

**MINUTES OF THE  
PLANNING COMMISSION MEETING  
February 25, 2026**

The Imperial County Planning Commission convened a Meeting on Wednesday, February 25, 2026, at 9:00 a.m. in the Board of Supervisors Chambers, El Centro, California.

**Staff present:** Assistant Director, Michael Abraham; Isara Galvez, Planner I; Luis Valenzuela, Planner II; Clerks – Aimee Trujillo & Adriana Ceballos.

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

**I. Roll Call: Commissioners present:** Schaffner, Kalin, Cabañas, Gallegos, Medina, Gutierrez, Dunn, Hinojosa

**II. Pledge of Allegiance:**

**III. Public Hearings**

**1. Approval of Minutes:** Chairman Schaffner entertained a motion to approve the Planning Commission Minutes for the **January 28, 2026**, meeting as submitted by staff; Commissioner Kalin made motion to approve minutes seconded by Commissioner Gallegos and carried on the affirmative vote by the Commissioners present Schaffner (yes), Kalin ( yes) Cabañas (yes), Gallegos (yes), Medina (yes), Gutierrez (yes), Dunn (yes), Hinojosa (yes)

**2. (Rehearing) Consideration of Parcel Map #02518** proposes Parcel Map #02518 for the intent of the project is to subdivide the existing parcel which totals approximately 8.84 acres, into four (4) lots being approximately 1.33 acres each Parcel 2, 3, 4 and 4.85 acres for Parcel 1, for future residential development. The proposed project site is located at 604 W Murphy Road, Imperial, CA 92251, with Assessor's Parcel Number #063-020-010-000, and further identified as BLK 40 IMPERIAL SUB 1 15-13/14 8.83 AC, County of Imperial; State of California (Supervisory District #3), [Luis Valenzuela, Planner II at 442-265-1736, or via email at [luisvalenzuela@co.imperial.ca.us](mailto:luisvalenzuela@co.imperial.ca.us)].

**Actions:**

1. Adopt the Negative Declaration by finding that the proposed project would not have a significant effect on the environment as recommended by the Environmental Evaluation Committee on October 9, 2025; and,
2. Approve the attached Resolution and supporting findings, approving Parcel Map #02518, subject to the attached conditions.

**Michael Abraham, Assistant Director:** Gave a brief description of the project, and introduced Planner II, Luis Valenzuela, to read the project into the record.

**Luis Valenzuela, Planner II:** Read the PowerPoint presentation of the project into the record.

**Chairman Schaffner:** Asked if there was an applicant for the project.

**Taylor Preece, Representative:** Introduced himself.

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

**Taylor Preece, Representative:** I do agree, and I just want to remind the commission that there is a housing shortage in the state right now. There's been three (3) different Senate bills that have passed in the last two (2) years that combat that housing shortage, and this parcel map just further helps resolve that shortage here in Imperial County.

**Chairman Schaffner:** Thank You, Opened the public portion of the meeting.

**Pam Allen, Public Speaker:** I'm Pam Allen. I live on 538 (five-three-eight) West Murphey Road, and we're down the street from this subdivision planning, but we have a road that's off road. You can take a sand buggy and go down and have fun. It has not been paved since 1967 (nineteen sixty-seven). I believe you guys put in apartments in La Brucherie; it was supposed to be taken care of in the roads. It is still not taken care of, and people voiced their opinion on that. Roads paved the city side; county said it'll go to bid. Nobody has done no work there, so what are we supposed to do with more traffic? We can't handle that on Murphy and Nance Road without road improvements, and it needs to be done immediately. So, I'm against this planning. If the roads don't get fixed and we can leave the roads the way they are, I'd go along with the subdivision, but the roads have to be fixed prior to the subdivision being approved.

**Dan Stanford, Public Speaker:** Good morning, my name is Dan Stanford. I live at 532 West Murphey Road. I don't think any of us really have a major issue for housing for veterans or anyone else. We understand there's a housing shortage, but if the roadways aren't maintained, what good does that do? We're going to have more claims. If you'd like to pass it around, this is what our roads look like.

I'm going to give you a quick background. I'm just not someone who's lived there for twenty-five (25) years. I was Deputy Director at Public Works. If you'd like to go back, I did District five (5), three (3), and one (1) for thirty (30) years. When I moved in there, I pulled the maintenance mileage for that road. It has not had a cap oil or nothing since it was built. I always asked, can we do something with that road? And they said, look, you live on that road, we can't go do anything because it would look like we'd be doing your road. Well, you know what, what about all the people that live on that road and the housing development that's only going to increase traffic?

La Brucherie Road, as Pam said, the county gave up maintain mileage to the city on La Brucherie Road for those apartments. I don't know if you've been there, but when they gave up maintenance mileage, when the road came in, they paved that road. They made a deal with the county, we will grind it, we will clean it, we will lay it, all we want you to do is pay for the asphalt. The county didn't do it. I called John Gay and said, "Hey John, what's going on out here? I mean, you know how cheap that is to just purchase. You can do an emergency if you have to, but it's only a half mile. You can't do that? Then they came and ground our roads two (2) years ago. If you don't understand, they put it in the grinder, it leaves grooves. They usually do that when it's buckled. The problem is we weren't buckled. Nance and La Brucherie were buckled. When they did that, they took off the top fine layer. But what happens when the fines are gone? What are you left with? Rocks. What happens when moisture gets down there and there's nothing sealed? It deteriorates, and it has deteriorated terribly. It's embarrassing. And if you want to go look, and if not, I will do a Public Records Act and bring in maintain mileage from Murphey Road from La Brucherie to Nance Road where the proposed subdivision is.

Most of us don't have a problem with that. We have a problem with now the apartments have increased traffic. There's more foot traffic, it's dangerous. The county has a bike path, please go by and look at the bike path. The county has not cleaned it since the apartments have been put in, and then they didn't clean it for three (3) years. My wife was riding on the bike path the other day and nearly wrecked. She went on the sidewalk. Imperial Police pulled her over because she was on the sidewalk. Well, it's dangerous, it's unsafe.

So, before you guys decide on adding housing and things like that, I really wish you would look at all the aspects of what if it affects us. You know, most of the people on the road have been there for twenty (20) years, and that's all I want you to consider. Pull the maintain mileage. Don't trust me. You can even look up my name. I know John's gone, but if you go across the street, look up the maintain mileage and you will see what I'm talking about. I'm not making anything up. I'm not being dramatic, but folks, we need to look at all aspects of it. We don't have a problem with housing.

**Chairman Schaffner:** I have a question, what is maintain milage?

**Dan Stanford, Public Speaker:** Maintain milage is what the state pays for being maintained. If you go back and look at the records on that road, the only thing that's been done is that they will come and patch, and in fact now that fifty (50) percent of Public Works trucks are settling. If you guys look into it, because of the ETA laws they're not out there doing as much maintain milage. Every time that crew goes on that road, once they write it in on their timecard, there's a number for that road. That road is logged in with Public Works that it was worked on. The state pays them money. That is maintain milage. That's how all these roads get done, and all they're doing is throwing a little nickel into the pot because nothing is getting fixed right.

When they ground it, I asked John, are you at least going to put a skin patch on it? Come over here and put some cold mix like you guys do and seal it back up. Two (2) years, nothing happened. It hasn't been sealed or anything. So, I just ask that all of you look into this further. If you lived on that road and you paid your taxes and you love where you live, it sure would be nice if you could drive your car down without bending a rim. If you drive down it and you hit them, you're going to get a torn-up car. Most people drive on the edge of the shoulder. If you look, twenty (20) percent of the road is covered by dirt. The county hasn't come in and cleaned the shoulders off. I mean, we're just asking somebody please to do what's responsible, what's required, and think of the public. Thank you.

**Chairman Schaffner:** My comment is I want my road fixed, and I'm not getting anything either, and I don't know whether we have the power to make them do anything. Do we?

**Michael Abraham, Assistant Director:** Morning, Commissioners. There is a condition in the parcel map that requires improvement along the frontage of the proposed parcel, but I think what you're hearing today is a bigger picture on road maintenance in general and not necessarily the improvements that are going to be required because of these three (3) additional parcels. So, there are some conditions for sidewalk and improvements along the frontage of those.

**Commissioner Cabañas:** For this development?

**Michael Abraham, Assistant Director:** Yes, only for this development.

**Chairman Schaffner:** If anything is built new then the county can make them improve the roads?

**Michael Abraham, Assistant Director:** It depends on the project. So, if the project is large enough and the traffic justifies major road improvement, yes, that's a large-scale subdivision, not a parcel map where there are only three (3) additional parcels.

**Commissioner Medina:** Is this the responsibility of the county to maintain and upgrade this road, or the homeowners?

**Michael Abraham, Assistant Director:** If it's a county road then yes it's the county's responsibility but that's handled by the Public Works Department. I think they're talking about the road maintenance for the entire segment around that neighborhood not for this particular parcel map where they're talking about improvements along the frontage of the newly proposed lots.

**Commissioner Medina:** Do we know where in the priority list for Public Works this road is scheduled to receive an upgrade?

**Michael Abraham, Assistant Director:** I do not know that, but they can feel free to reach out to the Public Works Department and they should be able to give them the answers to that.

**Commissioner Gallegos:** Yesterday I had a meeting with John Hawk and he was talking exactly about that. He was saying sometimes you put in for a road improvement for a certain road it takes six months by the time you really get up to that road and they're making a priority list right now with that new guy running the road department. The new one, they are trying to fix some of the old ones. The Board of Supervisors realize that they need to do a lot of stuff as far as the roads and Hawk was saying that's what they are working on, trying to make a list of the most important and do something.

**Michael Abraham, Assistant Director:** Right, the Public Works Department, they do have a road maintenance plan and what I would suggest is to talk to the Public Works Department to make sure that your priorities and their priorities are aligned to make sure that you get what you want and what's necessary for your community because we in the Planning Department also in the Public Works Department, they hear these complaints about road improvement throughout the county, from Palo Verde to Ocotillo to Winterhaven. It's all the same and they can't do everything at the same time, but you can meet with the Public Works Department to align your priorities.

**Dan Stanford, Public Speaker:** The County Public Works does have a maintenance list. I did it; I was responsible for the construction crew. But there's a website you can go to, the Public Works website, and report any damage or anything dangerous. I've probably done it fifteen (15) times, and nothing happens, so I understand his point of view, I really do.

You put this here access point. The City of Imperial is working on finishing that road all the way through. Murphy Road is going to go all the way through to the elementary school. So do a traffic count, talk with Public Works, prove me wrong there's not enough traffic on that road to take care of it. But it's been reported. You go online and do it. If you call in, they write it down, it will go to one guy, then to another guy. Been there, guys thirty (30) years. The best way is to go online, but nothing is happening with that.

So what else are we to do? We're here just to voice and maybe have someone look into that issue. We're not saying that it's all on the Planning Department, we're not. We voiced to Public Works, and we haven't gotten any response. So maybe some of you can just make a phone call and say hey, why aren't you responding to these things? That's all I'm asking. Thank you.

**Chairman Schaffner:** I have a washout on the road right next to my house about a quarter mile away. In the last big rain it's big enough to put three quarters of a big cup in. I put cones out there myself and I've called, I don't know how many times. My cones are still sitting there and they've done nothing.

**Dan Stanford, Public Speaker:** Sir, over the last ten (10) years it's gotten bad. You live off Holt Road, right?

**Chairman Schaffner:** No.

**Dan Stanford, Public Speaker:** I did district 5 for years

**Chairman Schaffner:** I talked to John Hawk and I've talked to everybody and I've been getting the same thing. And what do you think it is? We got no money. That's all we tell you.

**Dan Stanford, Public Speaker:** Well, it's just that two (2) years ago when they ground it, they said they were going to do something guys, and nothing's happened. That's why we're voicing our opinion. Thank You.

**Chairman Schaffner:** There were no more public comments. He then closed the public portion of the meeting and turned it over to the Commission for any questions and/or comments.

**Commissioner Hinojosa:** I wanted to ask a question. Can this commission make a recommendation or a note to Public Works in reference to this road and this issue?

**Michael Abraham, Assistant Director:** Absolutely. If you want, I can reach out to the Public Works Department to share the conversation we're having today about the road condition.

**Commissioner Hinojosa:** Would this have to be part of either the denial or approval of the project?

**Michael Abraham, Assistant Director:** Well, we have conditions from Public Works for the improvement along the frontage of those proposed lots.

**Commissioner Cabañas:** That will be punishing the project. The project already has conditions.

**Commissioner Hinojosa:** Yes, but in reference to the issues.

**Commissioner Cabañas:** Then that will open a can of worms when a project comes over here and they have issues with roads.

**Commissioner Kalin:** Made a motion to approve **Agenda Item #2** seconded by **Commissioner Cabañas** and the affirmative vote by the Commissioners present as follows Schaffner (yes), Kalin (yes) Cabañas (yes), Gallegos (yes), Medina (yes), Gutierrez (yes), Dunn (yes), Hinojosa (yes)

**Jim Minnick, Director:** Stated **Agenda Item #2** stands approved by this Commission, the applicant or any member of the public wants to appeal must be done by filing the appropriate appeal in the next ten (10) days.

3. **Consideration of CUP #24-0026** Skyway Towers proposes Conditional Use Permit #24-0026 for a 120-foot monopole telecommunications facility located on a 40' x 40' leased portion of a 2.83 acres residential parcel. The proposed project site is located at 749 W Worthington road, Imperial, CA 92251 approximately 1,400 feet west of the intersection of Worthington Road and Austin Road, with Assessor's Parcel Number #062-040-075-000, and further identified as PAR 2 PM 926 OF TR 51 15-13 2.89AC, County of Imperial; State of California (Supervisory District #3), [Luis Valenzuela, Planner II at 442-265-1736, or via email at [luisvalenzuela@co.imperial.ca.us](mailto:luisvalenzuela@co.imperial.ca.us)].

**Actions:**

1. Adopt the Negative Declaration (SCH #2025111047) and that the proposed project would not have a significant effect on the environment as recommended by the Environmental Evaluation Committee on November 13, 2025; and,
2. Approve attached Resolution, with Findings, for Conditional Use Permit #24-0026, subject to all the conditions, and authorize the Planning Director to sign the CUP contract upon receiving the signed copy from the Permittee.

**Michael Abraham, Assistant Director:** Gave a brief description of the project, and introduced Luis Valenzuela, Planner II, to read the project into the record.

**Luis Valenzuela, Planner II:** Read the PowerPoint presentation of the project into the record.

**Chairman Schaffner:** Asked if there was a representative for the project.

**Megan Howey, Representative:** Introduced herself. Read the PowerPoint presentation of the project into the record.

**Joeseeph Parker, Representative:** Good morning, Chairmen. I'm available to support the Skyway if this commission has any questions with respect to gap and analysis coverage, some of the standards that federal agencies require. Outside of that, he introduces himself. He lives at 522 Midway Street, San Diego.

**Chairman Schaffner:** I have a couple of questions. Who in Agriculture did you talk to about the pilots? Agriculture pilots are always our biggest concern for these towers. Who did you talk to?

**Megan Howey, Representative:** We haven't talked to anybody, sorry. Did you say crop dusting or?

**Chairman Schaffner:** You said there are no agricultural impacts. That's the biggest one.

**Megan Howey, Representative:** Right, so we complied with the FAA regulations. We were heard by the ALUC, which specially reviews crop dusting. Any kind of flight issues are viewed by the ALUC, as my understanding. Also, on my way here just this morning, you know I'm an airport planner. I've been in both the public and private sector, and so I'm always kind of interested in the functioning of communities. I do value, you know, my name is attached to this, and so it's important to me what I'm building. And so, I do actually look for, is this really something I can support?

As I was driving down here this morning, I noticed there were several different telecommunications facilities that were much larger, I mean probably upwards of two hundred (200) feet, in agricultural fields. I noticed there's growth directly surrounding them, so I feel that they can reasonably grow in and around these fields, as evident by the facilities that I personally saw on the way here. My background too is that my family, I come from farmers, long history of ranchers, so I understand and appreciate those concerns. But I do feel that this can still work together.

**Chairman Schaffner:** Ok, so here's the deal. We always said the pilots are the ones that fly and die. If they don't like it, we don't like it. If they like it, we like it. So, you haven't been communicating with them yet? You need to get with a local pilot. It's not an association, it's a group of people who kind of oversees these, and we need to get their ok.

**Megan Howey, Representative:** So, my understanding is that flight patterns are not reviewed by the ALUC, like flight issues.

**Chairman Schaffner:** Well, they're up there flying at night over 100 miles an hour. If the light goes out, and we do because we get the calls, if the lights go out, they can fly right into it. Is this a monopole?

**Megan Howey, Representative:** Yes, it is a monopole

**Chairman Schaffner:** Monopole and straight or tapered?

**Megan Howey, Representative:** Straight.

**Chairman Schaffner:** And so that's the bottom line, that the number one priority, and then we also are concerned how close is the next tower from there?

**Megan Howey, Representative:** I would have to look at my notes; I don't have it in front of me.

**Chairman Schaffner:** Ok we need to know.

**Megan Howey, Representative:** It's in the submittal documents.

**Chairman Schaffner:** Ok, we need to take it out and let us know. We have limits on how far apart.

**Megan Howey, Representative:** Right, and there were no co-location opportunities when I conducted my alternative site, and I also prefer personally and perpetually the path of least resistance because it's easier for me. So, if I can co-locate on a tower, I'm definitely going to let my client know it, because I don't want to waste my time or your time getting up in front of you to bring these issues.

**Chairman Schaffner:** We require a co-location.

**Megan Howey, Representative:** Right, and when we submitted documents for Imperial County for the staff assessment, co-location opportunities were reviewed, and there were no opportunities for co-location, not anywhere close to this proposed facility. As far as the crop dusting goes, we made sure to review that as part of the ALUC hearing and committee. Safety is very important to us because, obviously, they don't want to build something to have it damaged or to have any safety issues happen. That wouldn't make sense to spend that much money on something that would pose a threat. They don't want that news, so they are not going to spend any money to build something like this if there is any reasonable threat to it. So, I really, both professionally and personally, really don't think that should be an issue.

**Chairman Schaffner:** Ok, I'm not following you on the co-location because we require you to be co-locatable.

**Megan Howey, Representative:** Yes, it is co-locatable. So, there are three different providers, opportunities on the pole. For example, one of our carriers wanted to, instead of building a tower, go on a tower that's existing. That opportunity doesn't exist, and that's what I was referring to. But we do have three co-location opportunities on the tower.

**Chairman Schaffner:** Ok, there's nobody in your area that you can co-locate on. Well, we need to know how far away you are from them because if you aren't far enough away, it doesn't matter.

**Megan Howey, Representative:** We did submit that.

**Chairman Schaffner:** Ok, we need to know how far it is because we made a mistake one time and allowed one to go too close, which is not what we typically do.

**Michael Abraham, Assistant Director:** Just wanted to clarify really quick. As a part of our process, once we receive a cell tower application, we always route it to a specific individual. And this cell tower, and all cell towers, we always send out the initial packet to the applicator. So, Byron, he got this pamphlet and we didn't receive any comments. So that's the deal with the applicators. I wanted to make sure. I don't think the applicant knew that's what we do internally when we route a project.

**Chairman Schaffner:** I've got other comments on that later, but not now. Another question, what is your bond? How much bond do you guys have to put up for this, for taking it down?

**Megan Howey, Representative:** Our removal bond?

**Chairman Schaffner:** Yes.

**Michael Abraham, Assistant Director:** As a standard practice for all cell towers, we always have a twenty-five thousand (25,000) reclamation bond.

**Chairman Schaffner:** It used to be fifteen (15) right?

**Michael Abraham, Assistant Director:** Yes.

**Chairman Schaffner:** Interesting thing, there was one that I was involved with. The guy that took it down got paid thirty-two thousand dollars (\$32,000) for it, so I'm thinking maybe your stuff doesn't cover it anymore. This is about five (5) years ago. Might need to look at it again.

**Michael Abraham, Assistant Director:** Might need to increase the bond.

**Chairman Schaffner:** Possibly.

**Chairman Schaffner:** Calls next speaker to podium.

**Reyna Acosta, Public Speaker:** Good morning. My name is Reyna Acosta, address seven eighty-seven (787) W. Worthington Road. I've been following this procedure since it started out with the ALUC Commission. Skyway Towers is a company from outside the valley; they have no best interest in our community, and here's my concern. Like I've said, I've attended these meetings for different boards, and when we were at the Airport Land Use Commission meeting, I spoke on behalf of my family about what it could potentially do to our health. Miss Howey said, "Oh, I feel for you, I'm a mother." As the board was asking her questions, one of the members of the board said, "Hey, we're missing a report." I'm not sure what report they were missing, but she said, "Oh, well, we'll turn it in to you later, you can still vote right now." The board wanted to postpone the vote, and she said no, we can do that later. If this is a required report, it's definitely the wrong attitude to have. We need to know that whatever we're doing is safe for our community. All the reports and all the X's need to be crossed, and all the I's need to be dotted, and all the T's crossed. We need to check, and that's my big concern here. Right, you just mentioned the crop dusters. I've been in that community for a long time. They are in the middle of the field that is surrounded by Austin Road and Nichols Road, so the crop dusters do have to go directly above that. That tower will be less than one hundred (100) feet from where those fields begin, where they're normally farming. Yes, I've seen towers around our valley, but normally they're in the corner of the field, which would be easier for an airplane to maneuver around.

I am concerned because if that plane does crash, it's not just going to crash land on that side; it's going to crash land on all the sites around it, just like it recently did over here in the community when we had an accident. It burned down three homes, and people who had barely some visible damage on the roof were out of their house for a year. I know that because that kid went to school with my kid. I know this community, I know the dangers. Another reason is that once this tower is built, they're going to be renting out space to God knows what companies, and they're going to be bringing in their equipment to this tower. We don't know what kind of toxins that's going to bring to our community. As a long-term resident of this valley, I am concerned for our health. I understand that we have the number one incidence of asthma among our community, and that's because of toxins in the valley, pesticides, fertilizers, and burning the fields. Yes, we are an agricultural community, and those are the dangers that come along with being an agricultural community, but I don't want to add radiation to my backyard. I don't want to add other dangers of toxins that are going to be released to the environment when my property is this close to that.

They are saying it's not that close. There's a lot of us. There's a whole group of us that were coming to all the meetings. Unfortunately, this meeting happened in the morning, middle of the week, and it was difficult for some of the neighbors to come along. If you look at the reports from other meetings, the airport and environmental ones, they will tell you that we had a lot of people speaking on behalf of how unsafe we feel. It's not about looks. I don't care if we paint it blue or black; it really doesn't make a difference to me what color it is. But the safety of it, yes. Doctors will tell you it's safe to get an X-ray, but every year when I go to my dentist, they give me one of those aprons to protect me when they take my X-rays. What am I supposed to do with my eight-year-old? Put an apron on her when she plays in the front yard? I don't know.

They're going to tell me, "Well, it's compliant." Compliant doesn't mean it's safe. It just means we have some number that we came up with that we think might be safe. There have been studies done on these towers; they inflate the flight pattern of birds, and they cause more birds to die in these areas. You guys say we're not birds, we have a higher tolerance. Tolerance, yes, I'm in my forties, fine. My daughter is eight (8). If she continues to live on this property, can you guarantee that when she's my age she's not going to be suffering from some sort of cancer or other problem related to what we've been putting in our environment? I believe that they should put it in a better place, further from our communities. There are no longitudinal studies done on how well this is going to go. We're going based on a number that somebody came up with, but do we have a longitudinal study around people to tell us how our bodies react being close to this?

For the safety of our community at large, whether it's the people working on our fields or our people living there, we didn't choose that. We have a neighbor that is trying to sell their property. I don't know about you, but when I'm trying to buy a property and I go there and see what schools are nearby, what hospitals, what kind of services, if I see a tower, I don't want that property. I'm going to go somewhere else. Property values are going to go down. There are a lot of things we need to consider, but especially I think we should consider the health of our people. Thank you.

**Chairman Schaffner:** I only have one comment on that. I don't know much about the electronics, but I do know this first of all I like to have the applicant tell us how many watts does that tower put out?

**Joeseeph Parker, Representative:** As part of the zoning application, all the applicants are required to submit a radio frequency report which shows what the output of the facility should be. That report has been submitted. The output of the facility is six point zero megawatts. That is for the occupational locations, in other words for site distance for workers. For the general population, it is five point eight megawatts. You are talking about a facility that operates somewhere in between ten (10) and fifteen (15) percent of the federal maximum according to the FCC. It is set artificially low in terms of radio frequency exposure. The primary types of exposure are qualified workers that have to be in the vicinity of the tower to maintain and address equipment issues. The second is the general public and their proximity to the antenna themselves. These antennas are one hundred twenty (120) feet. The federal government stops regulating RF about ten (10) meters in height, but in particular because the broadcasts of these antennas are shooting over the general population on the ground, the exposure is quite minimal. This is typically very low standards that you would see of a single carrier tower of this type.

**Chairman Schaffner:** For those people who do not know how much a microwatt is, explain that.

**Joeseeph Parker, Representative:** I would say the easiest way is to talk about it in terms of percentages. The federal government sets a certain percentage for radio frequency exposure. A good majority of towers operate in the five (5) to ten (10) percent range of that. Some are as high as fifty (50).

**Chairman Schaffner:** I do not want to know the percentage. I want to know how much a microwatt is. Is it more than a watt or less than a watt?

**Joeseeph Parker, Representative:** A microwatt is less than watt.

**Chairman Schaffner:** I know tell everybody here how it works.

**Joeseeph Parker, Representative:** I do not know exactly what the conversion is with respect to fractions and microwatts versus watts.

**Chairman Schaffner:** It's way less than watt.

**Joeseeph Parker, Representative:** That is true. The actual output of this tower is substantially less than the total standard.

**Chairman Schaffner:** Ok, just so everyone knows, you can have a ham radio license, and you can run two thousand (2,000) watts anywhere you want. You do not have to ask anybody. Right out of your house, you are inside the house operating it, standing by it, whatever. So, you are talking about a microwatt, not even one (1) watt. You are getting more of a half of this in your pocket all day long. There is no danger from the actual frequencies that are coming out of it. But the birds, maybe, I do not know. I always say when the birds are born, they are born with the pole in the air and the tree, so they need to figure out how to not fly through it. That is all part of life anyway. I just wanted to bring that up. That is not an issue.

**Joeseeph Parker, Representative:** To put it into perspective, the early generation portable phones that came back in the nineties (90s) were four (4) watt phones.

**Chairman Schaffner:** Ok, thank you. We will bring it back to the commissioners. Any questions or comments? Representative Megan Howey approaches the bench to show a picture on a laptop regarding the distance of the nearby tower.

**Commissioner Guterrez:** How far is that away from the end of the runway approximately? Do you have an estimate?

**Megan Howey, Representative:** Maybe about a mile.

**Commissioner Medina:** Is there any other area where you could put this project that would place you further away from residential areas?

**Megan Howey, Representative:** So, this is as far as we can get to serve the general public. I like to choose the easiest spot. The thing I think of as a planner is going to be the easiest location, so I always like the industrial areas or commercial areas, or the furthest I can get from residential. This was the furthest I could get from residential and had the least visual impact.

**Chairman Schaffner:** So how far are you from the next tower?

**Megan Howey, Representative:** One point five (1.5) miles.

**Chairman Schaffner:** And do they have room there to co-locate?

**Megan Howey, Representative:** Even if they did, it would not meet the objective need.

**Chairman Schaffner:** Even if they did, that is not an answer. Do they have room or not?

**Megan Howey, Representative:** So, the tower, if they put a facility there, would not provide coverage to the area that we are trying to serve.

**Chairman Schaffner:** Of course not. It is a half of a mile off.

**Megan Howey, Representative:** Right, that's too far away.

**Chairman Schaffner:** You see, this is a major concern of ours. When all this cell tower stuff started, the county came in and said they wanted as few cell towers as possible for all the reasons that everybody stated.

**Megan Howey, Representative:** I think that's very reasonable.

**Chairman Schaffner:** And if we let you go a mile and a half away from a tower that has room on it, we open this valley up to five hundred (500) more towers that could be put anywhere because we gave you the chance to get a mile and a half away. So, we would have to give everybody a mile and a half away. That is our issue.

**Michael Abraham, Assistant Director:** Could you summarize what you showed at the commission so we can capture it in our minutes?

**Megan Howey, Representative:** Absolutely. I can also send you a screenshot of what I showed. It is an aerial map, and it shows the nearest tower location. There is a measuring tool so that you can show the distance between the post location and the nearest tower. That shows the distance. The other thing I showed them was

a picture of a tower on my drive here this morning that I saw. It was in the midst of all agricultural uses and much taller than what we are proposing. It looks like it is over two hundred (200) feet.

**Megan Howey, Representative:** I understand what you are saying. Your concern is that if we approve this today, we are opening ourselves up to legal precedent.

**Chairman Schaffner:** No, I do not care about you guys. I care about this commission. It has to go through this again and again, and we always do. If we let you go a mile and a half (1.5) from somebody else who has room for you to go on, I do not care if it changes the distance that you can transmit. That is not my concern. All I want you to know is that if we let you do it, this thing can open up. We already turned down what, two or three (2 or 3) in the last six (6) months for the same reason.

**Megan Howey, Representative:** I hear you. I was referencing what is called establishing illegal precedent and it is not to do with us. It is when you are a planner. If I were to serve on my city's planning commission and I approve a project in code and it says, "Hey, we are allowing this here," and it is really up to the discernment of the planning commission and it is a great area of code and it is subjective and it is a conditional use permit, am I opening the door and the gateway for everybody else?

The reason why I am going to say no is because this is a very unique situation. It is not something that will establish legal precedent because the lot that we are on is very unusual. You do not have the situation in the field surrounding other areas. You have an unusual lot where it is residential use with fields surrounding it. In order to establish a legal precedent, my understanding, and correct me if I am wrong, is that the standards would all have to be the same. It would have to be all the same zone, all the same kind of situation throughout the application, and it would have to happen substantially somewhere else.

I do not think that is a really hard bar to meet, and in my fifteen (15) years of doing this, I have never presented that. Even in difficult challenges, I have never been able to meet that bar. I do not think it is something you should have a concern about, just from my professional experience. Maybe I will let Michael speak on that.

**Joseph Parker, Representative:** Establishing wireless coverage or filling in what we call a gap in coverage is very geographically specific, not only of location but also of the elevation that they are trying to fill in on a coverage area. From a tower operator's standpoint, in this situation the owner of the tower is Skyway and the carrier operating off the tower is T-Mobile. The preference of a tower operator or a wireless carrier is always to go to an existing facility and co-locate on it.

The primary reasons are, number one, it is substantially cheaper, and number two, the federal preemption that has come as a result of legislation that came into effect in 2013, called 6409. It essentially made many of these installations co-locations mandatory under federal law as long as they meet the requirements, which is called an eligible facilities request.

From a zoning and permitting standpoint, if there is a tower that we can co-locate on, that is always preferred because the application, if it is deemed to be an eligible facilities request, requires mandatory approval by STAP. Cost is also a major factor. You do not want to build a new tower if you can go to an existing tower.

In this particular situation, the carrier has a very specific search ring. It is in the records where you can see essentially a circle around the area they are trying to cover. The towers in the location we are discussing, with the next closest one being one and a half (1.5) miles away, do not fit within that search ring and are unable to fill in the coverage gap they are trying to fill. Generally speaking, macro towers can transmit about a mile. Beyond a mile, you start running into issues.

**Chairman Schaffner:** What transmits a mile?

**Joseph Parker, Representative:** Macro towers, or large scaled towers like a monopole.

**Chairman Schaffner:** It transmits about a mile?

**Joseph Parker, Representative:** They usually transmit about a mile from tower to tower.

**Chairman Schaffner:** No. I don't buy it.

**Joseph Parker, Representative:** Well, let me explain. You have to use microwaves sometimes to broadcast further distances. A microwave is what is used to broadcast beyond a mile, but in terms of general propagation, a mile is about the standard in the industry.

**Chairman Schaffner:** So, this is a microwave?

**Joseph Parker, Representative:** No, what I am saying is that in order to project longer areas of distance of coverage from a macro tower, when you are talking about over a mile, that is generally done either with a fiber hard line or with a microwave tower. You have several microwave towers here off of El Centro that I saw on the way in. This is not a microwave tower; this is a stand-alone tower. But frankly, we cannot broadcast from other locations.

**Chairman Schaffner:** How far will this antenna transmit? How far (from your map) from one end to the other end, how far is that on the map that you brought us?

**Joseph Parker, Representative:** I would not know exactly the area that it fills in, but we have the coverage maps.

**Chairman Schaffner:** I need to know.

**Joseph Parker, Representative:** I can show you exactly on the coverage maps that are part of the administrative record. I will show you one that I have, but essentially, I do not know if you can see this, but the red is the existing coverage in the area.

**Chairman Schaffner:** Ok, how many miles will that antenna transmit? When we started doing this, we were putting these things forty (40) miles apart and beyond when they were here in Yuma, right?

**Joseph Parker, Representative:** Right, well, the wireless technology has changed dramatically. I have actually been in the business for about twenty-five (25) years. I also owned and presided over a local community where I live, so these situations, both on the business side and personal side, are near and dear to my heart. The situation is that voices carry much longer distances than data or video. What you have seen is that the early generation of towers that were constructed in the nineties (90's) were very large towers that projected voice only over a series of distances.

**Chairman Schaffner:** Can I get a number of how far it transmits ?

**Joseph Parker, Representative:** About a mile.

**Chairman Schaffner:** No, I am not buying it. So, you are saying we need an antenna every mile across the valley for this to work, not yours, but I am just saying you can get cell phone service all the way across this valley and never lose it. Well, in some spots you do, and they are miles and miles apart.

**Joseph Parker, Representative:** Well, there is plenty. It is part of an entire network, ok.

**Chairman Schaffner:** I understand that. But they are farther than a mile apart. Why would yours only go one mile, and everybody else's is going farther?

**Joseph Parker, Representative:** You can broadcast a signal from a macro tower using a microwave that will shoot a longer distance.

**Chairman Schaffner:** How far?

**Joseph Parker, Representative:** I could not tell you from an RF standpoint.

**Chairman Schaffner:** Ok I'm not getting an answer.

**Joseph Parker, Representative:** This project does not involve microwaves.

**Megan Howey, Representative:** For the record, and Michael, this is something you already have on file. It is just a reflection of what I already presented. These are the propagation maps that have been submitted to you for review that show the distance of how far it is going to project to answer his questions. (Shows map from PowerPoint.)

From a business perspective, these are costly and time consuming. You can see in these maps there are dots. Those are representatives of facilities in the area. Around those, you can see a green area, which shows the coverage that those provide. You can see how there are different dots, which help coverage, and there is different technology on each tower. So, like he said, there can be microwaves, there can be panel antennas, and there are different types of apertures that you put on a tower to provide different types of technology and different types of services. As he explained, it is evolving; it is an evolving technology.

At this moment, what we are showing are the ranges of the different technology that is currently on the towers nearby, and what we are proposing shows on the slide. This is why they want to make a big investment in the community to build this tower to provide these services, because there is not coverage in this particular area. It does not mean that they want proliferation of towers. So, it would not make sense for them to build more towers in that area because, number one, it costs them a lot of money and time. I mean, I do not even know how much time I have spent on this record so far.

There are also co-location opportunities. If another telecommunication provider walks in and says, "Oh, we want to build a tower in this area," you can be like, "There are two different spots for you to go to achieve your coverage need," and they will be on their way. But if there is no coverage in that area, then it means that your residents do not have E911 services. So, there is no coverage in that area right now. It is not good; it is like one bar or two bars, and calls get dropped. If somebody gets hurt in that area, it is going to be harder for them to receive services. It is helpful to have a cellphone to use, and that is what they are trying to accomplish here. You have this on file for the record, so it is something that they have already reviewed.

To answer some of the points that the public made earlier, they commented on me being a mother. I had said that I was a mother, and what I said to clarify for the record is that I do not feel any discomfort with placing my two children directly below this tower because I know how this works. The coverage does not go down into the ground; it goes out. It would not harm them. If they climbed the tower all the way to the top, that is a different story. We have different standards for people who climb the towers to maintain the towers. Those are regulated. My two children are not going to climb all the way up a one hundred twenty (120) foot tower, so I would have no issue with them playing nearby. Other than that, I would not want anything to fall on them, but the tower area is fenced, it is safe, it is regulated, and it is maintained at least once a month at minimum. I think that comment was taken out of context.

The other comment that was taken out of context is that she said I suggested it could be a condition. During the ALUC committee, there were two hearings that happened. At the first one, I had just been brought on to the project. What I understood and knew was that we had a determination of no hazard from the FCC on file. We had not delivered that to the commission at that time. As I said, I had just become part of this project, but I knew, and another audience member could reference that in their database, that there was a determination of no hazard already. They wanted to review the letter, which was great. We revisited and had another hearing for that with the ALUC. They reviewed the determination of no hazard along with all of our other documentation to show that there is no safety issue.

**Chairman Schaffner:** Well, I do not think that the radiation is an issue anyway, but that is not my issue. I keep wanting to know, you have a tower a mile and a half from there that has room for you, and you do not want to use it because it is going to move it out a bit. It is only going to move you a mile and a half from where you are now, and that is not what we have been allowing. We have not allowed towers to go this close together.

**Megan Howey, Representative:** Can I show you where I would move it to? So let us entertain that idea. Let us say, for the sake of the argument, that that is happening. Can I show you what that would achieve on the slide?

**Chairman Schaffner:** We get antenna companies coming over here and telling us things like, "You cannot put a cell tower on the big power lines that go across the valley." They come up and tell us, "No, we cannot do it." I drive all over the place, and those things are on one of the four feet of the towers in other places. So, I am being lied to by somebody. Anybody with a computer in the fifth grade these days can make any kind of map and do anything. I have nothing in the world to prove that this is true. I am not saying I do not believe you.

**Megan Howey, Representative:** So, if we falsify evidence, that is a crime, and we are not falsifying evidence. I am a GIS analyst, so I have my certification, and I understand what you are saying about how data can be misconstrued. I do not believe that is what has happened here, nor would I present it if I felt that way. I would like to show you.

**Megan Howey, Representative:** Reads the PowerPoint map into the record.

**Chairman Schaffner:** Where are the roads? Where are the houses? That is fine. That is the one you submitted, so that is the one we have to go with.

**Megan Howey, Representative:** So, the alternative site analysis I provided is a substantial document. It delves deep into these specifics, all of this.

**Chairman Schaffner:** So, all those other colored dots I'm assuming there other towers down there

**Megan Howey, Representative:** Yes, this is zoomed out considerably

**Chairman Schaffner:** So, all those other colored dots, I am assuming they are other towers down there.

**Megan Howey, Representative:** Different towers.

**Chairman Schaffner:** Why don't theirs radiate as far as yours? Are they shooting out less power than yours?

**Megan Howey, Representative:** There is different technology on each tower. I am not sure what technology is on their tower. Sometimes antennas point in certain directions to provide coverage. My understanding is that it would be largely dependent on what is on the tower. We are showing you what our tower would achieve with its proposed technology. You can also see that there are substantially similar rings in those different areas that represent the generalized coverage area for each tower. That is how the technology operates and works. To

address the proliferation standard, you had said, "Why don't they locate on utility poles?" That was one of your questions.

**Chairman Schaffner:** Well, the big metal towers.

**Megan Howey, Representative:** I think they are the BPA. There are different types, there is distribution. I have seen codes where the jurisdictions require that utility poles be considered, so they will have a siting hierarchy. That is what it is called in their code. They will say, "You will have to prove that you cannot locate on a BPA tower or an existing utility pole. You have to prove that you can locate in these areas." Your code has a siting hierarchy, and it also requires that I even assess another jurisdiction's siting hierarchy, which I do not usually see. So, your code takes it doubly far in that I am assessing two different jurisdictions' siting hierarchy standards in order to prove that this location is the best place.

So, I went through both jurisdictions' zones and all of their associated areas to prove that this is worth my time to travel here today, to be in front of you, to say that yes, we do meet the code standards. We ruled out the industrial areas, the residential zones, the PUD, the SP, the City of Imperial, different, I think it was A-1 for Imperial County. So, we ruled out everything that your jurisdiction code requires.

If the commission feels that the code is not written properly, or that you would like to change the code to say that you need to be locating on BPA towers or distribution lines no matter the height, then that would be something you would take to Michael during a code revision and a comprehensive plan change. He would rewrite that with you, you would approve it to standard, and whoever then came in front of you would have to answer to those standards. But the way the code is currently written, it does not require that we go on any, even if it did.

**Chairman Schaffner:** I know it does require it. We have been told here that it is impossible to do it, and I have seen them all over the place. So, somebody is lying to me. We have been lied to on other projects. I am not saying anybody in these projects.

**Commissioner Gallegos:** Mr. Chairman, I call for the vote.

**Chairman Schaffner:** I agree. If you have one last comment, go ahead.

**Joseph Parker, Representative:** I just wanted to comment on the co-location on the existing transmission and distribution facilities. You are absolutely right. You will see some in other jurisdictions, and in some others you will not. There has been tension between the power companies and the wireless companies for years. For a very long time, there was an absolute rule where the power companies were just not allowed to have any wireless infrastructure put on the facilities. You will see in certain communities where there is cooperation. I have seen it more recently in the last five years, but it does depend on the communities. So maybe someone is misrepresenting. In general, it really depends on the local, on the actual agency itself that is running the power for it.

**Chairman Schaffner:** Just for the record, I love towers. I always have. But we have standards that we have been going by, and we are just trying to be consistent.

**Joseph Parker, Representative:** I think the point that I was trying to make is that it is always the preference of the applicant or the tower operator with a wireless carrier to locate on an existing facility because the permit process is almost mandatory approval. Secondly, it is much cheaper to do, and you are not taking on all the headaches of the infrastructure as well. So, in this situation, what you see in all the records that have been submitted, and that are extensive, is the search ring where T-Mobile has selected the area infill. We are actually about ten feet outside of that search ring. The further you get out of the center of the bullseye, the worse the coverage gets as you try to infill that area. These particular other towers are immediately ruled out because

they simply cannot meet the coverage objective of the RF engineers. These are network engineer propagation maps that are created by T-Mobile's network engineers. They come directly from their RF department, and they are very solid and reliable reports. I can tell you with absolute certainty, if there was an ability for us to co-locate and cover the area that we call the coverage objective, then we would do that all day long. It is much easier and much cheaper. Thank you.

**Commissioner Kalin:** Made a motion to approve **Agenda Item #3** seconded by **Commissioner Gallegos** and the affirmative vote by the Commissioners present as follows Schaffner (no), Kalin (yes) Cabañas (no), Gallegos (yes), Medina (no), Gutierrez (yes), Dunn (yes), Hinojosa (yes)

**Michael Abraham, Assistant Director:** Stated **Agenda Item #3** stands denied by this Commission, the applicant or any member of the public wants to appeal must be done by filing the appropriate appeal in the next ten (10) days.

4. **Consideration of Lot Merger #00194** as submitted by John Fries, who is proposing to combine two (2) continuous lots to create a single and larger lot with approximately 10,000 sq ft. This newly consolidated lot is intended for the future installation of a manufactured home. All future developments will be made to County standards. The two (2) subject lots are identified as Assessor's Parcel Number(s) 002-212-015-000; and legally described as LOTS 6 & 7 BLK D BOMBAY BEACH TRACT, in an unincorporated area of the County of Imperial, State of California; Supervisorial District #4. [Isara Galvez, Planner I at (442) 265-1736, extension 1756 or via email at [isaragalvez@co.imperial.ca.us](mailto:isaragalvez@co.imperial.ca.us)]

**Actions:**

1. Find that Lot Merger #00194 is categorically exempt from CEQA per Article 19, Section 15305 (Minor Alterations in Land Use Limitations) and that no further environmental documentation is necessary; and,
2. Find that Lot Merger #00194 is consistent with applicable Zoning and Building Ordinances; and
3. Approve Lot Merger #00194, subject to the attached conditions.

**Michael Abraham, Assistant Director:** Gave a brief description of the project, and introduced Isara Galvez, Planner I, to read the project into the record.

**Isara Galvez, Planner I:** Read the PowerPoint presentation of the project into the record.

**Chairman Schaffner:** Asked if there was a representative for the project to approach the podium.

**John Fries, Applicant:** Hello, my name is John Fries. My address is 3624 Meier Street, Los Angeles, CA. I am the owner of these two lots. My family bought them back in February of last year. You can see in the picture there was a manufactured home in the center area, and we initially bought it thinking we were going to build exactly there. But we found out that we would be too close to our own property line. This is a new experience for me. It is the first time I have ever developed anything, so it has been a privilege to work with Isara and Rocio. They have been really helpful. You got to hear today about some very important topics that affect the community and a lot of comments. I would say about the significance of this one is that it does not really affect a lot of people. It affects my family, who are planning to move here from Los Angeles. It is a lovely community that we have fallen deeply in love with, and the cost of living is phenomenal in comparison.

The placement, the geometry of the site, and the existing utilities and lines make the most sense to pursue a lot merger. Isara and Rocio have been incredibly helpful, and I wanted to take the opportunity to publicly thank you for bringing somebody who has no experience with this process and guiding me through it.

**Chairman Schaffner:** There were no public comments. He then closed the public portion of the meeting and turned it over to the Commission for any questions and/or comments.

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

**John Fries, Applicant:** Yes.

**Commissioner Kalin:** Made a motion to approve **Agenda Item #4** seconded by **Commissioner Cabañas** and the affirmative vote by the Commissioners present as follows Schaffner (yes), Kalin (yes) Cabañas (yes), Gallegos (yes), Medina (yes), Gutierrez (yes), Dunn (yes), Hinojosa (yes)

**Michael Abraham, Assistant Director:** Stated **Agenda Item #4** approved by this Commission, the applicant or any member of the public wants to appeal must be done by filing the appropriate appeal in the next ten (10) days.

**IV. Public Comments:** NONE

**V. Planning Commissioner Comments:**

**Chairman Schaffner:** Yes, I do. For the commissioners who have not been on here too long, the newer commissioners, when we started doing this way back when and we started eliminating the number of towers going up, we did not have a set amount of distance that they could be apart and make them go to somewhere that was located there. But we did not allow, what was it, Carson, somewhere between four and seven miles. That was kind of the unspoken rule that we would not let you put another one up if there was already one there.

**Commissioner Kalin:** And then they reach capacity.

**Chairman Schaffner:** And then, when they reach capacity, you put another one there because you have to. You know, they are engineered to only put so many antennas up there, and we stuck by that. Now we are getting more people that want to stick more in between. We also went through and made them put tall towers on the way to Yuma, and they said yes, because we would not need so many towers. So, we did. Then they came back. It was Verizon or whoever, and they said, "Oh, we need to reuse that frequency again, so we are going to put short ones." Well, pilots did not care too much, at least they were down over five anyway. A lot of stuff was not getting answered, and that is why I dragged you guys to hell and back. Sorry to do that, but we have to be consistent one way or the other. There was a tower there a mile and a half away. We should use it. We should just do that in a heartbeat before they start saying we cannot because of this.

**VI. Director's Comments:** None.

**VII. Adjournment: Chairman Schaffner:** Adjourned meeting. Meeting adjourned at 10:30 a.m.

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Submitted by Rudy Schaffner  
Chairman of the Planning Commission

Attest:

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Jim Minnick, Director of  
Imperial County Planning Commission

Adriana Ceballos & Aimee Trujillo - PC Recording Clerks  
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