



**PLANNING COMMISSION**  
MARK HAMMERNESS, CHAIRPERSON  
STACY MENDOZA, VICE CHAIRPERSON  
ALICE ABATTI, COMMISSIONER  
VERONICA HARVEY, COMMISSIONER  
RUBEN RIVERA, COMMISSIONER

# MINUTES

**PLANNING COMMISSION  
TRAFFIC COMMISSION  
REGULAR MEETING**

**WEDNESDAY, DECEMBER 22, 2021  
6:30PM**

## **A. PLANNING COMMISSION CALLED TO ORDER:**

**CHAIRMAN HAMMERNESS CALLED MEETING TO ORDER AT 06:31PM.**

COMMISSIONERS PRESENT:

ABATTI, HAMMERNESS, MENDOZA, AND RIVERA.

ABSENT: HARVEY

CITY STAFF PRESENT:

MORITA, BROWN, HOLBROOK, MORA, CORDERO, AND MEHDIPOUR,

**PLEDGE OF ALLEGIANCE WAS LED BY COMMISSIONER RIVERA**

## **ADJUSTMENTS TO THIS AGENDA:**

BROWN STATED THAT THERE WERE SEVERAL ADJUSTMENTS TO THE AGENDA.

ADJUSTMENTS TO ITEM C-1 DECEMBER 22, 2021 MINUTE APPROVAL AND ITEM E1  
PULLED FROM AGENDA

## **B. PUBLIC APPEARANCES:**

B-1. Matters not appearing on the agenda.

None

B-2. Matters appearing on the agenda.

None

## **C. CONSENT CALENDAR:**

C-1 Approve Planning Commission Meeting Minutes for September 8, 2021, and Special Joint Meeting of the City Council and Imperial Planning Commission Feb 2, 2022.

## **ACTION:**

MOTIONED BY MENDOZA TO APPROVE AMENDED CONSENT CALENDAR.  
SECONDED BY RIVERA

AYES: HAMMERNESS, MENDOZA, AND RIVERA  
NOES: NONE  
ABSTAIN: NONE  
ABSENT: HARVEY  
**MOTION CARRIED: 3-0**

**D. PLANNING COMMISSION NEW BUSINESS: (DISCUSSION/ACTION – APPROVE-DISAPPROVE)**

**D-1. SUBJECT: Public Hearing- Discussion/Action: Conditional Use Permit (CUP 21-09)**

PUBLIC HEARING WAS OPENED AT: **06:34 PM**.

**DISCUSSION:**

CORDERO presented the item on behalf of the City Planning and Development. In review of the information CORDERO introduced f Resolution No. PC2022-02 Approving the Conditional Use Permit (CUP 21-09) to allow for the use and operation of an auto body shop with a paint booth facility at the following address: 302 S. N Street, Imperial, CA 92251, APN#:064-082-011. The project is categorically exempt from the California Environmental Quality Act (CEQA) under Section 15301 of the Guidelines. RIVERA wanted to know if the applicant has had any previous issues their business with fire code hazard materials years of business. Applicant stated he operated for 10 years and no issues. HAMMERNESS wanted to know if the facility was larger. Applicant, yes. MENDOZA, how much larger? Applicant, previous location only one bay the new location has two bays. HAMMERNESS: how many cars were you able to kick out at the last location? Applicant: roughly 20 a month. HAMMERNESS: how many do you think you will be able to work on a month? Applicant: once the we are full I will start to schedule cars. MENDOZA: does the paint book get locked after hours. Applicant: yes, after hours, there is no current lock but I can install one. HAMMERNESS wanted to know if he has been doing work and how long since he stopped working at the last location. Applicant stated he does not have a permit so little to no work and the last location closed two years ago and was unable to resume due to COVID. MORA informed the commission the last location was 7,622 sqft. and the new location is 10,454 sqft.

CHAIRMAN HAMMERNESS CLOSED THE PUBLIC HEARING AT **06:47 PM**

ACTION: **MOTION BY MENDOZA, SECOND BY RIVERA** Approving the Conditional Use Permit (CUP 21-09) to allow for the use and operation of an auto body shop with a paint booth facility at the following address: 302 S. N Street, Imperial, CA 92251, APN#:064-082-011.

AYES: HAMMERNESS, MENDOZA AND RIVERA  
NOES: NONE  
ABSTAIN: NONE  
ABSENT: HARVEY AND ABATTI

**MOTION CARRIED: 3-0**

**D-2. SUBJECT: Public Hearing- Discussion/Action: Amendment to Ordinance 795 Relating to Cannabis in the City of Imperial**

**PUBLIC HEARING WAS OPENED AT 06:49 PM**

**DISCUSSION:**

BROWN Resolution No. PC2022-03 recommending to the Imperial City Council Approval and Adoption of Ordinance No. 815 to amend Ordinance 795 of Chapter 15 of the Imperial Municipal Code to allow for expansion from one (1) all-exclusive permit of Adult Cannabis uses, to two (2) all-exclusive permit(s); the second permit will only be for cultivation and manufacturing/extraction as defined by the CA Bureau of Cannabis Control. HAMMERNESS AND MENDOZA, to know if a permit is pulled and how one is selected and confirm this is an amendment of the existing ordinance. BROWN advised it would be a complete process for selections for new and revoked permits the process and this would allow a second permit for cultivation. MENDOZA wanted to know if the current can apply for the second permit was well. BROWN stated this was the amendment the current holder just completed the process for it. HOLBROOK advised the only amendment to the ordinance was the second sentence with additionally. HAMMERNESS wanted to know why we are saying new and not using renewed on permits. BROWN stated the process is annually along will a review of the permit that does not guarantee a continuation of the current permit. HAMMERNESS, wanted to know why there was apart about delivery.

**ABATTI JOINED THE MEETING AT 6:52 PM.**

**DISCUSSION CONTINUED...**

BROWN informed that the City Attorney can explain more but it in reference to the state law allows no moratorium on delivery. MORTIA stated the permit for delivery of cannabis is honored stated wide. BROWN added the permit does not control outside deliveries just those who apply for a ware house or operation in the city limits, the second permit would not be able to sell with in the city limits only the current permit holder. The measure passed by the voters grants the \$6.00 per sqft. of canopy space would be paid to the City of Imperial at whole sale no tax. ABATTI wanted to know if this is what the current holder is requesting. BROWN informed the current permit had already updated their CUP to include cultivation this would allow a second permit for cultivation only not sales. ABATTI wanted to know what is purpose of this and if it was for money and why do we need more drugs in the city. BROWN advised this was sent to commission form council for amending. RIVERA wanted to know the difference for second facility. BROWN informed this would be a facility for cultivation and the product would be sold to another entity outside of the city and not distributed inside the city form the that facility. HAMMERNESS wanted to know what is possibility the second permit will want to amend their permit to include distribution. BROWN stated that is a possibility but that is not the current intent for the request for review. HAMMERNESS is there a city, county or state law that limits the amount of these types of facilities are allowed in an area. BROWN, no it just a local control. MORTIA, stated we are not requesting zone changes and the process will remain the same for review and placement and to keep in mind that state laws are changing and not the same they were years ago. HAMMERNESS, will this allow out door growing. BROWN, not is this area.

**CHAIRMAN HAMMERNESS CLOSED THE PUBLIC HEARING AT 07:09 PM**

**ACTION:**

**MOTION BY MENDOZA, SECOND BY RIVERA** continuation for an amendment to Ordinance 795 Relating to Cannabis in the City of Imperial till the next PC meeting on March 23rd, 2022.

AYES: ABATTI, HAMMERNESS, MENDOZA AND RIVERA

NOES: NONE

ABSTAIN: NONE

ABSENT: HARVEY

**MOTION CARRIED: 4-0**

**E. REPORTS:**

**E-1. Commissioners Reports.**

ABATTI: Wanted to know if the city can look in to a traffic light at Aten and Austin rd. Complemented the improvements the Aten road landscaping.

RIVERA: Wanted to know why the painting for the middle school stripe painting was costly. Commented on the completion of 2<sup>nd</sup> street and a thank you to the Boy Scouts for their work at Evans Park.

HAMMERNESS: Remarked on market days and the permits, inquired about the sidewalks on Imperial Ave. along the vacant lot across from the Subway having them restored due to hazard.

MENDOZA: Thank you to all the staff that help with Market days.

**E-2. Staff Reports.**

MORTIA: None

BROWN: Thank you to all that helped with the Tri Tip cook off.

HOLBROOK: None

MORA: None

MEHDIPOUR: None

CORDERO: None

**CHAIRPERSON HAMMERNESS ADJOURNED THE MEETING AT 07:41 PM UNTIL THE NEXT REGULARLY SCHEDULED MEETING, WEDNESDAY MARCH 23<sup>RD</sup> AT 06:30 PM**