

**MINUTES OF THE
PLANNING COMMISSION MEETING
September 14, 2022**

The Imperial County Planning Commission convened a Meeting on Wednesday, September 14, 2022 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 I, Gerardo Quero, Planner I, Victoria Escalante, Planner II, Derek Newland/Clerks- Leslie Martinez, & Allison Galindo.

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

- I. **Roll Call: Commissioners present:** Schaffner, Kalin, Roben, Cabañas, Bergh, Gallegos, Pacheco and Wright in attendance. Commissioner Medina came in at 9:02 a.m. after roll call/approval of minutes/brown act resolution.

Zoom Call: Medina

- 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:

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

2. **Approval of Minutes:** Chairman Schaffner entertained a motion to approve the Planning Commission Minutes for the **August 24, 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 Schaffner (yes), Kalin (yes), Roben (yes), Cabañas (yes), Bergh (yes), Gallegos (yes), Wright (yes), Pacheco (yes), Medina (yes) to approve minutes as they stand.

Chairman Schaffner; asked for item #11 to be presented first before starting with all items.

11. Consideration of **Appeal #22-0002 of Notice of Violation #01643** as submitted by KC Auto Service, LLC. The property owner is appealing NOV #01643 for installing of cargo containers and operating an auto parts repair shop without building or electrical permits in an A-2 (General Agriculture) zone, in violation of the Imperial County Land Use Ordinance and California Building Code. The property is located at 2405 Holt Rd, Holtville CA, 92250; also known as Assessor's Parcel Number 045-040-037-000; and legally described as the SOUTH EAST ¼ OF WEST 160 ACRES OF TRACT 86 T15S, R15E 40-ACRES S.B.B.M; (Supervisory District #5) [Derek Newland, Planner II at (442) 265-1736, extension 1756 or via email at dereknewland@co.imperial.ca.us]

Ralph Cordova, Attorney; He asked for the matter to be continued in a minimum of 30 days.

Commissioner Kalin; Asked if KC Auto is still conducting business.

Ralph Cordova, Attorney; Responded that yes they are to a certain extent. He did state that they are not conducting the same business they were conducting before.

Chairman Schaffner; Asked Ralph how much time they need.

Ralph Cordova, Attorney; He responds that a minimum of 30 days.

Chairman Schaffner; Asked if there is a specific date.

Jim Minnick, Director; Answered that we are able to give him a date.

Commissioner Pacheco; Added that he had drove by there and affirm that it was closed when he passed by.

Leslie Martinez, Clerk; Provided next dates for November 9th or 23th.

Jim Minnick, Director; Chose November 9, 2022.

Chairman Schaffner; Asked Ralph if he agreed with that date.

Ralph Cordova, Attorney; He agreed & thank everyone.

Roll Call: Commissioners present: Schaffner, Kalin, Roben, Cabañas, Bergh, Gallegos, Pacheco, Medina and Wright in attendance.

3. **(CONTINUED)** Consideration of **Zone Change #18-0001 and Parcel Map #02476** as submitted by Marty Coyne (applicant). The project proposes a zone change from A-2 (General Agriculture - Minimum Lot Size 15 acres) to A-2 (General Agriculture Minimum Lot size 2.5 acres) Assessor Parcel Number APN: 052-570-009-000. The parcel is currently 14.03 acres vacant agriculture land. The zone change and parcel map will be for residential development on four (4) parcels. The project site is located at 1834 Forrester Road, PAR 1 PM 1817 OF S 22 ACRES OF N 40 ACRES TR 116 T16S R13E and within (Supervisory District #3), [David Black, Planner IV at 442-265-1736, extension 1746 or by email at davidblack@co.imperial.ca.us

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.

Chairman Schaffner; Asked applicant to approach the podium and give input regarding his project.

Marty Coyne, Applicant/Owner; Approached the podium and introduced himself as the owner and applicant. Gave a brief description of his property and himself. He asked for site plan to be shown again and added that there is a big demand on rural housing but it is very limited because of farming. He added that there is a few oppositions from the neighbors, since they do not want anyone else living around their neighborhood. Marty added that he supports farming by giving farming employees housing. He did research to see how many accidents had happened in those roads they got a report from highway patrol averaging twenty (20) accidents in five (5) years. He talks about how the neighbors agree for other neighbors to build but not Marty Coyne. He added that he has address all issues and done all the things he has been able to.

Commissioner Pacheco; Asked Marty if the AB68 is the granny house.

Marty Coyne, Applicant/Owner; Said yes, and he added that practically everyone can do it if the state permits it.

Jim Minnick, Director; Added that any zone that allows for homes can do a granny flat up to 1200 square ft. with a building permit, they can also do conversion within the house, not expansion.

Commissioner Roben; Asked if that is with anything.

Jim Minnick, Director; He said that can be done just with a building permit, he added that environmental health was in the audience and could talk how septic system would work in those things.

Commissioner Gallegos; Asked if Navy base has approved or if has had contact with him.

Marty Coyne, Applicant/Owner; Responded that there is a letter from the Navy base supporting the project.

Chairman Schaffner; Asked if there was anybody from the Agricultural commissioner's office. He commented that he would love to hear from them since they have issues on certain materials for agricultural spraying.

Chairman Schaffner; Opened the public portion of the meeting.

Commissioner Cabañas; Called Bob Candelan.

Bob Candelan, Resident; Introduced himself. He stated that by looking at the document they can see the land is not plot is still vacant. In addition, he mentioned it does not meet the A2 standard. He stated that the problem is that in the original document presented in the PC meeting back in 1988, this was not in the agenda it was added later to the document. He stated that in the documents it says L15 added, but it was not in any of the records of the County Board, he stated this property should not be allowed to turn into housing and he suggested to be look at. He stated that if there is as many houses as he does, it adds to the problem of farmers being able to farm on their land due to the requirements to by certain outfits that require certain distance of farm land away from housing.

Commissioner Roben; Asked if Mr. Candelan had any documents that contradicts this matter.

Bob Candelan, Resident; Stated that he obtained the minutes from the County and that in the Minutes this matter wasn't addressed.

Commissioner Roben; Asked if he agrees that the current housing is also a problem for farmers and that if they would have to do the same thing regardless Marty Coyne builds his facility or not to farm the land. He asks how an additional problem to add four (4) more rural houses where there is existing houses they would still have to notify everyone in the area.

Bob Candelan, Resident; Answered the knowledge of the farming, the ones that are their now yes and why increase the housing. He stated that he is not an expert but he said it has to with distance with the type of product that they are growing. He mentioned that was something that can be answered by Mr. Minnick or Mr. Schaffner.

Chairman Schaffner; Stated that he would like to hear from the Agriculture Commission Office because there is certain things regarding the amount of houses will be the distance needed between the housing and the field and he doesn't know what are the latest numbers regarding the distance.

Commissioner Gallegos; Asked is the land is organic planning?

Bob Candelan, Resident; Stated that of his understanding there is an organic farm, but he is not the expert.

Commissioner Roben; Stated that no letter of the farmer that is farming now the area wasn't received nor assisted to the meeting and complain about it.

Commissioner Bergh; Asked how many times the homes that are out there now existing have complain about spraying about the other fields, those houses have to been affected. How many times have they come over to County Departments or the farmers that they are getting over sprayed?

Bob Candelan, Resident; Stated that it's not a matter of the people of the homes getting over sprayed, it about who buys the product of the field. As well he mentions that of his understanding the people that buy produce out of fields require a certain distance between where that field is located and homes and certain livestock. To finalize his statement he restates that the real issue is the L15 and asks to please look further into it.

Commissioner Cabañas; Called Wanda Smith.

Wanda Smith, Resident; Stated that she had lived there for sixty (60) years and they don't want no more houses. States that the picture shown in the PowerPoint is not correct and mentions that that land is being farmed. If the picture had been taken three (3) weeks ago was different as what was shown. She disagrees with this project.

Commissioner Roben; Asked Mr. Coyne if he owns that property? He asked Ms. Smith if she doesn't want him to do with his land (which is currently being rented for farming), and in a future decides to put a house there is she against private property rights?

Wanda Smith, Resident; Stated that she is against Mr. Coyne putting four (4) houses in that property, she knows that it's his property but the houses would impact everybody in that area.

Commissioner Roben; Asked whether she heard when Mr. Coyne stated the new Accessory Dwelling Unit (ADU) Laws coming down? Mentions that they can end up with three (3) houses smaller and more affordable to what is proposed like a 1200 sq. ft.

Wanda Smith, Resident; Stated she couldn't hear, and mentioned Mr. Coyne wouldn't build smaller houses.

Commissioner Roben; Mentioned Mr. Coyne can sell it to someone that would build smaller houses.

Wanda Smith, Resident; She stated that if Mr. Coyne decides to sell his land, she will be available or will be willing to buy it and she will put it on as farming.

Commissioner Roben; Stated she had answered his question.

Commissioner Cabañas; Called Mr. Menvielle.

John P. Menvielle, Resident; Introduced himself. Stated that in 1988 this project was presented in Planning Commission with Mr. Gray being the owner and property being twenty-seven (27) acres. Mr. Heuberger who is now a consultant was the Planning Director in that time and was against the project. At that time the project was turned down in the Planning Commission Hearing and then to the Board which as well it was turned down. Mr. Butcher appealed the project back to the Board and the Board passed it on a three (3) vote (Yes) but only to allow three (3) houses along Forrester road. States that the fifteen (15) acres in which Mr. Coyne wants to build the four (4) houses was only approved for one house which was fought by all the residents around but that wasn't ever put into word. Mentions that Mr. Coyne comes along three (3) years ago and buys the property from Curt Skinner and decides to build more houses. He gives compliments on Mr. Coyne work done for the Valley, but mentions this is agricultural ground. States that this project is an illegal. Mr. Menvielle addresses the water problem in the Valley. Mentioned that there are three (3) letters from John Kuhn, Freddy Abatti, and Bill Dubois which are against the project. Asked what is the process of approval.

Jim Minnick, Director; Stated that at the moment Commissioners request is only a recommendation, it has to go to the Board regardless of the action. Board has final approval.

John P. Menvielle, Resident; Asked if the Planning Director is recommending this project to be passed?

Jim Minnick, Director; Stated that the Planning Department and was interrupted.

John P. Menvielle, Resident; Stated it falls back in with Board and if it ends in a law suit that would just be where it goes. Stated that in 1988 there was no proper paper work, which where it was stated that it was one house for 1500 acres. Restated this project should be turned down and be denied.

Commissioner Roben; Asked that if the real problem he had was that the farm land was being removed?

John P. Menvielle, Resident; Stated there are houses in the country, why begin to build more houses in the country? Asks him why is he building houses in town and not in the country? Stated that when you live in country you depend in IID ditch water.

Commissioner Roben; States that the reason is the demand, and people want them.

Marty Coyne, Applicant/Owner; States that after hearing all the statements, that for a while that property had the sale sign, and everyone that is against and states they will buy that property had the same opportunity that he had to buying it. States its fourteen (14) acres and mentions that no one wants to farm. Asks to look to the set back of the houses he has in the field, because it comes right after the property line of those existing houses of Forrester road and with the setbacks that they show it is a distance off the farm ground which is organic farmland.

Chairman Schaffner; Comments regarding people having problems with spraying next to houses, this can exist and can only get worse, but the factor that remains is the valley out in the agricultural zones are for agriculture. He states that he went to a seminar for the Planning Department a couple of years ago in Sacramento and if you take one acre of farm ground out there has to be five (5) more acres that is not agriculture and put it back in. States as well that they have been told for many years in Planning Commission that what they have to do is they have to be consistent. As well, he mentions that if they allow this developing, it will continue and the next time that someone comes over they can't deny.

Motion made by Commissioner **Gallegos** and seconded by Commissioner **Roben** on the affirmative vote by the Commissioners present as follow Schaffner (no), Kalin (no), Roben (yes), Cabañas (yes), Bergh (yes), Gallegos (yes), Medina (yes), Wright (yes), Pacheco (yes).

Jim Minnick, Director; Stated that **Agenda Item #3** stands approve for recommendation to the Board of Supervisors project will advance to the Board of Supervisors there is no appeal of the Planning Commission determination.

Before starting Agenda item #4 Commissioner Kalin walked out of the Board room

4. Consideration of **Parcel Map #02497**, as submitted by Carson Kalin, requesting minor subdivision creating two parcels in order to separate an existing house from their farming operation. The parcels will be 1.29+/- and 78.72+/- acres for a project's total of approximately 80 Acres. The property is legally described as the N ½ of the SW ¼, Section 36, Township 12 South, Range 12 East, S.B.B. & M.; Assessor's Parcel Numbers 019-180-013-000 (5853 Pellett Road, Westmorland, CA; Supervisorial District #4), [Victoria Escalante at (442) 265-1736 or by email at victoriaescalante@co.imperial.ca.us].

Jim Minnick, Director; Gave a brief description of the project, and introduced **Victoria Escalante**, Planner I, to read the project into the record.

Victoria Escalante, Planner I; Read the PowerPoint Presentation of the project into the record.

Jim Minnick, Director; Mentioned that a revised set on condition was distributed to Commissioners which specifically related to condition #10.

Chairman Schaffner; Asked applicant to approach the podium.

Taylor Preece, Applicant/ Engineer; Introduced himself.

Chairman Schaffner; Asked if he had any questions or comments regarding the project, and if he read and agreed with everything with the revised Conditions.

Taylor Preece, Applicant/ Engineer; Agreed with the revised Conditions.

Chairman Schaffner; Opened the public portion of the meeting.

Sid Moores, Resident; States he currently lives there and wants to request the waiver. States that there'll be no changes on adding size to the home or changes on the septic system.

Motion made by Commissioner **Cabañas** and seconded by Commissioner **Bergh** on the affirmative vote by the Commissioners present as follow Schaffner (yes), Kalin (not present), Roben (yes), Cabañas (yes), Bergh (yes), Gallegos (yes), Medina (yes), Wright (yes), Pacheco (yes).

Jim Minnick, Director; Stated **Agenda Item #4** stands approved by this Commission. In which applicant or any member from the public which to appeal must done by filing the appropriate appeal in the next ten (10) days.

Chairman Schaffner; Asks for someone to call in Commissioner Kalin.

5. Consideration of **Parcel Map #02498**, as submitted by Loreto and Ana Maria Gaeta, Applicant is proposing a minor subdivision to create three parcels separating existing home from remaining land and for future development of a residential dwelling per additional parcel. The parcels will each be approximately 0.33 square feet for a project's total size of approximately 0.66 of an acre. The property is legally described as the South 175 feet, of the North 350 feet of the East 165 feet of Block B1, of the Townsite of Heber, South of Block 3, of Section 28, T16S, R14E, SBBM. Assessor's Parcel Numbers 054-331-006-000, (1031Heber Avenue, Heber, CA 92249, and; Supervisorial District #2), [Victoria Escalante at (442) 265-1736 or by email at victoriaescalante@co.imperial.ca.us].

Jim Minnick, Director; Gave a brief description of the project, and introduced **Victoria Escalante**, Planner I, to read the project into the record.

Victoria Escalante, Planner I; Read the PowerPoint Presentation of the project into the record.

Chairman Schaffner; Asked applicant to approach the podium and give input regarding his project.

J. Carlos Romero, Representative; States that they have read the staff report and the conditions of approval, resolution and they agree to approve as presented.

Chairman Schaffner; Opened the public portion of the meeting. There were no public comments, 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), Kailin (yes), Roben (yes), Cabañas (yes), Bergh (yes), Gallegos (yes), Medina (yes), Wright (yes), Pacheco (yes).

Jim Minnick, Director; Stated **Agenda Item #5** stands approved by this Commission. In which applicant or any member from the public which to appeal must done by filing the appropriate appeal in the next ten (10) days.

6. Consideration of **Conditional Use Permit #21-0018** as submitted by Community Veterans of Imperial County, LLC. to allow the operation of a 1,400 square foot Adult Use & Medicinal Storefront Dispensary (with delivery) for the sale of cannabis. The property is legally identified as N 200Ft of Lot 1, Block 16, Ocotillo Unit 2, T16S, R9E. The proposed project parcel area is approximately 2.6 acres and is located on Imperial County Assessor Parcels (APN) 033-574-003-000, (1073 N Imperial Highway Ocotillo Wells, Supervisorial District #2), [Victoria Escalante, Planner I at (442) 265-1736, extension 1750 or by email at victoriaescalante@co.imperial.ca.us].

Jim Minnick, Director; Gave a brief description of the project, and introduced **Victoria Escalante**, Planner I, to read the project into the record.

Victoria Escalante, Planner I; Read the PowerPoint Presentation of the project into the record.

Chairman Schaffner; Asked if there was a representative for this project.

Alysa Gordy, Project Manager; Introduced herself. (Via Zoom)

Chairman Schaffner; Asked if she had read the entire project and if they agree with it.

Alysa Gordy, Project Manager; Stated that they agree with everything.

Chairman Schaffner; Opened the public portion of the meeting. There were no public comments, 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 **Gallegos** on the affirmative vote by the Commissioners present as follow Schaffner (yes), Kailin (yes), Roben (yes), Cabañas (yes), Bergh (no), Gallegos (yes), Medina (yes), Wright (yes), Pacheco (yes).

Jim Minnick, Director; Stated **Agenda Item #6** stands approved by this Commission. In which applicant or any member from the public which to appeal must done by filing the appropriate appeal in the next ten (10) days.

Chairman Schaffner; Asks Mr. Minnick who has the benefit of the sales tax, since it is not an incorporate area?

Jim Minnick, Director; Stated County of Imperial.

7. Consideration of **Conditional Use Permit CUP #21-0023** as submitted by Community Veterans of Imperial County, LLC to allow for the operation for an Adult Use & Medicinal store for sale of cannabis. Community Veterans of Imperial County, LLC is proposing a 2,625 square foot Adult Use/ Medicinal cannabis retail space with Delivery where patients can experience a safe environment. The project site is located at Assessor's Parcel Number 056-470-009-000, and is further described as Por S2 of SE4, SEC 21, 16-21, located west of the unincorporated Winterhaven town site of the County of Imperial (611 Sidewinder Road, Winterhaven, CA) (Supervisorial District #5), [Gerardo A. Quero, Planner I at 442-265-1736, extension 1748 or by email at gerardoquero@co.imperial.ca.us].

Jim Minnick, Director; Gave a brief description of the project, and introduced **Gerardo Quero**, Planner I, to read the project into the record.

Gerardo Quero, Planner I; Read the PowerPoint Presentation of the project into the record.

Alysa Gordy, Project Manager; Introduced herself. (Via Zoom) Stated that they read and agreed with everything.

Chairman Schaffner; Opened the public portion of the meeting.

Commissioner Bergh; Questioned whether this project is an addition to the Winterhaven existing.

Jim Minnick, Director; Affirmed it is an addition.

Commissioner Pacheco; Asked Mr. Minnick what is the maximum number amount of store front dispensary.

Jim Minnick, Director; States that the county of Imperial has made it a market base driven.

Commissioner Roben; Asked Mr. Minnick whether the sheriffs comment on the locations? Wanted to know whether the sheriffs have any request for any additional officers.

Jim Minnick, Director; Stated that he wasn't aware of any and that conditions were what they have at the moment.

Commissioner Roben; Stated that the one in Salton city had requests and he is wondering why in this case it wasn't required.

Motion made by Commissioner **Kalin** and seconded by Commissioner **Cabañas** on the affirmative vote by the Commissioners present as follow Schaffner (yes), Kailin (yes), Roben (yes), Cabañas (yes), Bergh (no), Gallegos (yes), Medina (yes), Wright (yes), Pacheco (yes).

Jim Minnick, Director; Stated **Agenda Item #7** stands approved by this Commission. In which applicant or any member from the public which to appeal must done by filing the appropriate appeal in the next ten (10) days.

8. Consideration of **Conditional Use Permit #22-0010** as submitted by Jamal Shaow, who is proposing to replace and operate a commercial water well to supply the existing gas station with a projected maximum annual water extraction of (2) two acre-feet on property identified as Assessor Parcel Number 056-470-009-000. The legal description of this parcel is a Portion of the South Half, of the Southeast Quarter, of Section 21, Township 16 South, Range 21 East, S.B.B.M., located west of the unincorporated town of Winterhaven of the County of Imperial, State of California. (Supervisory District #5), [Gerardo A. Quero, Planner I at 442-265-1736 extension 1748 or via email at gerardoquero@co.imperial.ca.us].

Jim Minnick, Director; Gave a brief description of the project, and introduced **Gerardo Quero**, Planner I, to read the project into the record.

Gerardo Quero, Planner I; Read the PowerPoint Presentation of the project into the record.

Chairman Schaffner; Asked if there was a representative for this project.

Manuel Sanchez, Water Treatment Consultant; Introduced himself.

Chairman Schaffner; Asked if he read the entire project and if he agreed with it.

Manuel Sanchez, Water Treatment Consultant; Read and agreed with everything.

Chairman Schaffner; Opened the public portion of the meeting.

Commissioner Bergh; Asked is the existing well capped off at this point, or is it a replacement for it?

Jim Minnick, Director; Stated it isn't, but it's a replacement for the existing one due to failure.

Motion made by Commissioner **Kalin** and seconded by Commissioner **Cabañas** on the affirmative vote by the Commissioners present as follow Schaffner (yes), Kailin (yes), Roben (yes), Cabañas (yes), Bergh (yes), Gallegos (yes), Medina (yes), Wright (yes), Pacheco (yes).

Jim Minnick, Director; Stated **Agenda Item #8** stands approved by this Commission. In which applicant or any member from the public which to appeal must done by filing the appropriate appeal.

9. Consideration of **Lot Line Adjustment #00325** as submitted by Frank A. & Susan G. Rapp & Susan Rethoret to adjust the boundary between Parcel A (044-220-055) and Parcel B (044-220-054) to add an approximately +/- .16 acres portion of Parcel B to Parcel A to correct an encroachment of an existing garage on Parcel A into Parcel B; the western portion of Parcel A consisting of approximately +/- .52 acres will be added to Parcel B. In addition, the boundary between Parcel B and Parcel C (044-220-038) will be adjusted +/- .27 acres to correct the encroachment of an existing trailer home (Accessory Dwelling Unit) and existing house on Parcel B. These properties legally described as the South Half of the North 300 feet of the West 470 feet of Tract 59, T15S, R14E, S.B.B.M; 044-220-054 (2205 Cross Rd.) legally described as the North Half of the North 300 feet of the West 470 feet of Tract 59, T15S, R14E, S.B.B.M and 044-220-038 (2211 Cross Rd.) legally described as the North 275 feet of the South 575 feet of the West 470 feet of Tract 59, T15S, R14E, S.B.B.M.; (Supervisory District #5) [Derek Newland, Planner II at (442) 265-1736, extension 1756 or via email at dereknewland@co.imperial.ca.us]

Jim Minnick, Director; Gave a brief description of the project, and introduced **Derek Newland**, Planner II, to read the project into the record.

Derek Newland, Planner II; Read the PowerPoint Presentation of the project into the record.

Chairman Schaffner; Asked if there was a representative for this project.

Taylor Preece, Engineer/ Applicant; Introduced himself.

Chairman Schaffner; Asked if he read the entire project and if he agreed with it.

Taylor Preece, Engineer/ Applicant; Agreed with everything.

Chairman Schaffner; Opened the public portion of the meeting. There were no public comments, 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), Kailin (yes), Roben (yes), Cabañas (yes), Bergh (yes), Gallegos (yes), Medina (yes), Wright (yes), Pacheco (yes).

Jim Minnick, Director; Stated **Agenda Item #9** stands approved by this Commission. In which applicant or any member from the public which to appeal must done by filing the appropriate appeal in the next ten (10) days.

10. Consideration of **Lot Line Adjustment #00326** as submitted by John Kuhn proposes to adjust the boundary between Parcel A (051-280-053) and Parcel B (051-280-062) to correct for the encroachment of the agricultural facility on Parcel A. The proposed adjustment would move the west boundary of Parcel A 185 feet west and would transfer +/- 6.12 acres. These properties are legally described as the Southwest ¼, of the Southwest ¼, of Section 13, T16S, R12E, S.B.B.M.; (1625 Drew Rd., El Centro, CA 92243; Supervisory District #2) [Derek Newland, Planner II at (442) 265-1736, extension 1756 or via email at dereknewland@co.imperial.ca.us]

Jim Minnick, Director; Gave a brief description of the project, and introduced **Derek Newland**, Planner II, to read the project into the record.

Derek Newland, Planner II; Read the PowerPoint Presentation of the project into the record.

Cameron Bucher, Representative; Introduced himself.

Chairman Schaffner; Asked if he read the entire project, if he agreed with it and if he had no comments.

Cameron Bucher, Representative; Stated he read, agreed and had no comments.

Chairman Schaffner; Opened the public portion of the meeting. There were no public comments, 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), Kailin (yes), Roben (yes), Cabañas (yes), Bergh (yes), Gallegos (yes), Medina (yes), Wright (yes), Pacheco (yes).

Jim Minnick, Director; Stated **Agenda Item #10** stands approved by this Commission. In which applicant or any member from the public which to appeal must done by filing the appropriate appeal in the next ten (10) days.

VI. Public Comments,

Robert Menvielle, County Assessor; Stated he attends to Planning Commission meetings because of gems to be discovered, there is an escape assessment that is without a business license and building permits. As well mentioned that there will be staff going to property to inspect, due to the fact that they were operating a business.

VII. Commissioner Comments,

Chairman Schaffner; Stated regarding the continuing projects, plopping down another parts house a couple blocks out of the City of Holtville is going to be detrimental for the city and thirty (30) percent of the tax money going to go to the County but roads won't be repaired.

Commissioner Roben; Asked how did this get in the radar? Was there a complaint?

Jim Minnick, Planning Director; Stated that Planning Department received a complaint. The reason this coming up to Commissioners, is because violator appealed the letter of violation. Stated that in the letters of violation there is an opportunity to appeal the decision of the Planning Department.

Chairman Schaffner; Asked for how long they had been operating?

Jim Minnick, Planning Director; Stated it was for a couple of months. He mentioned that they had met with violator and the complete violation on the building code they would have to get all that taken care of and before that they would have to go through and Environmental Process and a Discretionary Process.

VIII. Director Comments, NONE.

IX. Adjournment: Meeting adjourned at 10:35 a.m.

Rudy Schaffner

Submitted by Rudy Schaffner
Chairman of the Planning Commission

Attest:



Jim Minnick, Director of
Imperial County Planning Commission

Leslie Martinez & Allison Galindo PC Recording Clerks
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