

**KINGS COUNTY PLANNING COMMISSION  
MINUTES**

District 1 Commissioner - Riley Jones

District 2 Commissioner - Mark Cartwright

District 3 Commissioner - R.G. Trapnell

District 4 Commissioner - Jim Gregory

District 5 Commissioner - Louise Draxler

July 6, 2009

**CALL TO ORDER:** The meeting of the Kings County Planning Commission was called to order by Chairman Cartwright, on July 6, 2009 at 7:00 p.m. in the Board of Supervisors Chambers, Administration Building, Kings County Government Center, Hanford, California. The Pledge of Allegiance was recited.

**COMMISSIONERS PRESENT:** R.G. Trapnell, Mark Cartwright, Louise Draxler, Jim Gregory

**COMMISSIONERS ABSENT:** Riley Jones

**STAFF PRESENT:** Bill Zumwalt, Johanna Hartley, Greg Gatzka, Chuck Kinney, Mark Sherman, Sandy Roper, Terri Yarbrough

**VISITORS PRESENT:** Helen Luibel, Hermima Lemos, Ray Vasquez, Leonard Dias, John & Karen Lopez, Duane Cunha, Tony Belo, Manuel Silva, Alex Dwigins, Pierre Bachoc, Theresa Bachoc, LaVerne Gomes, Fatima Belo, Joe Belo, Bobby Belo, Octavio Murrietta, Tony & Mary Ferdolage, Tom McCarthy, Bernie Costa, John Gomes, Thomas DeSantos, Daniel Fadenrecht

**SUMMARY OF THE AGENDA:** Mr. Zumwalt summarized the Agenda for the Commission and stated that Conditional Use Permit No. 09-02 should be moved on the agenda to Old Business.

**UNSCHEDULED APPEARANCES:** Mr. Andrew Anema expressed a concern that churches had significantly higher requirements, such as higher fees and more zoning requirements, than other entities. Mr. Anema stated that other communities have no distinction between churches and other facilities and asked staff to review the zoning ordinance.

**APPROVAL OF MINUTES:** A motion was made and seconded (Trapnell/Gregory) to approve the minutes of the June 1, 2009 meeting. Motion carried unanimously with Jones absent.

### **OLD BUSINESS**

**Conditional Use Permit No. 05-05 (Thorbus)** – Mr. Roper provided an overview for a proposal to establish a rural health clinic located at 16894 Houston Avenue. The applicant is requesting a two year extension of time. Mr. Alex Dwigins with Zumwalt-Hanson, spoke on behalf of Dr. Thorbus and stated that Dr. Thorbus wasn't ready to move forward at this time and there are no proposed changes to the project.

A motion was made and seconded (Draxler/Gregory) to adopt Resolution No. 09-04 to grant a two year extension of time. Motion carried unanimously with Jones absent.

### **NEW BUSINESS**

**Conditional Use Permit No. 09-02 (Emanuel United Reformed Church)** – Mr. Roper summarized the proposal to establish a church within an existing structure located at 13999 Grangeville Blvd. Hanford, CA, Assessor's Parcel Number 009-090-001. Mr. Roper reported that the project is located within a rural

commercial zone district and is consistent with the General Plan. Mr. Roper further stated that the applicant has requested to increase the maximum occupancy capacity, therefore, condition number one (1) would change adding language for a maximum capacity of 60 people and condition number six (6) would require fifteen (15) off-street parking spaces.

Chairman Cartwright opened the public hearing portion of the meeting and asked if there was any testimony in favor of the project. Mr. Andrew Anema spoke in favor of the project and also asked that the building plans that were submitted without being wet stamped by an architect be accepted. Mr. Zumwalt clarified for the Commission that this was an issue for the Building Official. Chairman Cartwright asked if there was any testimony opposing the project. Seeing none, he closed the public hearing.

A motion was made and seconded to adopt Resolution No. 09-05 approving Conditional Use Permit No. 09-02. Motion carried unanimously with Jones absent.

**Conditional Use Permit No. 09-03 (Walker)** – Mr. Chuck Kinney summarized the request to establish an asphalt and concrete recycling facility located at 12731 Houston Avenue, Hanford, CA, Assessor's Parcel Number 018-222-079.

Chairman Cartwright opened the public hearing portion of the meeting and asked if there was any testimony in favor of the project. Chairman Cartwright asked if there was anyone opposing the project. Seeing none, he closed the public hearing portion of the meeting. Commissioner Trapnell requested that the operating hours be restricted from 8:00 AM to 6:00 PM on weekdays and 9:00 AM to 6:00 PM on Saturday and Sunday.

A motion was made and seconded (Trapnell/Gregory) to adopt Resolution No.09-06 approving Conditional Use Permit No. 09-03 with amended operating hours. Motion carried unanimously with Jones absent.

**Conditional Use Permit No. 09-04 (Hanford Columbians Inc.)** – Mr. Chuck Kinney summarized the request to establish a non commercial club within an existing structure located at 5152 11<sup>th</sup> Avenue, Hanford, CA, Assessor's Parcel Number 006-031-006. Mr. Kinney reported that the activities would be limited to one annual take out fund raiser, bereavement and club meetings. All activities would conclude no later than 10:00 pm and two hours would be allowed to clean up. The project is consistent with the General Plan and zoning ordinance and the project is not located within an agricultural preserve. Mr. Kinney reported that he had received two letters which were read into the record. One letter was signed by Perry Webb, Pierre and Theresa Bachoc, Tony and Mary Ferdolage, Andy and Katrina Gallegos, Helen Lowe and Jacqueline Lowe. The second letter was received from Katrina Gallegos.

Chairman Cartwright opened the public hearing portion of the meeting and asked if there was any testimony in favor of the project. Ray Vasquez and Octavio Murietta spoke in favor of the project. Chairman Cartwright asked if there was anyone opposing the project. The following people spoke in opposition, Theresa Bachoff, Jacqueline Lowe, Andy Gallegos, and Katrina Gallegos. The general consensus of the opposition was that a fence was needed on the north side of the property, no amplified music allowed, provide adequate parking, and no activity after 10:00 pm. Chairman Cartwright asked if the applicant would like to respond. Mr. Ray Vasquez stated that their meetings on Wednesdays start at 7:00 pm and it is not unusual to go until 9:00 pm or 10:00 pm. Commissioner Trapnell noted that the main issues were off premise parking, transportation and amplified music. Tom McCarthy stated that the Knights of Columbus had no problem with putting up a fence. Chairman Cartwright closed the public hearing portion of the meeting. Chairman Cartwright directed staff to draft a new resolution, including a list of allowable uses, adding a six foot fence on the north, south and west portion of the property, no parking south of the southern most fence, property to be vacated by 10:00 pm Sunday through Thursday and activities to end by 10:00 pm on weekends with two hours of cleanup time, no amplified music and no amplification of any kind outdoors, for action at the August meeting.

**Revocation of Conditional Use Permit No. 91-10 (Sociedade de Sao Joao, Inc.)** – Mr. Sherman summarized the staff report to consider revocation of Conditional Use Permit No.91-10 for failure to comply with standards and conditions of the conditional use permit. The application was originally approved by the Kings County

Planning Commission on July 6, 1992 to establish a private, non-commercial, social hall located at 8301 8 ½ Avenue, Hanford, Assessor's Parcel Number No. 014-142-014. The property is located in an agricultural zone. Mr. Sherman reported that Sociedade de Sao Joao, Inc. was notified in May 2009 that they were in violation of their permit requirements for allowing the hall to be used for a public gathering.

Chairman Cartwright opened the Revocation Hearing portion of the meeting and asked the applicant if there was anyone who wanted to speak on their behalf. Mr. Daniel Fadenrecht read a letter into testimony from John Souza, Kit Carson School and a letter from the Hanford High School. The following people spoke on behalf of the Sociedade de Sao Joao: Daniel Fadenrecht, Leonard Dias, Carlos Santos, and Dwayne Cunha. Chairman Cartwright asked if there was anyone who wanted to speak in favor of the revocation. Seeing none, he asked if the applicant would like to rebut. Mr. Fadenrecht stated that he didn't think it was clear what was considered to be a commercial use. Mr. Dwayne Cunha asked if they could charge members fees for using the building. Mr. Zumwalt stated that as long as the activity is for the benefit of a member a fee can be charged to offset expenses to maintain and operate the building. The Commission directed staff to work on a document providing policy interpretation as to what constitutes the type of activity allowed under this use. The Commission made no decision on the revocation until they receive the staff policy interpretation. Seeing no further testimony, Chairman Cartwright closed the public hearing.

## MISCELLANEOUS

### 1. FUTURE MEETINGS

The next regular meeting of the Planning Commission is scheduled for Monday, August 3, 2009.

### 2. CORRESPONDENCE:

An invitation was received from Adventist Health and a brochure from the Dairy Quality Assurance. An email was received regarding the Planning Commission Conference to determine funding sources for the conference. Mr. Zumwalt announced that there were no funds in the budget for conferences. The Commission directed staff to respond back that we had no money in the budget to attend the conference this year.

### 3. STAFF COMMENTS:

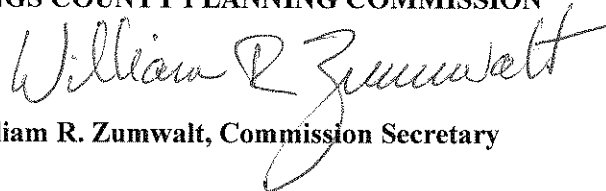
Mr. Roper announced that a re-circulated draft EIR for the Chemical Waste Management, Inc. project was going through a 45 day public comment review which would close on July 17, 2009. Once the Final EIR is prepared, a Public Hearing will be scheduled with Planning Commission. Mr. Gatzka announced that the General Plan should be ready for review by the Commission in October.

### 4. COMMISSION COMMENTS: none

ADJOURNMENT – The meeting was adjourned at 10:28 p.m.

Respectfully Submitted,

**KINGS COUNTY PLANNING COMMISSION**



**William R. Zumwalt, Commission Secretary**