloth on that anyways.

Chairman Schaffner, It should be simple. Maybe they are already planning on it. I do not know.

Jim Minnick, Director, My department has no problem adding that condition.

Chairman Schaffner, I am sure the neighbor would be happier.

Jim Minnick, Director, It is the commission's call. We are not opposed to it.

Commissioner Bergh, I would add the condition.

Commissioner Castillo, Anastasia, have you had the chance to review the options Air Pollution Control District gave and made a decision on which one you would rather have?

Anastasia Miki, They plan to pay the fee for policy 5. We have had it calculated. I believe it is \$43,000 and some change. That was a decision we had made earlier in the process. We will continue that with Monica and her team.

Commissioner Castillo, That is satisfactory to Air Pollution Control District?

Anastasia Miki, Yes, it was. We had either option.

Chairman Schaffner, If there are no further comments, I would like to entertain a motion.

Motion made by Commissioner **Kalin** and seconded by Commissioner **Cabañas**, on the affirmative vote by the Commissioners present as follow; Schaffner (yes), Kalin (yes), Bergh (yes), Cabañas (yes), Castillo (yes), Wright (yes), Medina (yes), and Zuno (yes) to recommend approval of Conditional Use Permit #20-0014 as recommended by staff with the addition condition proposed today.

Jim Minnick, Director, stated Conditional Use Permit #20-0014 stand approved by the commission with the proposed condition to replace existing fence with a chain link fence and to include the new chain link fence in the cloth coverage. Any member of the public or applicant may appeal this decision by following the appropriate appeal within the next ten days.

2. Continued from January 27, 2021. Consideration of **Parcel Map #02488** as submitted by Jeffrey M. Carter who is proposing to subdivide the existing parcel which totals approximately 9.4 acres, into four (4) lots being approximately 2.35 acres each, for future residential development. The proposed new lots would all have access to water from the canal and be on septic systems. The proposed access would be from Belford Road. The property legally described as a Lot 35 of Imperial Subdivision No. 1 per Map No. 899 on file in the Office of the County Recorder of Imperial County. Assessor's Parcel Number 063-020-002-000 (653 W. Belford Road, Imperial), (Supervisory District #3). The Commission took the following actions:

Jim Minnick, Director, gave a brief description of the project, and introduced Diana Robinson, Planner III, to read the project into the record.

Diana Robinson, Planner III, read the project into the record and was there for any questions from the Commission.

Chairman Schaffner, asked if there were representatives for this project present to state their name and address for the record.

Jeffrey Carter, Introduced himself, stated he has read the entire project, and agrees with everything in it. He did not have any questions at this moment.

Chairman Schaffner, opened/closed the public portion of the meeting, there were no public comment and then turned it over to the commission for any questions or comments and entertained a motion.

Commissioner Castillo, Do the parcels comply with the width to length Ratio?

Diana Robinson, Planner III, Yes, they comply with the 4:1 ratio of our ordinance.

Motion made by Commissioner **Kalin** and seconded by Commissioner **Bergh**, on the affirmative vote by the Commissioners present as follow; Schaffner (yes), Kalin (yes), Bergh (yes), Cabañas (yes), Castillo (yes), Wright (yes), Medina (yes), and Zuno (yes) to recommend approval of Parcel Map 02488 as recommended by staff.

Jim Minnick, Director, stated Parcel Map #02488 stand approved by the commission. Any member of the public or applicant may appeal this decision by following the appropriate appeal within the next ten days.

VI. Public Comments, NONE.

VII. Commissioner Comments, NONE.

VIII. Director Comments, NONE.

IX. Adjournment: Meeting adjourned at 9:24 a.m.



Submitted by Rudy Schaffner;
Chairman of the Planning Commission

Attest:



Jim Minnick, Director of
Imperial County Planning Commission
Gabriela Robb PC Recording Clerk

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