

**MINUTES OF THE
PLANNING COMMISSION MEETING
November 19, 2020**

The Imperial County Planning Commission convened a Meeting on Thursday, November 19, 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 III, Diana Robinson/Planner II, Mariela Moran/Clerk, Gabriela Robb/Office Assistant, Kimberly Noriega/GIS Tech Derek Newland.

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

- I. **Roll Call: Commissioners present:** Schaffner, Bergh, Cabañas, and Castillo in attendance.

Zoom Call: Kalin, Wright, Medina, Zuno, Roben

Absent: None.

- II. **Pledge of Allegiance:**

- III. **Approval of Minutes:** Chairman Schaffner entertained a motion to approve the Planning Commission Minutes for the October 28, 2020 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), Bergh (yes), Cabañas (yes), Castillo (yes), Wright (yes), Medina (yes), Zuno (yes), and Roben (yes).

Chairman Schaffner, We will be starting with agenda item #2 and finish with agenda item #1.

2. Consideration of Parcel Map #02486 as proposed by Tyler and Jennifer Sutter, requesting to re-subdivide nine (9) parcels into two (2) parcels to separate an existing house from farmland. The project site is located at 1803 Jeffrey Road, Seeley, further identified as Assessor's Parcel Number 051-110-005-000, et al.; and generally, the property is described as BLKS 69 71 73 75 77 79 81&83 Townsite of Dixieland & a portion of an abandoned street, in an unincorporated area of the County of Imperial. (Supervisory District #3). The Commission took the following actions:

Jim Minnick, Director, gave a brief description of the project, and introduced Diana Robinson, Planner III, to read the project into the record.

Diana Robinson, Planner III, read the project into the record and was there for any questions from the Commission.

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

Taylor Preece, with Precision Engineering and Surveying representing Tyler and Jennifer Sutter, 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 comment and then turned it over to the commission for any questions or comments and entertained a motion.

Commissioner Castillo, asked if all streets were abandoned.

Jim Minnick, Director, replied that is correct.

- 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), Zuno (yes), and Roben (yes) to recommend approval of Parcel Map #02486 as recommended by staff.
- B. Motion made by Commissioner Kalin and seconded by Commissioner Roben, on the affirmative vote by the Commissioners present as follow; Schaffner (yes), Kalin (yes), Bergh (yes), Cabañas (yes), Castillo (yes), Wright (yes), Medina (yes), Zuno (yes), and Roben (yes) to recommend approval of Variance #20-0001 as recommended by staff.

Jim Minnick, Director, stated Parcel Map #02486 and Variance #20-0001 stand approved by this commission. Any member of the public or applicant may appeal this decision by following the appropriate appeal within the next ten days.

Chairman Schaffner, We are still running early, would you like to move to agenda item number 3?

Jim Minnick, Director, yes sir.

- 3. Consideration of Initial Study #20-0020 as submitted by Imperial County Planning and Development Services Department (ICPDS) proposes to update Title 9 Land Use Ordinance Divisions 4, 5, 8, 10, 12, 14 & 16, to make them consistent with recent changes in State Law. Most changes involve modifications regarding building requirements to lessen burdens on the permitting and processing of building permits, and making minor modifications on said Divisions to make them internally consistent. These revisions apply Countywide. (All Supervisorial Districts). The Commission took the following actions:

Jim Minnick, Director, gave a brief description of the project, and introduced Diana Robinson, Planner III, to read the project into the record.

Diana Robinson, Planner III, read the project into the record and was there for any questions from the Commission.

Chairman Schaffner, asked if Mr. Minnick had any other input before opening public comment.

Jim Minnick, Director, no sir.

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.

Commissioner Bergh, asked for the definition of tiny homes. What is the size, scope, and number?

Diana Robinson, Planner III, responded that the definition was added under division 14.

Jim Minnick, Director, stated tiny homes must stay in RV parks because they are classified as RVs. The building code was updated to identify what a tiny home is. If you wanted to build something small on your property, you could do an efficiency unit. Which is not the same as a tiny home. A tiny home is on a trailer which is classified as a recreational vehicle.

Commissioner Bergh, like a granny flat?

Jim Minnick, Director, a tiny home is considered a trailer, and an efficiency unit is like a granny flat. It's like a park model versus a mobile home. A park model is a glorified RV that is under 400 square feet that is designed to be in an RV park. A singlewide mobile home is usually a little bit over 400 square feet that can be put on a single family residence parcel. The state has not differentiated tiny homes from RVs. If you do not want a tiny home, you can do an efficiency unit, which would be a site build structure or a mobile home that is fixed to the property as a fixed use. We also would call those accessory dwelling units if they were second in nature to the primary.

Commissioner Bergh, the state requires the wheels be taken off?

Jim Minnick, Director, yes sir.

Commissioner Castillo, asked about storage unit requirements.

Jim Minnick, Director, asked if Mr. Castillo was referring to building a house out of a cargo container or putting a cargo container as storage on a property. From a storage standpoint, we ask for a permit to make sure it is on a stable foundation. It could be railroad ties, gravel, or paved slab. The reason we ask for this is to make sure the container does not rack and lock or jam. With regards to using a container for conventional construction purposes; that requires engineering, foundation, and other permitting requirements. For the last fifteen years, we have allowed them as accessory storage facilities with minimal foundations.

Chairman Schaffner, there was a man located out by ultralight dry lake on the way to Julian who wanted to put up a cargo container to lock up camping gear and we wouldn't allow that because there was no primary use. Have we done anything about that?

Jim Minnick, Director, no, we still require a primary use on a property. There is a cargo container mini storage facility in Desert Shores.

- A. Motion made by Commissioner **Kalin** and seconded by Commissioner **Cabañas** on the affirmative vote by Commissioners present as follow; Schaffner (yes), Kalin (yes), Bergh (yes), Cabañas (yes), Castillo (yes), Wright (yes), Medina (yes), Zuno (yes), and Roben (yes) to recommend approval of Initial Study #20-0020 as recommended by staff.

Jim Minnick, Director, stated Initial Study #20-0020 along with requested amendment to Title 9 stand approved for recommendation to Board of Supervisors. Project will move forward to Board of Supervisors next month. There is no appeal for this recommendation.

1. Consideration of Conditional Use Permit #19-0024 as submitted by Winterhaven Drive, LLC. Applicant is proposing a medicinal and recreational cannabis dispensary with delivery services. The property is legally described as Portion of Lots 15 and 16 and Lots 33 to 37, Block 12, portion of Section 27, T16S, R22E, SBB&M; Assessor's Parcel Numbers 056-284-020-000, (2115 Winterhaven Dr., Winterhaven CA 92283, Supervisorial District #1).

Jim Minnick, Director, 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 for any questions from the Commission.

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

Sean Maddox, representing Norman Yousif, 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 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 majority vote by Commissioners present as follow; Schaffner (yes), Kalin (yes), Bergh (no), Cabañas (yes), Castillo (yes), Wright (yes), Medina (yes), Zuno (yes), and Roben (yes) to recommend approval of Conditional Use Permit #19-0024 as recommended by staff.

Jim Minnick, Director, stated Conditional Use Permit stand approved by this commission. Any member of the public or applicant may appeal this decision by following the appropriate appeal within the next ten days.

VI. Public Comments, NONE

VII. Commissioner Comments, NONE

VIII. Director Comments, Mr. Minnick thanked the commissioners for the work done during this trying time of COVID. He informed commissioners that the CEO has recommended to not host any type of functions; therefore, the ICPDS annual luncheon has been cancelled. He apologized and assured commissioners that it was for their safety. He confirmed with Michael Abraham, Assistant Director, the next Planning Commission meeting will be held December 17th.

IX. Adjournment: Meeting adjourned at 9:26 a.m.



Submitted by Rudy Schaffner;
Chairman of the Planning Commission

Attest:



Jim Minnick, Director of
Imperial County Planning Commission
Gabriela Robb PC Recording Clerk

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