



PLANNING COMMISSION

Charles Lucas, Chair
Geoffrey Holbrook, Vice Chair
Andie Guillen, Commissioner
Kris Haugh, Commissioner
Robert McDade, Commissioner

CITY HALL 420 South Imperial Avenue, Imperial, California 92251
Phone (760)355-4371 || Fax (760)355-4718 || web: <http://www.cityofimperial.org>

AGENDA

PLANNING COMMISSION REGULAR MEETING

200 West 9th Street
IMPERIAL, CA 92251

WEDNESDAY, MARCH 13, 2019
6:30PM

Members of the audience are invited to speak on any item on or off the agenda. If the item is an agenda item, you will be permitted the opportunity to address the Planning Commission when the matter is considered. If you wish to speak on a matter which is not on the agenda, you will be given the opportunity to do so at the Public Comment section. When wishing to address the Planning Commission, please rise and state your name and address for the record. The Chairman reserves the right to place a time limit on each person's presentation of five (5) minutes.

A. PLANNING COMMISSION CALL TO ORDER:

ROLL CALL
PLEDGE OF ALLEGIANCE

B. PUBLIC APPEARANCES

C. CONSENT CALENDAR

- a. Approve Planning Commission Meeting Minutes for February 13, 2019 and February 27, 2019.

D. NEW BUSINESS: (DISCUSSION/ACTION –RECOMMEND/DENY)

- D-1 Public Hearing, Discussion/Action: Conditional Use Permit (19-04) to allow for the use of a “Hemp Extraction Facility” located at 520 Aten Road; Imperial, CA 92251
1. Open Public Hearing
 2. Staff Report
 3. Public Testimony
 4. Commission Discussion
 5. Recommended Action: Approve **RESO No. PC 2019-07**, granting a Conditional Use Permit and Conditions of Approval to allow for the use of a “Hemp Extraction Facility” in an I-1 (General Industrial) Zone.
- D-2 Public Hearing, Discussion/Action: Conditional Use Permit (19-05) to allow for the use of a “Hemp Extraction Facility” located at 601 E. Barioni Blvd; Imperial, CA 92251
1. Open Public Hearing
 2. Staff Report
 3. Public Testimony
 4. Commission Discussion
 5. Recommended Action: Approve **RESO No. PC 2019-08**, granting a Conditional Use Permit and Conditions of Approval to allow for the use of a “Hemp Extraction Facility” in an I-2 (Rail Served Industrial) Zone.

E. REPORTS:

E-1. Commissioners Report

E-2. Staff Report

ADJOURN PLANNING COMMISSION MEETING UNTIL NEXT REGULARLY SCHEDULED MEETING.

NOTE: Any documents produced by the City and distributed to a majority of the Planning Commission regarding any item on this agenda will be made available at the front counter at City Hall, located at 420 South Imperial Avenue, during normal business hours.



Staff Report

Agenda Item No.

D-1

To: City of Imperial Planning Commission

From: Lisa Tylanda, Planner

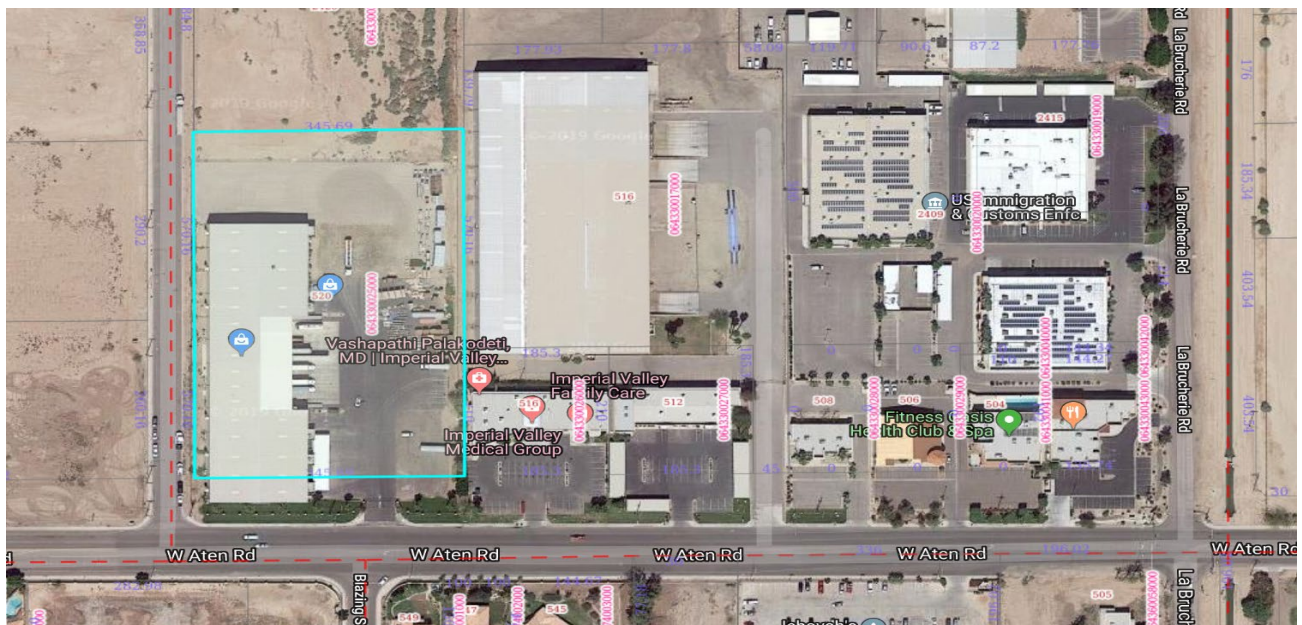
Date: March 13, 2019

Subject: Conditional Use Permit– Manufacturing of Cannabinoid Oil from Hemp Biomass within I-1 General Industrial Zones located at 520 W. Aten Road; Imperial, CA 92251

Surrounding Land Use:

Location Site	General Plan Designation	Zone District	Land Use
North	Industrial	I-1 (General Industrial)	Medical Offices
South	Residential	R-1 & R-A(Residential)	Residential
East	Industrial	I-1 (General Industrial)	Offices/Vacant Lots
West	Industrial	I-1 (General Industrial)	Distributor

Background



As of December 20, 2018 the Hemp Farming Act of 2018 became law. Within this act, Hemp was removed from the “Schedule I Controlled Substances” list and was re-categorized as an ordinary agricultural commodity and its provisions have been incorporated into the 2018 United States Farm Bill. Badlands Provisions has applied to allow the use of a “Hemp Biomass Extraction facility” located at 520 Aten Road; Imperial, CA. The property is located in an I-1(General Industrial Zone).

The cannabinoid extraction process will consist of a cyro-ethanol loop extraction method, which is a method of Chromatography that involves subzero temperatures which result in food grade product materials

The following findings must be made for the granting of a Conditional Use Permit:

1. That the proposed location, size, design, and operating characteristics of the proposed use is in accord with the Title and Purpose of this Ordinance, the Purpose of the zone in which the site is located, the Imperial General Plan, and the development policies and standard of the City.

The parcel is located within an I-1 (General Industrial) zone. The proposed use is consistent with the zoning district if a Conditional Use Permit is obtained.

2. That the location, size, design, and operating characteristics of the proposed use will be compatible with and will not adversely affect or be materially detrimental to adjacent uses, residents, buildings, structures, or natural resources with consideration given to those items listed in Section 24.19.340.B of the Imperial Zoning Ordinance.

The proposed use is compatible and will not adversely affect the adjacent uses within the area.

3. That the proposed location, size, design, and operating characteristics of the proposed use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.

The proposed use will not be detrimental to the public health, safety or welfare or materially injurious to properties within the vicinity.

4. That the proposed Conditional Use will comply with each of the applicable provisions of the Zoning Ordinance, except for an approved Variance.

The proposed use will comply with each of the applicable provisions of the zoning ordinance and any described in the Conditions of Approval.

Environmental

The proposed project is not subject to the California Environmental Quality Act.

Staff Recommendations

- Staff Recommends Planning Commission create conditions of approval for safety concerns to include some type of security system/surveillance devices and/or a type of 24 hour security system.
- Staff Recommends the Planning Commission conduct a Public Hearing to receive comments for and against the project. Unless sufficient evidence to the contrary is presented at the public hearing, Staff recommends approval of Resolution No. PC2019-07.

Attachments

- Business Plan
- Extraction Equipment Details

PROJECT DESCRIPTION

Cryo Ethanol closed loop extraction is a method of drawing out essential cannabinoids by spraying Hemp Biomass (ground flower and trim) with subzero ethanol. After several re circulations over the material, Negative pressures transfer the resulting solution to a collection chamber where additional impurities Are removed by micron circulation. This super cold, low pressure means of extraction allows us to Process biomass into a clean desirable distillate product. After this a method of Chromatography is done To create an isolate material which results in a food grade product. These systems because of the closed Loop design make it possible to prevent any solvent or flammable vapor ever exiting the system or Venting into the extraction room where the system operates.

Once the Hemp Biomass extraction process is finished we will then begin to sell our products to both Wholesale and retail markets. The distillate products will be sold by the gram on retail side in specialized Packaged units and on the wholesale side it will be sold by Liter volume. Our Isolate products will be sold Into the Edibles market on wholesale side and eventually towards Pharmaceutical markets.

BADLANDS PROVISIONS
CBD EXTRACTION FACILITY

BUSINESS PLAN

JOHN AND ANDREW CURRIER, OWNERS

BRAWLEY, CA 92227

COMPANY DESCRIPTION

MISSION STATEMENT

To Manufacturer high quality CBD products for 4 categories Pain, Lifestyle, Health and Pets.

PRINCIPAL MEMBERS

Andrew Currier – President and Grower

John Currier – Vice President and Director of Operations

Legal Structure

Badlands Provisions co is C Corporation located in Brawley, CA

EXECUTIVE SUMMARY

PRODUCT

Badlands Provisions will be manufacturing CBD products grown from Industrial Hemp.

We will be producing CBD products derived from a Cyro Ethanol extraction method. Our

Products will be both in the distillate and Isolate forms developed for 4 specific categories, Pain, Health, Lifestyle, and Pets.

CUSTOMERS

Our customers will be both wholesale and retail outlets that want to sell CBD products in their

Stores and Online. We will also sell our own retail products thru a subsidiary of

Badlands Provisions called Cares CBD.

Method

Cyro Ethanol closed loop extraction is a method of drawing out essential cannabinoids by spraying Hemp biomass (ground flower and trim) with subzero ethanol. After several re circulations over the Material, negative pressures transfer the resulting solution to a collection chamber where additional Impurities are removed by micron circulation. This super cold, low pressure means of extraction allows Us to process biomass into a clean desirable distillate product. After this a method of Chromatography is Done to create an isolate material which results in a food grade product. These systems because of the Closed loop design make it to possible to prevent any solvent or flammable vapor ever exiting the System or venting into the extraction room where the system operates.

GROWTH STRATEGY

To grow the company over a 5 year plan to scale up at a 20% growth rate.

We are looking to install 1 new Cyro Rotary extraction vessel per year for 5 years. This will allow

Us to Increase our daily output 20% annually to hit our goal of processing up to 4000lbs daily.

MARKET RESEARCH

INDUSTRY

Badlands Provisions will be a part of the New Emerging CBD Industry. Projections Show this Industry is growing from currently 700 million per year to 22 Billion by 2022. This forecast even shows it out growing the Cannabis Industry by 2022. We see No slowdown in the Industry as medical benefits grow like the new seizure medicine Epidiolex from GW Pharmaceuticals has shown miraculous benefits in patients. The latest Market research shows the fastest growing demographic is the 60 year and older generation.

REGULATIONS

Badlands Provisions must meet all City, County and State regulations concerning the Manufacturing of Hemp CBD Products. As the State finalizes their Bill SB 1409 and Federal law Legalizes Industrial Hemp thru the passage of the Farm Bill we await any new unforeseen Regulations not known at this point.

MARKETING

Our Marketing Strategy is to increase sales annually of both wholesale and retail products By aggressively advertising our Brand, Cares CBD. This will be accomplished by our team of Marketing specialists engaged in Search engine optimization and networking with retail outlets Across the country and internationally.



MECHANICAL EXTRACTION UNIT

TAKE YOUR PROCESS TO THE NEXT LEVEL

- ❖ Batch Style Ethanol Extraction Reactor - 175lbs
- ❖ Solvent Recovery Included - Kettle Surface Scraper
- ❖ Consulting and Engineering Service
- ❖ Desolventizing Drying Screw
- ❖ SIEMENS Control Panel
- ❖ Decanter Centrifuge
- ❖ Clean-In-Place (CIP)
- ❖ Custom Platform
- ❖ Modular Design
- ❖ C1D1

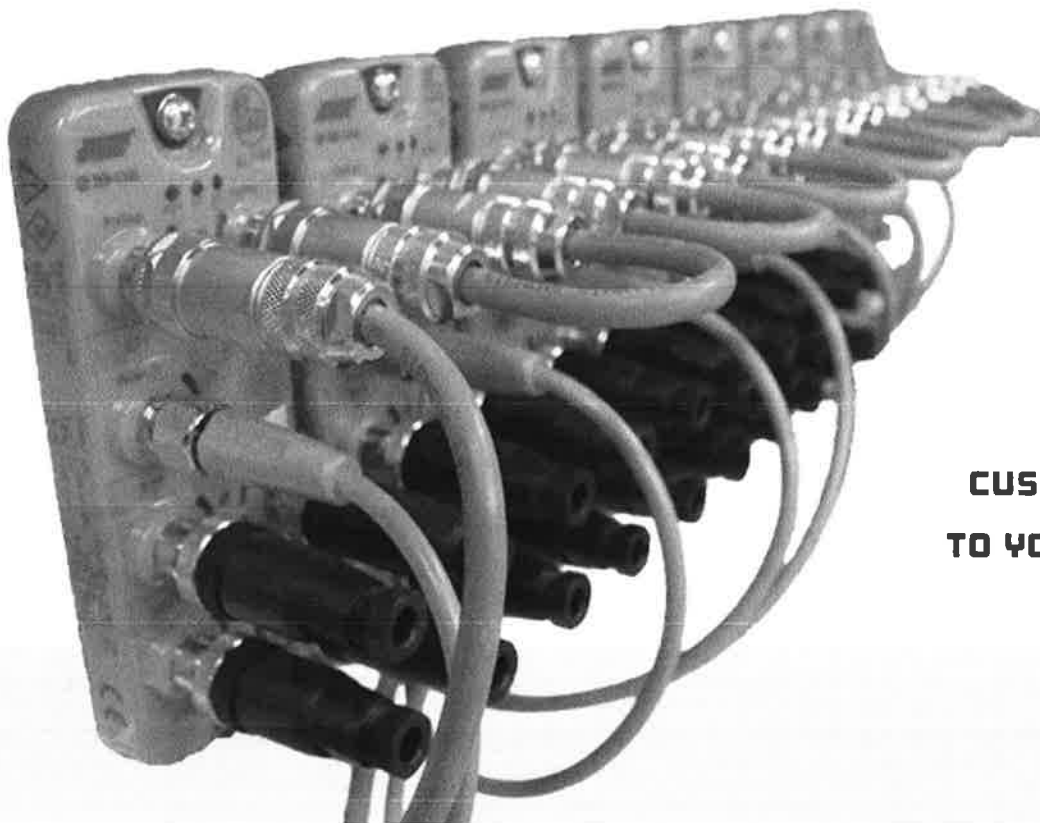




Controls

CUSTOM ASSEMBLED AND PROGRAMMED IN CHARLOTTE, NC

- Lower your labor requirements and improve consistency with automation
- Adjustable speed control on all motors by VFD drives
- Analog and fully automated systems available
- Remotely control and monitor your process
- Siemens hardware and components
- IFM Efector sensors and probes



**CUSTOM DESIGNED
TO YOUR APPLICATION**

3630 TRYCLAN DRIVE CHARLOTTE, NC 28217

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704.900.6606

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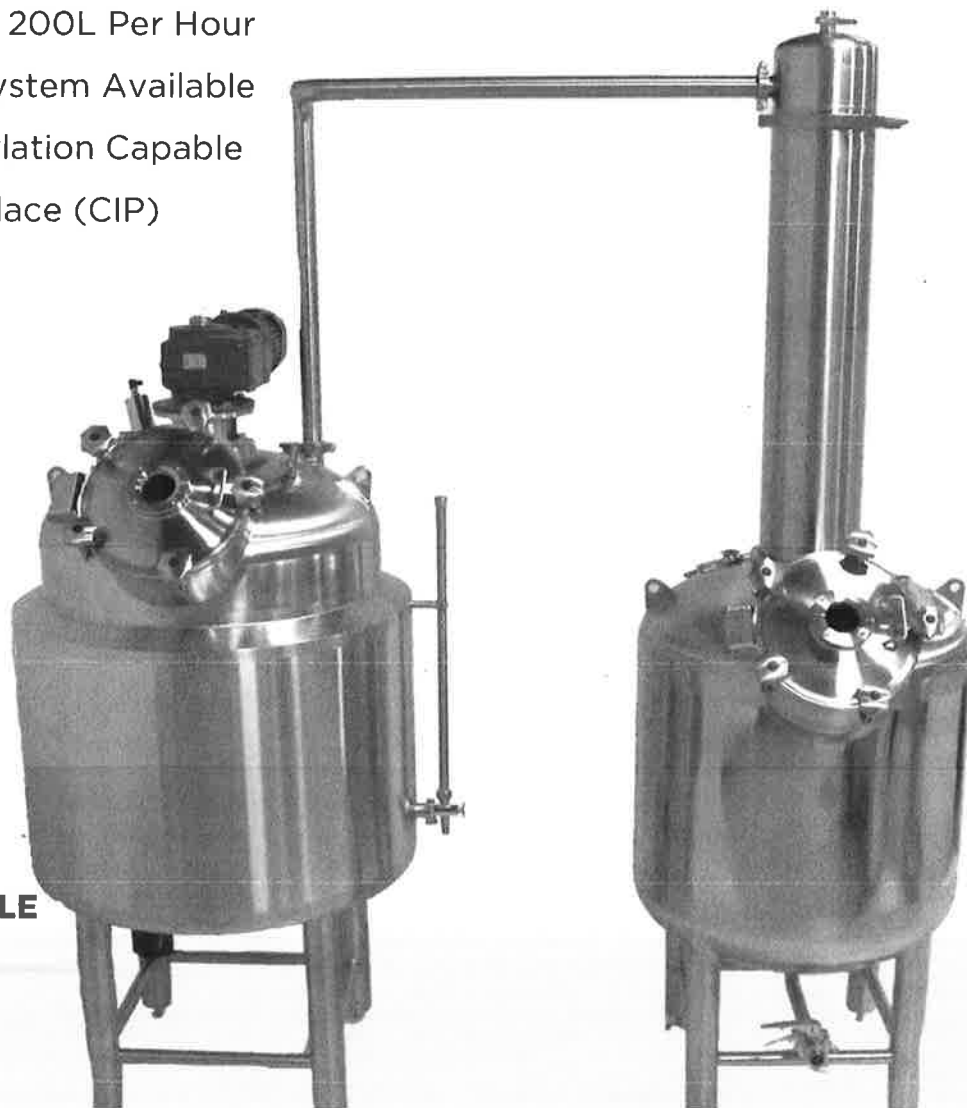
DEUTSCHEPROCESS.COM



Solvent Recovery

TAKE YOUR PROCESS TO THE NEXT LEVEL

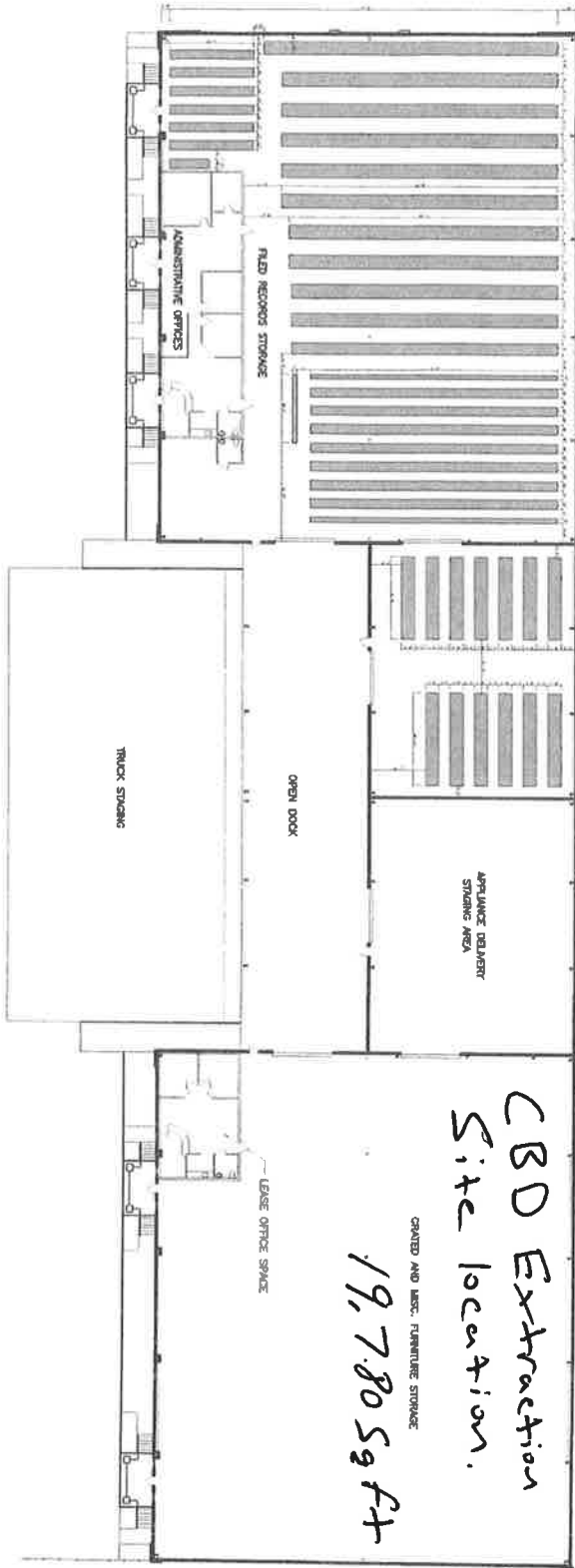
- Rising Film, Wiped Film, & Rotary Evap Available
- Siemens PLC Automation Controlled
- Starting at 200L Per Hour
- Turnkey System Available
- Decarboxylation Capable
- Clean-In-Place (CIP)



CUSTOM SIZES AVAILABLE

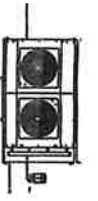
520 Aten rd Imperial

FLOOR PLAN



S + N
E

REVISIONS BY DATE APPROVED PROJECT NO.	SHEET CONTAINS FLOOR PLAN	DATED: JANUARY 2011 SCALE: AS SHOWN PREPARED BY: J. GARCIA CHECKED BY: J. GARCIA DATE: 1/11/11 SHEET 1	PIONEER VNS, INC. 520 W. ATEN RD. IMPERIAL, CALIFORNIA
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Fire Extinguisher

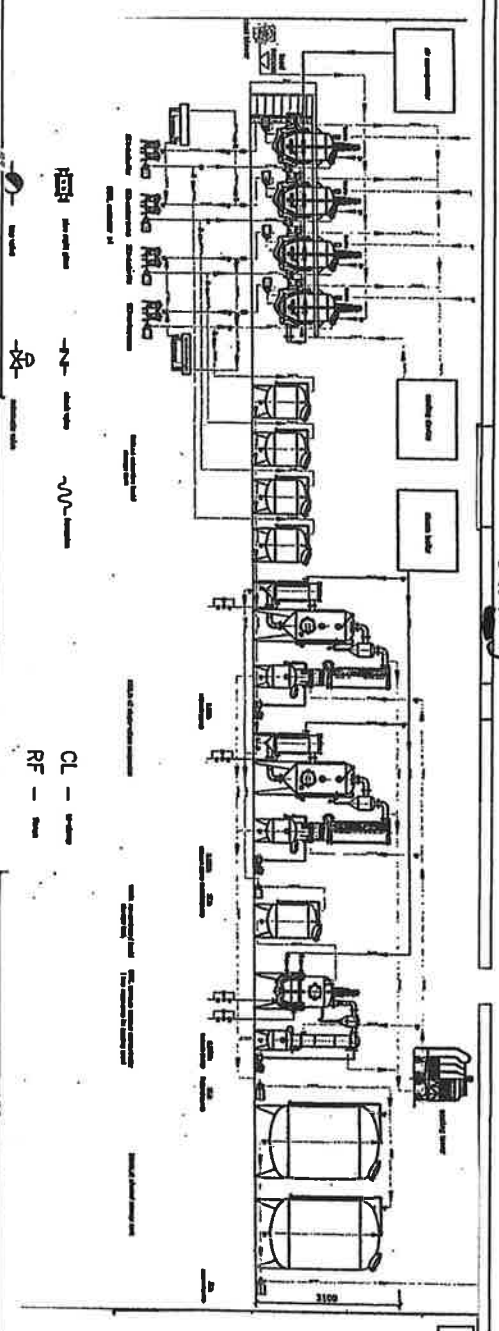
Fire Extinguisher

600 Gallon Ethanol Storage

N
W
N+S
E

Fire Extinguisher

Office



CL - 11'0"

RF - 11'0"



Staff Report
Agenda Item No. D-2

To: City of Imperial Planning Commission

From: Lisa Tylanda, Planner

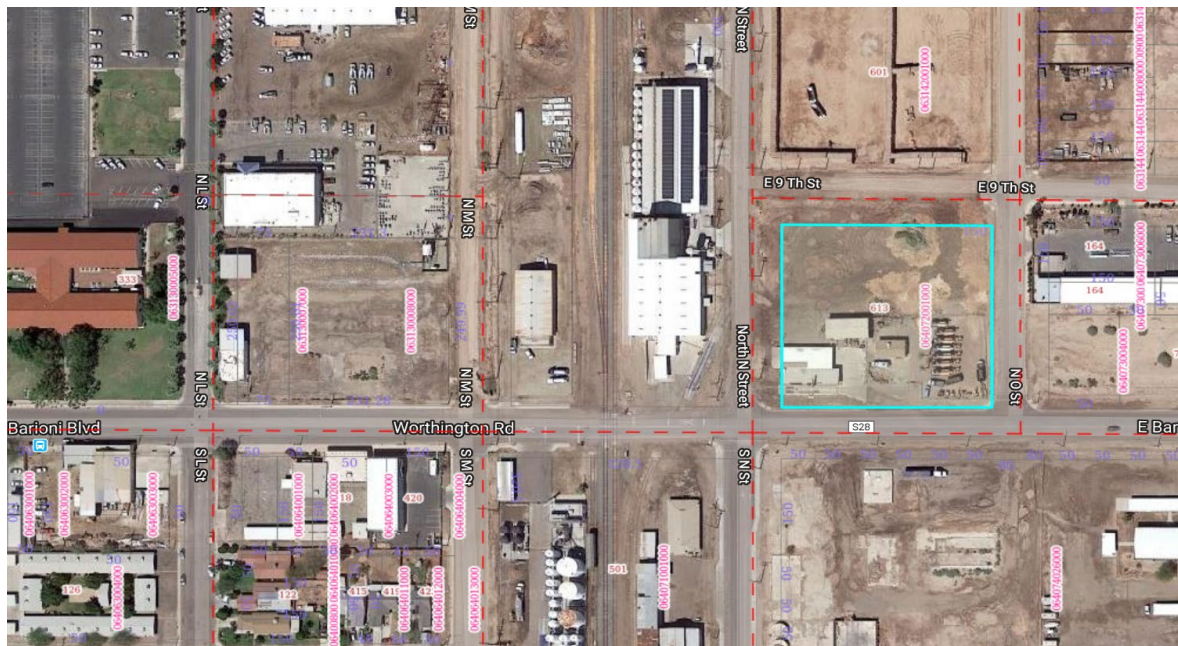
Date: March 13, 2019

Subject: Conditional Use Permit– Manufacturing of Cannabinoid Oil from Hemp Biomass within I-2 Rail Served Industrial Zone located at 613 Barioni Boulevard; Imperial, CA 92251

Surrounding Land Use:

Location Site	General Plan Designation	Zone District	Land Use
North	Industrial	I-2 (Rail-Served Industrial)	Vacant
South	Industrial	I-2 (Rail-Served Industrial)	Vacant
East	Industrial	I-2 (Rail-Served Industrial)	Offices/Vacant Lots
West	Industrial	I-2 (Rail-Served Industrial)	Offices/Transit Park

Background



As of December 20, 2018 the Hemp Farming Act of 2018 became law. Within this act, Hemp was removed from the “Schedule I Controlled Substances” list and was re-categorized as an ordinary agricultural commodity and its provisions have been incorporated into the 2018 United States Farm Bill. Glen Cadrez and Kevin Weeks have applied to allow the use of a “Hemp Biomass Extraction facility” located at 601 E. Barioni Blvd; Imperial, CA. The property is located in an I-2 (Rail Served Industrial). This type of use is not listed within the City of Imperials Industrial Zoning Ordinance.

The cannabinoid extraction process will consist of a Carbon Dioxide extraction method, contained within a “Trailer Extraction Facility”.

Environmental

The proposed project is not subject to the California Environmental Quality Act.

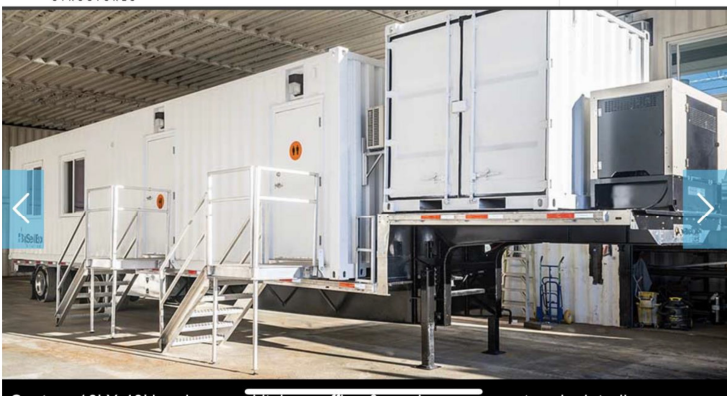
Attachments

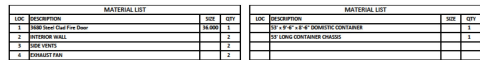
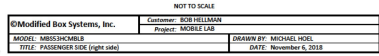
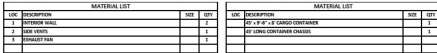
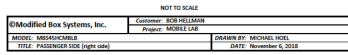
- Business Plan
- Extraction Equipment Details



This C1D1 explosion proof FlexLAB design includes a 3 phase safety process.

- Phase 1: Fresh air flows into the Lab from the make-up air unit and is pulled out by the 800 CFM fan to maintain constant airflow to prevent gas build-up.
- Phase 2: If a higher level of gas is detected, the gas detection system will initiate the opening of a vent and the 5000 CFM fan will forcefully flush out all contaminated air.
- Phase 3: If gas levels continue to rise, the system will activate an audible alarm that also shuts down the electrical outlets inside.





RESOLUTION PC2019-07

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IMPERIAL APPROVING A CONDITIONAL USE PERMIT TO CONDITIONALLY ALLOW FOR A HEMP EXTRACTION FACILITY IN AN I-1 (GENERAL INDUSTRIAL) ZONE, LOCATED AT 520 ATEN ROAD; IMPERIAL, CA 92251

WHEREAS, Badlands Provisions submitted an application for a Conditional Use Permit; and

WHEREAS, a duly notified public hearing was held by the Planning Commission on March 13, 2019; and

WHEREAS, upon hearing and considering all testimony and arguments, analyzing the information submitted by staff and considering any written comment received, the Planning Commission considered all facts relating to the request for a Conditional Use Permit.

NOW THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Imperial as follows:

- A) That the foregoing recitations are true and correct; and
- B) The project has been reviewed in accordance with the requirements set forth by the City of Imperial for implementation of the California Environmental Quality Act; and
- C) There are no sensitive resources located within the area of the project or adjacent to the area of the project so as to be significantly impacted by the project; and
- D) That based on the evidence presented at the public hearing, the Planning Commission hereby determines that the project is Categorically Exempt under Section 15303 of the California Environmental Quality Act; and
- E) That the "Hemp Biomass Extraction Facility" is consistent with those uses allowed in the I-1 General Industrial Zone.
- F) That based on the evidence presented at the public hearing, the Planning Commission hereby conditionally **APPROVES** the "Hemp Biomass Extraction Facility" at 520 Aten Road, via the granting approval of a Conditional Use Permit and Conditions of Approval outlined in EXHIBIT A .

PASSED, ADOPTED AND APPROVED by the Planning Commission of the City of Imperial, this 13th day of March 2019.

Charles Lucas,
Planning Commission Chairman

ATTEST:

Debra Jackson, City Clerk/Planning Secretary

EXHIBIT A

**RESOLUTION #PC2019-07
CONDITIONS OF APPROVAL**

For

Conditional Use Permit: CUP (19-04)

**Badland Provisions
Hemp Extraction Facility
520 West Aten Boulevard
Imperial, CA 92251**

1. Conditional Use Permit: CUP (19-04) is hereby approved to allow the use and operations of a Hemp Extraction Facility. The use may be subject to additional approvals subject to the requirements of the Zoning Ordinance.
2. The provisions of this Conditional Use Permit are to run with the land/project and shall bind the current and future owner(s) successor(s) in interest, assignee(s) and/or transferor(s) of said project.
3. The Facility must implement an "Odor Control" ventilation system that meets all current California Building and Fire Code standards.
4. The Facility must also operate within the outlined noise standards found within the City of Imperial's "Noise Element".
5. All signage shall comply with the provisions of the Zoning Ordinance.
6. The proprietor/owner shall be responsible for the removal of all graffiti from the walls, fences, pavement, or buildings within 72 hours of its appearance on the property.
7. The proprietor/owner shall be responsible for maintaining the parking lot and adjacent areas free of litter at all times.
8. Applicant shall comply with all local, State and Federal laws, regulations, rules, ordinances, and standards as they pertain to this project, whether specified herein or not. Where conflicts occur, the most stringent shall apply.

9. The conditional approval of the Conditional Use Permit shall not constitute the waiver of any requirement of the City's Ordinances or regulations, except where a condition set forth herein specifically provides for a waiver.
10. The City reserves the right to periodically review the operation for potential problems. If problems (on-site or within the immediate area) including, but not limited to, , the illegal sale or use of narcotics, drugs or alcohol, lewd and/or disorderly conduct, and disturbing the peace result from the proposed land use, etc., the conditional use permit may be subject to review and revocation by the City of Imperial per the procedures outlined in the Imperial Municipal Code.
11. If the Community Development Department finds and determines that the Permittee or successor-in-interest has not complied or cannot comply with the terms and conditions of the CUP, or the Planning/Building Department If after receipt of the order (1) Permittee fails to comply, and/or (2) Permittee cannot comply with the conditions set forth in the CUP, then the matter shall be referred to the Planning Commission for permit modification, suspension, or termination, or to the appropriate enforcement authority.
12. As between the City and the Permittee, any violation of this permit may be a "nuisance per se". The City may enforce the terms and conditions of this permit in accordance with its Codified Ordinances and/or State law. The provisions of this paragraph shall not apply to any claim of nuisance per se brought by a third party.
13. Permittee shall not be permitted to maintain a "nuisance", which is anything which: (1) is injurious to health, or is indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property, and/or (2) affects at the same time an entire community or neighborhood, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal, and/or (3) occurs during or as a result of the approved project.

RESOLUTION PC2019-08

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IMPERIAL
APPROVING A CONDITIONAL USE PERMIT TO CONDITIONALLY ALLOW FOR
A HEMP EXTRACTION FACILITY IN AN I-2 (RAIL-SERVED INDUSTRIAL) ZONE,
LOCATED AT 613 BARIONI BLVD; IMPERIAL, CA 92251;
APN# 064-072-001.**

WHEREAS, Glen Cadrez and Kevin Weeks submitted an application for a Conditional Use Permit; and

WHEREAS, a duly notified public hearing was held by the Planning Commission on March 13, 2019; and

WHEREAS, upon hearing and considering all testimony and arguments, analyzing the information submitted by staff and considering any written comment received, the Planning Commission considered all facts relating to the request for a Conditional Use Permit.

NOW THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Imperial as follows:

- A) That the foregoing recitations are true and correct; and
- B) The project has been reviewed in accordance with the requirements set forth by the City of Imperial for implementation of the California Environmental Quality Act; and
- C) There are no sensitive resources located within the area of the project or adjacent to the area of the project so as to be significantly impacted by the project; and
- D) That based on the evidence presented at the public hearing, the Planning Commission hereby determines that the project is Categorically Exempt under Section 15303 of the California Environmental Quality Act; and
- E) That the “Hemp Biomass Extraction Facility” is consistent with those uses allowed in the I-2 Rail-Served Industrial Zone.
- F) That based on the evidence presented at the public hearing, the Planning Commission hereby conditionally **APPROVES** the “Hemp Biomass Extraction Facility” at 613 Barioni Boulevard, via the granting approval of a Conditional Use Permit and Conditions of Approval outlined in EXHIBIT A.

PASSED, ADOPTED AND APPROVED by the Planning Commission of the City of Imperial, this 13th day of March 2019.

Charles Lucas,
Planning Commission Chairman

ATTEST:

Debra Jackson,
City Clerk/Planning Secretary

EXHIBIT A

**RESOLUTION #PC2019-08
CONDITIONS OF APPROVAL**

For

Conditional Use Permit: CUP (19-05)

**Glen Cadrez and Kevin Weeks
Hemp Extraction Facility
613 Barioni Boulevard
Imperial, CA 92251
APN# 064-072-001**

1. Conditional Use Permit: CUP (19-05) is hereby approved to allow the use and operations of a Hemp Extraction Facility. The use may be subject to additional approvals subject to the requirements of the Zoning Ordinance.
2. The provisions of this Conditional Use Permit are to run with the land/project and shall bind the current and future owner(s) successor(s) in interest, assignee(s) and/or transferor(s) of said project.
3. The Facility must implement an “Odor Control” ventilation system that meets all current California Building and Fire Code standards.
4. The Facility must also operate within the outlined noise standards found within the City of Imperial’s “Noise Element”.
5. All signage shall comply with the provisions of the Zoning Ordinance.
6. The proprietor/owner shall be responsible for the removal of all graffiti from the walls, fences, pavement, or buildings within 72 hours of its appearance on the property.
7. The proprietor/owner shall be responsible for maintaining the parking lot and adjacent areas free of litter at all times.
8. Applicant shall comply with all local, State and Federal laws, regulations, rules, ordinances, and standards as they pertain to this project, whether specified herein or not. Where conflicts occur, the most stringent shall apply.
9. The conditional approval of the Conditional Use Permit shall not constitute the waiver of any requirement of the City's Ordinances or regulations, except where a condition set forth herein specifically provides for a waiver.

10. The City reserves the right to periodically review the operation for potential problems. If problems (on-site or within the immediate area) including, but not limited to, , the illegal sale or use of narcotics, drugs or alcohol, lewd and/or disorderly conduct, and disturbing the peace result from the proposed land use, etc., the conditional use permit may be subject to review and revocation by the City of Imperial per the procedures outlined in the Imperial Municipal Code.
11. If the Community Development Department finds and determines that the Permittee or successor-in-interest has not complied or cannot comply with the terms and conditions of the CUP, or the Planning/Building Department If after receipt of the order (1) Permittee fails to comply, and/or (2) Permittee cannot comply with the conditions set forth in the CUP, then the matter shall be referred to the Planning Commission for permit modification, suspension, or termination, or to the appropriate enforcement authority.
12. As between the City and the Permittee, any violation of this permit may be a "nuisance per se". The City may enforce the terms and conditions of this permit in accordance with its Codified Ordinances and/or State law. The provisions of this paragraph shall not apply to any claim of nuisance per se brought by a third party.
13. Permittee shall not be permitted to maintain a "nuisance", which is anything which: (1) is injurious to health, or is indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property, and/or (2) affects at the same time an entire community or neighborhood, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal, and/or (3) occurs during or as a result of the approved project.