

**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

December 14, 2009

CALL TO ORDER: The meeting of the Kings County Planning Commission was called to order by Chairman Cartwright, on December 14, 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: Mark Cartwright, Louise Draxler, R.G. Trapnell

COMMISSIONERS ABSENT: Riley Jones, Jim Gregory

STAFF PRESENT: Greg Gatzka, Johanna Hartley, Chuck Kinney, Terri Yarbrough, Jeremy Kinney, Mark Sherman

VISITORS PRESENT: Jeff Monaco, Richard Conway, Danny Sozinho, Troy Hommerding, Deborah Puma, Mike Blankenship, Joe Pimentel, David Avila

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

UNSCHEDULED APPEARANCES: Mr. Richard Conway, Attorney, representing the Sozinho family, asked that the revocation hearing for Conditional Use Permit 96-06 be continued to February 1, 2010. Mr. Conway stated that Mr. Bob Zumwalt of his firm was the main Attorney in this matter and that he was currently out of the continental United States.

APPROVAL OF MINUTES: A motion was made and seconded (Draxler/Trapnell) to approve the minutes of the October 5 and 19, 2009 and November 2, 2009 meetings. Motion carried unanimously with Gregory and Jones absent.

NEW BUSINESS

Convene as the Kings County Airport Land Use Commission

2035 Kings County General Plan – Mr. Jeremy Kinney summarized the findings that are required to find the 2035 General Plan Update compatible with the Kings County Airport Land Use Compatibility Plan (ALUCP). Mr. Kinney reported that there is no conflict with the ALUCP or the Hanford Municipal Airport Master Plan and recommended the Commission adopt resolution No. 09-02.

A motion was made and seconded (Draxler/Trapnell) to adopt resolution No. 09-02 determining that the 2035 Kings County General Plan is consistent with the Kings County Airport Land Use Compatibility Plan. Motion carried unanimously with Gregory and Jones absent.

OLD BUSINESS

Re-convene as the Kings County Planning Commission

2035 Kings County General Plan and Program Environmental Impact Report – Mr. Jeremy Kinney

reported that the request made by Mr. Joe Aguilar to designate his property to multiple commercial located at 12939 Hanford Armona Road was consistent with the Armona Community Plan and the change would be included in the 2035 Kings County General Plan. He also reported that since the property owner of a parcel located at 6th Street and Empire in Stratford had not submitted a written request to change the designation to Public Facility, as was requested by Mr. Joe Carrillo, the designation was not changed from its proposed designation as Medium Density Residential. Staff also received a request from Caltrans District 6 to have the Circulation Element address design improvement needs at the State Route 43 and State Route 198 interchange. Policy C1.1.3 in the Circulation Element was added to facilitate the County working with Caltrans, KCAG, and the City of Hanford to develop coordinated plan lines for the State Route 198 and State Route 43 interchange.

Chairman Cartwright asked if there was anyone wishing to speak regarding the 2035 Kings County general plan and program environmental impact report. Seeing none he closed the public hearing.

A motion was made and seconded (Trapnell/Draxler) to adopt resolution No. 09-14, recommending that the Board of Supervisors certify the Final PEIR, and resolution No. 09-15, approving the 2035 Kings County General Plan, CEQA Findings of Fact and Statement of Overriding Considerations, and approves the Mitigation Monitoring Plan, and recommends their adoption by the Board of Supervisors. Motion carried unanimously with Gregory and Jones absent.

NEW BUSINESS

Kings Waste and Recycling Authority Conditional Use Permit No. 92-01 – Mr. Jeremy Kinney introduced the item and briefed the Commission on the 5 year review requirement on this permit. He reported that there were no negative impacts in the recent inspections of the facility. He also reported that no verbal or written comments were received.

A motion was made and seconded (Draxler/Trapnell) to adopt resolution No. 09-16, to reaffirm all of the findings and conditions of approval made previously for Conditional Use Permit NO. 92-01, which will extend the Conditional Use Permit for five more years. Motion carried unanimously with Gregory and Jones absent.

Revocation Hearing for Conditional Use Permit No. 96-06 – Mr. Sherman provided a time line of events regarding violations of Conditional Use Permit No. 96-06 concerning the Joe and Mary Sozinho Dairy located at 11447 8½ Avenue in Hanford. Mr. Sherman reported that the dairy expanded the size of the dairy herd, expanded the dairy facility beyond the permitted footprint and constructed various structures without permits in violation of their zoning permit. He also reported that most recently, the property owners had started construction on a milking parlor add-on structure with no zoning or building permits and that a Stop Work Order was issued to the Property owners. Staff recommended that the Planning Commission revoke Conditional Use Permit No. 96-06 for failure of the property owners to comply with the conditions, requirements and standards of the zoning permit.

Chairman Cartwright opened the public hearing and asked if there was anyone who wanted to speak opposing the revocation. Mr. David Avila, representing Western Dairy Design Associates, spoke on behalf of the Sozinho's opposing the revocation. He stated that the Sozinho's had already spent \$100,000.00 on the new conditional use permit and that the County has refused to issue permits for the facility. He also stated that in his opinion the milk tank construction did not require permits. Mr. Richard Conway, Attorney representing the Sozinho family, stated that there was an appeal hearing scheduled in January, 2010 on the milk tank issue before the Board of Supervisors. He also asked that the revocation hearing be continued until after the appeal hearing.

Chairman Cartwright asked if there was anyone else wishing to speak either opposing or in favor of the revocation. Seeing none he continued the hearing to February 1, 2010.

MISCELLANEOUS

1. FUTURE MEETINGS

The next regular meeting of the Planning Commission is scheduled for Monday, January 4, 2010.

2. CORRESPONDENCE: None

3. STAFF COMMENTS:

2010 Planning Commission Calendar – Staff provided an updated calendar for future meetings.

Update to the Commission on the progress of the Pimentel Dairy Conditional Use Permit No. 09-05 – Mr. Sherman gave a brief review of the project progress and reported that the application and technical report had not yet been certified as complete. The Commissioners asked to have a more detailed update at the January 2010 meeting. Mr. Blankenship, consultant for the Pimentel's, and Mr. Pimentel were to report to the Community Development Staff on the morning of December 15, 2009 to confirm their availability on January 4, 2009. If there was a scheduling conflict, the update would be provided at the February 1, 2010 meeting.

4. COMMISSION COMMENTS: None

ADJOURNMENT – The meeting was adjourned at 8:13 p.m.

Respectfully Submitted,

KINGS COUNTY PLANNING COMMISSION



Greg Gatzka, Commission Secretary