

**MINUTES OF THE  
PLANING COMMISSION MEETING**

**July 24, 2019**

The Imperial County Planning Commission convened a Meeting on Wednesday, July 24, 2019 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 Patricia Valenzuela, Planner I Mariela Moran, Clerk Michelle Garcia and GIS Tech Jorge Serrano.

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

- I. **Roll Call: Commissioners present:** Schaffner, Bergh, Castillo, Wright, Medina, & Roben.

**Absent:** Kalin, Cabañas, Zendejas & Zuno.

- II. **Pledge of Allegiance:**

- III. **Approval of Minutes:** Chairman Schaffner entertained a motion to approve the Planning Commission Minutes for June 26, 2019 meeting as submitted by staff. Motion was made by Commissioner Castillo seconded by Commissioner Bergh and carried on the affirmative vote by the Commissioners present Schaffner (yes), Bergh (yes), Castillo (yes), Wright (yes), Medina (yes), & Roben (yes).

**Jim Minnick**, stated item #2 has been continued for a later date. Also, this board is seated at 10 people, needs at least 6 yes votes to make a decision you have exactly 6 commissioners today.

1. Consideration of **Conditional Use Permit #19-0003** as submitted by Crown Castle, who proposes to renew entitlements for previously approved Conditional Use Permit (CUP) #03-0017 for an existing 198-foot telecommunications tower with ancillary equipment. The proposed CUP #19-0003 would supersede the previously approved CUP #03-0017 since its 15-year time limit has reached expiration. On property legally described as Lots 5 & 6, Block C Bombay Beach Tract, Township 9 South, Range 12 East, S.B.B.M. Assessor's Parcel Number(s) 002-202-005 & 006, (2191 2<sup>nd</sup> Street, Bombay Beach CA.), (Supervisory District #4). The Commission took the following actions;

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

**Mariela Moran**, Planner I, read the project into the record and was there to answer any questions from the Commission.

**Chairman Schaffner**. Asked the representative to come forward to the podium, introduce themselves and state their name and address for the record.

**Mark Linman**, agent for Crown Castle, stated he read and agreed with the project and the conditions of approval.

**Chairman Schaffner**, opened/closed the public portion of the meeting, he then turned it over to the commission for any questions or comments.

**Chairman Schaffner**, entertained a motion.

- a. Motion made by Commissioner **Bergh** and seconded by Commissioner **Roben** on the affirmative vote by the Commissioners present; Schaffner (yes), Bergh (yes), Castillo (yes), Wright (yes), Medina (yes), & Roben (yes); to find that Conditional Use Permit #19-0003 is categorically exempt from CEQA pursuant to Section 15301 of the CEQA Guidelines and that no further environmental documentation is necessary; and approve the Resolution(s), supporting findings and Conditional Use Permit #19-0003 (subject to all the conditions), and authorize the Planning and Development Services Director to sign the CUP contract upon receipt from the permittee.

**Jim Minnick**, Director, stated that the project stands approved by this Commission if any member of the public wishes to appeal this decision, must do so within 10 days of approval with the Planning Department with a \$650.00 fee.

2. Consideration of **Variance #19-0001** as submitted by Salton City Petroleum, Inc. to allow for an increase in height limitation of the C-2 Zone, from 75-feet to 201-feet for the installation of a flagpole, on property legally described as Parcel 3 of LLA #00221 (4.54 Acres), being a Portion of Sections 19 and 30, Township 10 South, Range 10 East. Assessor's Parcel Number(s) 014-178-016-000, (Supervisory District #4). The Commission took the following actions;

**Chairman Schaffner**, stated project was pulled by the department and asked Jim Minnick if they had a date in mind.

**Jim Minnick**, stated not yet, the Variance that was going to be heard was pulled by the department due to the fact that the Airport Land Use Commission did not have a quorum and it needs to be heard before them first. Stated the Variance is for a flag pole in the Salton Sea are for 201 feet being that 75 feet is the max.

3. Consideration of **Conditional Use Permit #19-0006** as submitted by Imperial County Public Works Department, who proposes to expand/improve the Niland County Sanitation District. The improvements will include the rehabilitation of sections of the existing sewer collection system, critical components of the wastewater treatment plant and the construction of three evaporation ponds. On property legally described as the Lot 8, Alexandria Tract 11-14, 5.82 acres excluding portion in County Road; Lots 9 & 24 Alexandria Tract Township 11 South, Range 14 East, S.B.B.M. Assessor's Parcel Number(s) 021-240-001-000, 021-240-006-001 & 021-200-005-000, (125 Alcott Road, Niland, CA), (Supervisory District #4). The Commission took the following actions;

**Jim Minnick**, gave a brief description of the project, and introduced Patricia Valenzuela Planner IV to read the project into the record.

**Patricia Valenzuela**, Planner IV, read the project into the record and was there to answer any questions from the Commission.

**Chairman Schaffner.** Asked the representative to come forward to the podium, introduce themselves and state their name and address for the record.

**Jenell Guerrero,** Public Works, stated she read and agreed with the project and the conditions of approval.

**Chairman Schaffner,** opened the public portion of the meeting.

**Thomas Dam,** neighbor to project site, stated he currently owns 3 lots adjacent to the proposed project. Stated he owns a duck farm in Ramona and they plant sugar cane 40 acres, 35 acres and 20 acres which is almost 100 acres right next to the proposed site. The question he has is he burns the fields twice a year and he has three fields which would mean he would burn 6 times, he is not sure if the government can stop him from burning the field because it could affect the employees next to him while they are working, that was his concern.

**Jenell Guerrero,** Public Works, stated currently at the district they don't have employees on the facility, they have operators that will come in and out if there is an issue with the district or the facility that is there. As far as the burning with regards to our project and what they will be doing shouldn't be an issue.

*Thomas Dam, pointed to the map to show where his parcels were located.*

**Thomas Dam,** stated those were his concerns and if that was the case he was in support of the project, stating he wasn't there to cause problems.

**Jenell Guerrero,** stated if there were any issues the department would be open & willing to meet with them to discuss or to mitigate anything further. There shouldn't be any issues.

**Commissioner Bergh,** asked if the facility was remote controlled.

**Jim Minnick,** stated there will be people from time to time and perhaps for good neighborship, Public Works and Mr. Dam can have a conversation, get some contacts so when he does plan to burn his field he can let them know and that way there isn't a conflict. It is not completely employee free you have to have someone there, it is just not a 9:00-5:00 job.

**Thomas Dam,** stated if he will still be able to burn and if he should give the department a notice of when he plans to.

**Jenell Guerrero,** stated yes if you have a set schedule of when you plan to burn that would be helpful.

**Chairman Schaffner,** stated you have to call before you burn anyway, right?

**Thomas Dam,** stated yes.

**Chairman Schaffner,** closed the public portion of the meeting, he then turned it over to the commission for any questions or comments.

**Chairman Schaffner,** entertained a motion.

- c. Motion made by Commissioner **Bergh** and seconded by Commissioner **Roben** on the affirmative vote by the Commissioners present; Schaffner (yes), Bergh (yes), Castillo (yes), Wright (yes), Medina (yes), & Roben (yes); to adopt the Mitigated Negative Declaration by finding that the proposed project would not have a significant effect on the environment as recommended by the Environment Evaluation Committee on June 13, 2019; and make the De Minimums Findings as recommended at June 13, 2019 EEC hearing, that the project is not individually or cumulatively have an adverse effect on Fish and Wildlife Resources, as defined in Section 711.2 of the California Fish and Game Codes; and to approve the Resolution(s), supporting findings and Conditional Use Permit #19-0006 (subject to all the conditions), and authorize the Planning and Development Services Director to sign the CUP contract upon receipt from the permittee.

**Jim Minnick**, Director, stated that the project stands approved by this Commission if any member of the public wishes to appeal this decision, must do so within 10 days of approval with the Planning Department with a \$650.00 fee.

Public Comments:

NONE

Commissioner Comments:

**August Dark**

Director Comments:

Congratulations to Max for 30 years of business award.

Adjournment:

Meeting adjourned at 9:19 a.m.



Submitted by Rudy Schaffner;

Chairman of the Planning Commission

Attest:



Jim Minnick, Director of

Imperial County Planning Commission

Michelle Garcia PC Recording Clerk

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