

**MINUTES OF THE
PLANNING COMMISSION MEETING
February 26, 2020**

The Imperial County Planning Commission convened a Meeting on Wednesday, February 26, 2020 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 Joe Hernandez, Planner II, Mariela Moran, Clerk Maria Scoville/Kimberly Noriega/Gabriela Robb and GIS Tech Derek Newland.

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

I. Roll Call: Commissioners present: Schaffner, Kalin, Bergh, Cabañas, Castillo, Wright, Medina, Zendejas and Roben.

Absent: Zuno

II. Pledge of Allegiance:

III. Approval of Minutes: Chairman Schaffner entertained a motion to approve the Planning Commission Minutes for December 11, 2019 meeting as submitted by staff. Motion was made by Commissioner Kalin seconded by Commissioner Bergh and carried on the affirmative vote by the Commissioners present Schaffner (yes), Kalin (yes), Bergh (yes), Cabanas (yes), Castillo (yes), Wright (yes), Zendejas (yes) and Roben.

IV. Election of Officers:

Chairman Schaffner stated that they need to do the election of officers.

Mr. Minnick stated that it's that time of the year, so he opened the floor for the nomination of the Planning Commission Chairman and Vice-Chair for the 2020 year.

Commissioner Kalin nominated Rudy Schaffner as the Planning Commission Chairman, and seconded by Commissioner Cabanas they were all in favor.

Commissioner Roben nominated Carson Kalin as the Planning Commission Vice-Chairman and seconded by Commissioner Berg, they were all in favor.

1. Consideration of **Time Extension #19-0023** for the Brookfield 101 Ranch Development Agreement as submitted by Alphabet Farms, LLC. Applicant requested to extend the time to commence development of the property for an additional two (2) years, up to and including March 13, 2022. On property legally described as Tracts 93, 94 & 100 and portions of Tracts 99, 101, 190, 191, Township 14 South, Range 14 East, San Bernardino Base & Meridian. County Assessor's Parcel Numbers 040-190-004, 005, 006 & 040-200-001 (Lavender, Carey, Hwy 86 & Dogwood Roads), (Supervisory District #5). The Commission took the following actions:

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

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

Chairman Schaffner asked if there were representatives for this project to come forward to the podium, state their name, and address for the record.

Tom Eisenhower, applicant introduced himself and agreed with staff's recommendations. In addition, his only comment was to thank all the staff that worked on his project.

Chairman Schaffner opened and closed the public portion of the meeting; there were no public comment and then turned it over to the commission for any questions or comments.

- A. Motion made by Commissioner **Kalin** and seconded by Commissioner **Cabañas** on the affirmative vote by the Commissioners present as follow; Schaffner (yes), Kalin (yes), Bergh (yes), Cabañas (yes), Castillo (yes), Wright (yes), Medina (yes), Zendejas (yes), and Roben (yes). To find that the Final EIR (SCH #2008041039) for the Brookfield 101 Ranch project was certified by the Board of Supervisors on March 13, 2012, and that no further environmental documentation is necessary for the Second Amendment to the Imperial County Development Agreement concerning Brookfield 101 Ranch Project; and approved Resolution recommending that the Board of Supervisors adopt Ordinance #_____ for the Second Amendment to the Imperial County Development Agreement concerning Brookfield 101 Ranch, LLC.

Jim Minnick, Director, stated that the project stands approved for the Board of Supervisors, this project will move forward to the Board's approval.

2. Consideration of **Conditional Use Permit #19-0029** as submitted by SBA Structures, LLC, who proposes to renew entitlements for previously, approved Conditional Use Permit (CUP) #00-0017 for an existing 190-foot telecommunications tower with ancillary equipment. The proposed CUP #19-0029 would supersede the previously approved CUP since its 15-year time limit will reach expiration. On property legally described as the west half of the southwest quarter of Section 22, Township 16 South, Range 21 East, San Bernardino Base & Meridian, filed in the Office of the County Recorder of Imperial. County Assessor's Parcel Number 056-460-027-000 (612 Sidewinder Rd., Winterhaven, CA 92283), (Supervisory District #1). The Commission took the following actions;

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

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

Chairman Schaffner asked if there were representatives for this project to come forward to the podium, state their name, and address for the record.

Nicole Comach, on behalf of SBA Towers, IV, LLC. Introduced herself and stated that she had read the entire project, and agrees with staff's recommendations. Ms. Comach was there to answer any questions from the Commission.

Chairman Schaffner, opened/closed the public portion of the meeting, there were no public comment and then turned it over to the commission for any questions or comments and entertained a motion..

- A. Motion made by Commissioner **Kalin** and seconded by Commissioner **Cabañas**, on the affirmative vote by the Commissioners present as follow; Schaffner (yes), Kalin (yes), Bergh (yes), Cabanas (yes), Castillo (yes), Wright (yes), Zendejas (yes) and Roben (yes), to find that Conditional Use Permit #19-0029 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 #19-0029 (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 this project stands approved and adopted by the Planning Commission. If any interested party or member of the public wishing to appeal this decision to the Board of Supervisors, may do so within 10 days from today's hearing and submit the appropriate fee of \$650.00 to the Planning & Development Services Department.

3. Consideration of **Conditional Use Permit #19-0030** as Virtual Site Walk on behalf of SBA Structures, LLC submitted Conditional Use Permit #19-0030 for the renewal of land use entitlements to continue operating the existing 150-foot communication tower. The new Conditional Use Permit #19-0030 supersedes CUP#00-0021, and allow the applicant to continue operations for an additional ten (10) year period with a 5-year extension option. On property legally described as Parcel B of Lot Line Adjustment #00265. Assessor's Parcel Number(s) 045-340-029-000, (251 Walnut Avenue, Holtville, CA), (Supervisory District # 5). The Commission took the following actions:

Jim Minnick gave a brief description of the project, and introduced Joe Hernandez Planner IV to read the project into the record.

Joe Hernandez, Planner IV, read the project into the record and was there to answer any questions from the Commission.

Chairman Schaffner asked if there were representatives for this project to come forward to the podium, state their name, and address for the record.

Nicole Comach, on behalf of SBA Towers, IV, LLC. Introduced herself and stated that she had read the entire project, and agrees with staff's recommendations. Ms. Comach was there to answer any questions from the Commission.

Chairman Schaffner opened/closed the public portion of the meeting, there were no public comment and then turned it over to the commission for any questions or comments and/or entertained a motion.

- A. Motion made by Commissioner **Kalin** and seconded by Commissioner **Cabañas** on the affirmative vote by the Commissioners present as follow; Schaffner (yes), Kalin (yes), Bergh (yes), Cabanas (yes), Castillo (yes), Wright (yes), Zendejas (yes) and Roben). Find that Conditional Use Permit #19-0030 is categorically exempt from CEQA Pursuant to Section 15301 existing facilities and that no further documentation is necessary; and approve the Resolution, supporting findings and Conditional Use Permit (CUP) #19-0030 subject to the Conditions, and authorize the Planning & Development Services Director to sign the cup contract upon receipt from the permittee.

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

4. Consideration of **Conditional Use Permit #19-0031** as Virtual Site Walk on behalf of SBA Structures, LLC submitted Conditional Use Permit #19-0031 for the renewal of land use entitlements to continue operating the existing 100-foot communication tower. The new Conditional Use Permit #19-0031 supersedes CUP#00-0023, and allow the applicant to continue

operations for an additional ten (10) year period with a 5-year extension option. On property legally described as a Portion of Section 15, Township 17 South, Range 14 East, SBB&M in an unincorporated area of the County of Imperial. Assessor's Parcel Number(s) 058-180-004-000, (45 East Highway 98, Calexico, CA), (Supervisorial District # 1). The Commission took the following actions:

Jim Minnick gave a brief description of the project, and introduced Joe Hernandez Planner IV to read the project into the record.

Joe Hernandez, Planner IV, read the project into the record and was there to answer any questions from the Commission.

Chairman Schaffner asked if there were representatives for this project to come forward to the podium, state their name, and address for the record.

Nicole Comach, on behalf of SBA Towers, IV, LLC. Introduced herself and stated that she had read the entire project, and agrees with staff's recommendations. Ms. Comach was there to answer any questions from the Commission.

Chairman Schaffner closed the public portion of the meeting; there were no public comment he then turned it over to the commission for any questions or comments and/or entertained a motion.

- A. Motion made by Commissioner **Kalin** and seconded by Commissioner **Cabañas** on the affirmative vote by the Commissioners present; Schaffner (yes), Kalin (yes), Bergh (yes), Cabañas (yes), Castillo (yes), Wright (yes), & Zendejas (yes), find that Conditional Use Permit #19-0031 is categorically exempt from CEQA pursuant to Section 15301 existing facilities and that no further documentation is necessary; and approve the Resolution, supporting findings and Conditional Use Permit (CUP) #19-0031 subject to the conditions, and authorize the Planning & Development Services Director to sign the CUP contract upon receipt from the permittee, subject to all the conditions, and authorize the Planning & Development Services Director to sign the Conditional Use Permit (CUP) upon receipt from the Permittee.

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

5. Consideration of **Zone Change #19-0005 and Variance #19-0002** as submitted by Cattle Equipment and Land, LLC and Moiola Brothers Cattle Feeders, LTD. The project proposes a zone change from A2 (General Agriculture) to A3 (Heavy Agriculture) on the North side of Assessor Parcel Numbers 041-020-019-000 and 041-020-029-000. Currently the North side of these two parcels are zoned A2 and the zone change will change them to A3. The Variance is to allow for the existing structure (cattle pens) previously construction within the setbacks. The project site is located within a Portion of Tract 147, Township 14 South Range 15 East, SBB&M (1594 Gonder Road, Brawley, CA), (Supervisorial District #5). The Commission took the following actions:

Jim Minnick gave a brief description of the project, and introduced Joe Hernandez Planner IV to read the project into the record.

Joe Hernandez, Planner IV, read the project into the record and was there to answer any questions from the Commission.

Chairman Schaffner asked if there were representatives for this project to come forward to the podium, state their name, and address for the record.

Tom DuBose from DuBose Design Group representing the applicant Moiola Brothers introduced himself and stated that he had read the entire project, and agrees with staff's recommendations.

Chairman Schaffner opened/closed the public portion of the meeting; there were no public comments, he then turned it over to the commission for any questions or comments and/or entertained a motion.

- A. Motion made by Commissioner **Kalin** and seconded by Commissioner **Cabanas** on the affirmative vote by the Commissioners present; Schaffner (yes), Kalin (yes), Bergh (yes), Cabañas (yes), Castillo (yes), Wright (yes), Medina (yes), Zendejas (yes) and Roben (yes). to Recommend to the Board of Supervisors, to adopt the Negative Declaration as recommended by the Environmental Evaluation Committee (EEC) on December 12, 2019, recommend to the Board of Supervisors to make the findings as recommended by the EEC that the project will not individually or cumulatively have an adverse effect on Fish and Wildlife resources as defined in Section 711 of the California Fish and Game Code, recommend to the Board of Supervisors the approval of Zone Change #19-0005 and the adoption of the Zone Change Ordinance No. 92535.__(Zone Map #35); and Recommend to the Board of Supervisors, approve the resolution and supporting documents, approving Variance #19-0002.

Jim Minnick, Director, stated that the project stands approved by the Planning Commission to go before the Board of Supervisors, this project would move forward to the Board's approval.

VI. Public Comments, NONE

VII. Commissioner Comments, NONE

VIII. Director Comments, Mr. Minnick just wanted to remind the Commission that the Fair starts on Friday and encourages the Commission to attend.

IX. Adjournment: Meeting adjourned at 9:23 a.m.


Submitted by Rudy Schaffner;
Chairman of the Planning Commission

Attest:

Jim Minnick, Director of
Imperial County Planning Commission
Michelle Garcia and Maria Scoville PC Recording Clerk