

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

The Imperial County Planning Commission convened a Meeting on Wednesday, March 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 IV, David Black/Planner II, Mariela Moran/Clerk, Carina Gomez.

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

- I. Roll Call: Commissioners present:** Schaffner, Bergh and Cabañas in attendance.
Zoom Call: Kalin, Wright, Medina, Zuno and Roben.

Absent: Castillo

- II. Pledge of Allegiance:**

- III. Approval of Minutes:** Chairman Schaffner entertained a motion to approve the Planning Commission Minutes for the **February 24, 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), At this time, Commissioner Zuno logged into meeting via Zoom.

(NOTE: The public hearing for items #1 and #2 was opened simultaneously)

1. Consideration of **Conditional Use Permit (CUP) #20-0028 (A)**. The applicant (Movocan) is requesting approval for **Conditional Use Permit #20-0028(A)** to allow for the operation of an Adult Use & Medicinal Cannabis retail dispensary with delivery, at 2070 Thomas R. Cannell Road, Salton Sea California on APN # 015-330-027-000. The legal description for this parcel is "LOT 35 BLOCK 03 TRACT 537 FM 4 39", in unincorporated Salton City Urban area of the County of Imperial. State of California. (Supervisorial District #4). The Commission took the following actions:

Jim Minnick, Director, gave a brief description of the project, and introduced David Black, Planner IV, to read the project into the record.

David Black, Planner IV, read the PowerPoint presentation of 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.

Angel Fernandez introduced himself as a resident of Imperial Valley and stated that he opened up the first cannabis dispensary in Imperial Valley and have been open since October 2019. They have been running smoothly and collecting taxes without any incidents in Imperial County. Mr. Fernandez stated that he read the entire project and agree with staff's recommendation.

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. He then entertained a motion.

Commissioner **Bergh** asked why in this particular location. Mr. Fernandez stated that strategically for the distribution, part of their company they have been having issues with the Border Patrol checkpoint. Because of the Federal Law, they are under no obligation to develop a system to allow State Cannabis

to move freely, so in order to save their funding and make things less complicated they took steps on not allowing anything lawfully get through. Therefore, with this positioning themselves outside of these Federal checkpoints now they are able to distribute throughout the rest of the state.

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), Wright (yes), Medina (yes), and Zuno (yes) and Roben (yes) to recommend approval of Conditional Use Permit #20-0028(A) as recommended by staff.

Jim Minnick, Director stated that this project stands approved and adopted by the Planning Commission. If any interested party or member of the public wishing to appeal this decision to the Board of Supervisors, 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 **Conditional Use Permit (CUP) #20-0028 (B)**. The applicant (Movocan) is requesting approval for **Conditional Use Permit #20-0028(B)** to allow for the operation of a Cannabis Distribution, at 2070 Thomas R. Cannell Road, Salton Sea California on APN # 015-330-027-000. The legal description for this parcel is "LOT 35 BLOCK 03 TRACT 537 FM 4 39", in unincorporated Salton City Urban area of the County of Imperial. State of California. (Supervisorial District #4). The Commission took the following actions:

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), Roben (yes) Wright (yes), Medina (yes), and Zuno (yes) to recommend approval of CUP #20-0028(B) as recommended by staff.

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

3. Consideration of **Parcel Map #02490** as submitted by Precision Engineering & Surveying on behalf of Timothy Lloyd Allen & Roy Kyle Allen. Applicant proposes to separate two existing deliveries and two existing fields into two separate parcels for family legal trust issues. The existing property totals approximately 298 acres and the proposed division of said property would create two parcels of 143 and 155 acres each approximately. The property is legally described as a Portion of the North half of Section 29, Township 12 South, Range 13 East, S.B.M; Assessor's Parcel Numbers 020-150-016-000 (6196 Lack Rd., Brawley, CA; Supervisorial District #4). The Commission took the following actions:

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

Mariela Moran, Planner II, read and gave a power point presentation of 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.

Taylor Preece, Precision Engineering introduced himself via zoom and stated that he had read the entire project and agree with staff's recommendation.

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. He then entertained 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), Roben (yes) Wright (yes), Medina (yes), and Zuno (yes) to recommend approval of **PM #02490** as recommended by staff.

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

VI. Public Comments, NONE.

VII. Commissioner Comments: Commissioner Kalin asked Mr. Minnick being that were moving to a new stage quickly when would the meeting structure change. Mr. Minnick stated that the County is in Red and as you might be able to see from your screen the Board has included non-recyclable plastic according to Mr. Bergh. Nevertheless, with good facemasks, can we have more people in here yes we could. With regards with today's newspaper, we have to be optimistic to move to orange. Mr. Minnick stated that from what he understands we have to be in the current category for three weeks and show for two weeks that you can meet the qualifications for the next category. So depending on whom you talk to it can be as early as next week or three weeks away, assuming our numbers stay the same. Mr. Minnick stated that he would not take today's newspaper exactly the way it was written that is not the way, he heard yesterday or Monday from the Health Director. Either way, right now we are in the Red, can we have extra Commissioners, yes they provide two extra chairs we can have up to five in the room right now up to seven max the way they have the patricians.

VIII. Director Comments, NONE.

IX. Adjournment: Meeting adjourned at 9:17 a.m.

Submitted by Rudy Schaffner
Chairman of the Planning Commission

Attest:



Jim Minnick, Director of
Imperial County Planning Commission

Carina Gomez PC Recording Clerk