

**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

August 3, 2009

CALL TO ORDER: The meeting of the Kings County Planning Commission was called to order by Chairman Cartwright, on August 3, 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, Riley Jones

COMMISSIONERS ABSENT:

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

VISITORS PRESENT: Katrina Gallegos, Mary Derdolage, Bob Lewis, Frank Fagundes, Frankie Fagundes, Herminia Lemos, Tony Belo, Jose Soares, Maria Soares, Joey Lemos, Duane Cunha, Daniel Fadenrecht

SUMMARY OF THE AGENDA: Mr. Zumwalt summarized the Agenda for the Commission.

UNSCHEDULED APPEARANCES: No one spoke during this portion of the meeting.

APPROVAL OF MINUTES: A motion was made and seconded (Draxler/Trapnell) to approve the minutes of the July 6, 2009 meeting. Motion carried unanimously.

OLD BUSINESS

Conditional Use Permit No. 07-07 (Grewal) – Mr. Roper summarized the staff report for a request of a five (5) year extension of time to establish a service station/convenience store/food mart and also an incidental watchman's caretaker quarters located at 19538 Highway 41, Stratford, CA, Assessor's Parcel Number 026-131-054. Staff recommended that the approval of Conditional Use Permit No. 07-07 be extended until either 1) the land use designation in the *Kings County General Plan* for the project site is changed to something other than Commercial, or 2) to September 10, 2011, whichever occurs first.

A motion was made and seconded (Trapnell/Draxler) to adopt Resolution No. 09-approving the extension of time for CUP No. 07-07 until either 1) the land use designation in the *Kings County General Plan* for the project site is changed to something other than Commercial, or 2) to September 10, 2011, whichever occurs first. Motion carried unanimously.

Revocation Hearing for Conditional Use Permit No. 91-10 (Sociedade de Sao Joao, Inc.) – Mr. Sherman provided a summary of the Community Development Agency's interpretation of a "private, non-commercial club or lodge" as directed by the Commission at the July 6, 2009 meeting. Mr. Sherman stated that the Zoning Administrator's interpretation of a private non-commercial club or lodge is "An association of persons for some nonprofit purpose, but not including groups organized primarily to render a service which is customarily carried on as a business. Associated club or lodge facilities are intended for the sole and exclusive use of club members, their immediate families, and member's guests with specific invitations. This provision does not extend to other outside groups, memberships or associations affiliated with any particular member. Private,

non-commercial functions carried out by the club shall be under the control and auspices of a member of the club at all times. Facilities are not to be rented for commercial or monetary gain, unless specifically authorized under a valid land use permit.”

A motion was made and seconded (Trapnell/Draxler) to accept and endorse the Zoning Administrator’s interpretation of the definition of private, non-commercial club or lodge. Motion carried unanimously.

Conditional Use Permit No. 09-04 (Hanford Columbians Inc.) – Mr. Chuck Kinney outlined each of the conditions that were added to the Conditional Use Permit as requested by the Commission at the July 6, 2009 meeting.

A motion was made and seconded (Draxler/Trapnell) to adopt Resolution No. 09-08 approving Conditional Use Permit No. 09-04.

Site Plan Review No. 03-05 (Altnow) – Mr. Sherman summarized the staff report for a request of a two (2) year extension of time to complete the driveway and parking area improvements required by SPR 03-05 and Planning Commission Resolution No. 08-06 for a private ski lake located at 18556 Jackson Avenue, Hanford, CA, Assessor’s Parcel Number 024-080-050. Mr. Sherman reported that the applicant was requesting an extension of time due to the current economic conditions and that Mr. Altnow had complied with all other requirements listed in the resolution. Mr. Sherman stated the bottom of page 2, paragraph 1, line 4 of the resolution would be corrected to say two (2) years not one (1) year.

A motion was made and seconded (Gregory/Jones) to adopt Resolution No. 09-09 granting the extension of time. Motion carried unanimously.

NEW BUSINESS

Appeal of Variance No. 09-01 (Fagundes) – Mr. Sherman summarized a request for an appeal of the decision of the Zoning Administrator’s denial of a variance of a front yard setback in relation to a freestall barn that was constructed too close to the public right-of-way. The freestall barn is located at 10522 15th Avenue, Hanford, CA, Assessor’s Parcel Number 018-011-017. Frank Fagundes and Frankie Fagundes spoke on their behalf. Mr. Fagundes stated that due to the current economic times he could not afford to move the barn. Chairman Cartwright asked if the contractor had a bond he could go back on. Mr. Fagundes stated he did, but the contractor was a relative and had told him the contractor would file bankruptcy. Mr. Zumwalt stated that the property owner is the responsible party and that the contractor is responsible to the owner.

A motion was made and seconded (Draxler/Trapnell) to adopt resolution 09-10 to uphold the decision of the Zoning Administrator. Motion carried unanimously.

Draft Update to the Kings County Housing Element – Mr. Zumwalt stated that the Housing Element was being updated separately from the General Plan Update because the Housing Element by law has its own schedule to be updated. Mr. Zumwalt introduced Mr. John Douglas with Conexus, Kings County Consultant, who provided a review of the Housing Element update.

Chairman Cartwright opened the public comment period as asked if anyone wishing to speak. Seeing none, he closed the public comment period. A motion was made and seconded (Jones/Draxler) to approve and recommend to the Board of Supervisors that the Draft Hosing Element be submitted to the California Department of Housing and Community Development for comment. Motion carried unanimously.

MISCELLANEOUS

1. FUTURE MEETINGS

The next regular meeting of the Planning Commission is scheduled for Monday, September 14, 2009.

2. CORRESPONDENCE:

Mr. Zumwalt announced that he had received the Planning Commission Journal renewal and asked if the Commissioners would like to continue receiving this publication. The Commissioners asked to continue receiving the publication.

3. STAFF COMMENTS:

Mr. Chuck Kinney announced that the comment period had closed for the re-circulated draft EIR for the Chemical Waste Management, Inc. project. A tentative date for the public hearing was scheduled for September 28-30, 2009. Commissioner Jones stated he would not be available for those dates.

Mr. Caldwell announced that the General Plan and Environmental Impact Report is currently under a 45 day public comment period which will close on August 20, 2009. The General Plan Update should be before the Planning Commission for action on October 5, 2009 and adoption of the Housing Element in late 2009 or early 2010.

Mr. Zumwalt announced that Greg Gatzka has been appointed interim Director.

4. COMMISSION COMMENTS: The Commission commended Mr. Bill Zumwalt for all of his years of service.

ADJOURNMENT – The meeting was adjourned at 8:48 p.m.

Respectfully Submitted,

KINGS COUNTY PLANNING COMMISSION



Greg Gatzka, Acting Commission Secretary