

**MINUTES OF THE  
PLANNING COMMISSION MEETING  
October 12, 2022**

The Imperial County Planning Commission convened a Meeting on Wednesday, October 12, 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- Allison Galindo & Melina Rizo.

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

**I. Roll Call: Commissioners present:** Schaffner, Kalin, Roben, Cabañas, Bergh, Gallegos, and Pacheco

**Zoom Call:** Medina and Wright

**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 **September 14, 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.

**3. Consideration of General Plan Amendment GPA #21-0004** as submitted by Imperial County Planning and Development Services (ICPDS) Department. Under the requirements of state law, every city and county in California must prepare a General Plan, which addresses several topics, one of which is public health and safety. The Imperial County Seismic and Public Safety Element addresses this topic in accordance with state requirements, which are laid out in California law, particularly in Section 65302(g) of the California Government Code. Upon adoption, the proposed 2021 Seismic and Public Safety Element will replace the existing 1997 Seismic and Public Safety Element as Imperial County's guiding policy document on safety and resilience. The Seismic and Public Safety Element is one of eleven Elements of the County's General Plan. The project is countywide. David Black, Project Planner at 442-265-1736, extension 1746 or by email at [davidblack@co.imperial.ca.us](mailto: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 and introduced Jacqueline Protsman- Placeworks.

**Jacqueline Protsman, Representative;** Read the PowerPoint Presentation of the project into the record.

**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.

**Commissioner Roben;** Asked Jim what is average Joe proposing a project in the Imperial County that may be an impact for those that are doing work.

**Jim Minnick, Director;** Stated there are policies and procedures set forth in the element that will be updating Title 9. As well, as the building code to be consistent with State Law. He also stated nothing in those document exceeds State mandate, it will discourage from building in flood plains. Stated there is an element that dated back to the nineties (90's), state required to be consist with state laws, meaning that if project wouldn't be passed people would be subject to all the bills that were presented by Ms. Protsman as well anything that Cal Fire has regulated.

**Commissioner Roben;** Asked if later on it would be harder to build due to the Seismic Element and Flooding Element because of these issues?

**Jim Minnick, Director;** Stated that the Seismic Element is going to reflect the building for seismic zone that all Southern California is in the same situation. He as well stated that there is no add ons on the existing regulations it's just an update to the regulation to reflect current state code.

**Chairman Schaffner;** 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), Roben (yes), Cabañas (yes), Bergh (yes), Gallegos (yes), Medina (yes), Wright (yes), Pacheco (yes).

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

4. Consideration of **Zone Change #21-0004** as submitted by Salton Group, LLC is proposing to change the zoning of a 50.64-acre parcel from A-2-U (General Agricultural Zone in an Urban Area) to M-1-U (Light Industrial Zone) for a future industrial hemp-processing facility. The property is legally described as a portion of the East Half, of the Northwest Quarter of Section 11, T17S, R14 East, S.B.B.M. in an Unincorporated Area of the County of Imperial, State of California, Assessor's Parcel Numbers 058-010-052-000, (551 Pruett Rd, Calexico, CA 92231, and; Supervisorial District #1) [Derek Newland, Planner II at (442) 265-1736, extension 1756 or via email at [dereknewland@co.imperial.ca.us](mailto: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 the applicant if he had any questions or comments regarding the project, and if he read and agreed with everything.

**George Egbonu, Applicant;** Stated that he read and 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.

**Commissioner Kalin;** Asked the applicant where will the hemp be coming from and if there was only going to be two (2) truck loads a day. What type of products will they be making out of the fiber? He asked if they would be shipping the fiber from their plant to other places to be used for different products. As well, he asked if this would be a seasonal business and how much water is required for a crop.

**George Egbonu, Applicant;** Stated that it would be coming from Imperial County and its estimated one (1) to (2)-truck loads. As well, he stated the products would be fiber ropes, fiber boats, animal bedding, press wood, carpets, and hempcrete.

**Commissioner Pacheco;** Stated that he believed that they would require six (6) million gallons a year of water.

**Derek Newland, Planner II;** Stated it would be eighteen (18)-acre feet.

**Commissioner Pacheco;** Asked whether Imperial Irrigation District was part of the process.

**Jim Minnick, Director;** Stated that Imperial Irrigation District were notified due to being part of process.

**Commissioner Pacheco;** Asked if American Tribes were involved in this project

**Jim Minnick, Director;** Stated that they were notified and no comments

**Commissioner Medina;** Asked that if in the process of manufacturing will there be an odor or discomfort that may bother the citizens of Calexico.

**George Egbuonu, Applicant;** Stated that there is nothing that can discomfort the citizens.

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

**Jim Minnick, Director;** Stated **Agenda Item #4** stands approved for recommendation to the Board of Supervisors project will advance to the Board of Supervisors there is no appeal of the Planning Commission determination.

5. Consideration of **Conditional Use Permit #22-0007** as submitted by Alan Bornt to develop a portion of his home site into a Special Event Center for up to 50 events per year. The events (weddings, fundraisers, birthdays, bridal and baby showers, chamber mixers, etc.) will be for no more than 200 guests, at various times, for no later than 11:00pm. The project site is located at 2060 E. Highway 115, Holtville, CA 92250. The parcel is identified as Assessor's Parcel Number (APN) 045-520-009-000 and is legally described as the West 17 acres of the SE1/4 of Tract 40, 15-16, a portion of Section 30 T15S, R16E, SBBM, in the unincorporated area of the County of Imperial (Supervisory District #5) [Derek Newland, Planner II at (442) 265-1736, extension 1756 or via email at [dereknewland@co.imperial.ca.us](mailto: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 applicant to approach the podium.

**Alan Bornt, Applicant;** Introduced himself.

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

**Alan Bornt, Applicant;** Agreed and had no questions.

**Chairman Schaffner;** Opened the public portion of the meeting.

**Commissioner Cabañas;** Called Chip Polvorde to approach the podium.

**Chip Polvorde, Resident;** Stated that he represents the one hundred twenty-nine (129) homes community that is close by the event center (450 ft. away from project) and noise levels aren't addressed at Study. In addition, he stated that eleven (11) o' clock is not a normal curfew time.

**Commissioner Kalin;** Asked Chip Polvorde (Resident) if he had a list of the one hundred twenty-nine (129) homes he is representing.

**Chip Polvorde, Resident;** Stated that is a mobile home park and that he owns it.

**Chairman Schaffner;** Closed the public portion and he then turned it over to the Commission for any questions and/or comments

**Commissioner Gallegos;** Asked the applicant who is patrolling the area, because he called the sheriff's department and they are not aware of the situation. His concern is patrolling time of event being the one stated.

**Jim Minnick, Director;** Stated Planning and Development Department will be responsible for maintaining the integrity of the Conditional Use Permit.

**Commissioner Gallegos;** Asked if applicant will get a permit every time they get a function, due to not stated in conditions. He stated no written ordinance is given.

**Jim Minnick, Director;** Stated they should report to the Department if they will have a function unless it is a small event. As well, he stated that if a complaint is submitted due to not following rules; permit will be taken back to Commissioners and they can terminate the CUP. Stated that a written ordinance would be having them (Applicant) submit a Conditional Use Permit, they must meet all terms and conditions.

**Commissioner Gallegos;** Asked if they (Applicant) is required to submit a permit.

**Jim Minnick, Director;** Stated they are not required to get a building permit due to the Conditional Use being the permit. If they are excessive or they are not meeting the permit then they jeopardize losing the permit.

**Commissioner Gallegos;** Stated that they are only required certain number of events.

**Jim Minnick, Director;** Stated Applicant has to provide a report every year with the amount of events they have during the year. They are allowed a max of fifty (50) events a year and they should report whether they were fifty (50) or less events.

**Commissioner Roben;** Referred to Mr. Polvorde question regarding noise levels and stated that they County's noise ordinance will be the one enforced, so if there is a complaint given that will be the start of going after the Conditional Use Permit.

**Jim Minnick, Director;** Stated it is an Agriculture Zone so it must meet the Ag. Zone noise element numbers. The noise levels are based on the zoning and cannot be exceeded.

**Commissioner Cabañas;** Called Bill Huber to approach the podium.

**Bill Huber, Resident;** Stated that he had concerns regarding the noise levels and as far as the number of events within the calendar year.

**Jim Minnick, Director;** Stated that fifty (50) events is the max indoor/outdoor and events schedule for all events should be provided to the County Planning and Development Services sixty (60) days prior of the event. Therefore, if an event is occurring the department will notify the Sheriff's department so if they get a complaint they can correlate with that.

**Chairman Schaffner;** Asked the applicant if there is any plants or vegetation between the property and Holtville.

**Alan Bornt, Applicant;** Stated that there is 30 palm trees, regular trees and sand which its offsite town.

**Chairman Schaffner;** Asked 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.

- 6a. Consideration of **Conditional Use Permit #21-0022**: Applicant: TowerCo IV Holding, LLC. The applicant has applied for Conditional Use Permit #21-0022 for the installation of a new 100-foot wireless communication facility. The applicant has also applied for Variance #22-0002 to exceed the height limitation in an area zoned Gateway Industrial (GI) by 40 feet. The current height limitation for a GI zone is 60 feet. The project site is located at 1812 Pan American Street, Calexico, CA, on property identified as Assessor Parcel Number 059-512-002-000, and is further described as Lot 64 of Tract 941-Unit #2, Township 17 South, Range 16 East, S.B.B.M., Latitude 32° 40' 36.998"N – Longitude 115° 22' 38.824"W. [Gerardo A. Quero, Planner I (442) 265-1736 extension 1748 or by email at [gerardoquero@co.imperial.ca.us](mailto: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.

**Commissioner Roben;** Stated that the tower is in the Property of a client he is working with so he walked out the boardroom.

**Franklin Orozco; Representative (Via Zoom);** Introduced himself and gave a brief description of the who was involved in this project.

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

**Franklin Orozco; Representative (Via Zoom);** Stated that he read and 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 **Kailin** and seconded by Commissioner **Cabañas** on the affirmative vote by the Commissioners present as follow Schaffner (yes), Kalin (yes), Roben (not present), Cabañas (yes), Bergh (yes), Gallegos (yes), Medina (yes), Wright (yes), Pacheco (yes).

- 6b. Consideration of **Variance #22-0002**: Applicant: TowerCo IV Holding, LLC. The applicant has applied for Conditional Use Permit #21-0022 for the installation of a new 100-foot wireless communication facility. The applicant has also applied for Variance #22-0002 to exceed the height limitation in an area zoned Gateway Industrial (GI) by 40 feet. The current height limitation for a GI zone is 60 feet. The project site is located at 1812 Pan American Street, Calexico, CA, on property identified as Assessor Parcel Number 059-512-002-000, and is further described as Lot 64 of Tract 941-Unit #2, Township 17 South, Range 16 East, S.B.B.M., Latitude 32° 40' 36.998"N – Longitude 115° 22' 38.824"W. [Gerardo A. Quero, Planner I (442) 265-1736, extension 1748 or by email at [gerardoquero@co.imperial.ca.us](mailto:gerardoquero@co.imperial.ca.us)].

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

7. Consideration of **Conditional Use Permit #22-0016**, as submitted by ATC Sequoia, LLC. The applicant has submitted a re-entitlement application for previously approved Conditional Use Permit (CUP) #06-0032 allowing the continued operation and maintenance of one 65-foot faux palm monopole, co-locatable, un-staffed telecommunication tower, with twelve panel (12) antennas separated into three (3) sectors with four (4) antennas per sector. The property is located on APN #059-220-009 and legally described as Parcel A of Certificate of Compliance, Lot Line Adjustment 74, Portion of Lot 1 of Section 14 and Lot 2 of Section 13, Township 17 South, Range 15 East, SBBM, (1577 Carr Rd, Calexico CA 92231) (Supervisory District #1), [Victoria Escalante at (442) 265-1736, extension 1750 or by email at [victoriaescalante@co.imperial.ca.us](mailto: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.

**Jill Cleveland, Representative (Via Zoom);** Introduced herself.

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

**Jill Cleveland, Representative (Via Zoom);** Stated that she read and 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 **Kailin** and seconded by Commissioner **Cabañas** on the affirmative vote by the Commissioners present as follow Schaffner (yes), Kalin (yes), Roben (yes), Cabañas (yes), Bergh (yes), 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.

**VI. Public Comments,**

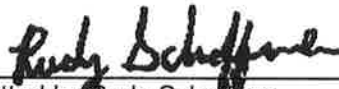
**VII. Commissioner Comments,**

**Commissioner Gallegos;** Stated that on Board Meeting the prior day a gentlemen complaint about a land-use being used for junk yard, and was wondering if it has been patrolled or checked.

**Jim Minnick, Director;** Addressed that it has been looked into the situation along with his supervisors.

**VIII. Director Comments, NONE.**

**IX. Adjournment:** Meeting adjourned at 10:05 a.m.



Submitted by Rudy Schaffner  
Chairman of the Planning Commission

Attest:



Jim Minnick, Director of  
Imperial County Planning Commission

Allison Galindo & Melina Rizo PC Recording Clerks  
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