

**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

May 5, 2008

TAPE COUNT #1-0

CALL TO ORDER: The meeting of the Kings County Planning Commission was called to order by Chairman Jones, on May 5, 2008 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: Riley Jones, R.G. Trapnell, Jim Gregory

COMMISSIONERS ABSENT: Mark Cartwright, Louise Draxler

STAFF PRESENT: Greg Gatzka, Kyle Sand, Chuck Kinney, Mark Sherman, Terri Yarbrough, Kara Bounds, Marcum Caldwell

VISITORS PRESENT: Anthony & Sherry Hamilton, Bob Lewis, Chris Lehn

SUMMARY OF THE AGENDA:

Mr. Gatzka summarized the Agenda for the Commission.

UNSCHEDULED APPEARANCES: None

APPROVAL OF MINUTES: A motion was made and seconded (Trapnell/Gregory) to approve the minutes of the April 7, 2008. Motion carried unanimously with Cartwright and Draxler absent.

OLD BUSINESS

None

TAPE COUNT #1-

NEW BUSINESS

1. SITE PLAN REVIEW NO. 06-01 (Rodrigues)

Mr. Sherman summarized the events that took place since the continuance of the revocation hearing of Site Plan Review No. 06-01 (a shop to restore and repair kitchen cabinets, tile, granite and countertops) for failure to comply with Site Plan review standards and requirements. The property is located at 444 Wilson Lane, Hanford, Assessor's Parcel Number 014-221-040. Ms. Angelina Rodrigues contacted the Planning Agency on April 21, 2008 and stated they were considering selling the property. On April 21, 2008, the Planning Department became aware that the property had changed hands due to a foreclosure. The new owner, Budget Capital, was notified of the proceedings and Mr. Sherman spoke with the president of the company by phone several times. The Rodrigues' indicated they would comply with the Site Plan Review standards by July 23, 2008 and five of the items would be completed by May 2, 2008. Only one of the five items that were to be completed by May 2, 2008 was completed. Mr. Rodrigues filed the Notice of Disclosure and acknowledgement of the Agricultural Land Use Protection and Right to Farm Policy for the County of Kings which was confirmed by Mr. Sherman. Commissioner Jones asked if Budget was willing to sell the property back to Mr.

Rodriguez since their letter stated the offer would be withdrawn by March 26, 2008. Mr. Sherman stated he had confirmed with Budget that they will not stand in the way of Mr. Rodriguez purchasing the property back.

Commissioner Jones opened the Public Hearing continuing it from the April 7, 2008 and asked if there was any testimony opposing the revocation. Mr. Rodriguez stated he was in the process of obtaining a loan. It was clarified this was a loan to repurchase the property and not the loan to fund the repairs on the property. Commissioner Jones asked if there was any further testimony. Seeing none he closed the Public Hearing.

A motion was made and seconded (Trapnell/Gregory) to adopt Resolution No. 08-04 to revoke site plan 06-01 without prejudice. Motion carried unanimously with Cartwright and Draxler absent.

CONVENE AS DIVISION TWO OF THE KINGS COUNTY ADVISORY AGENCY

TAPE COUNT – 1-1930

1. Tentative Parcel Map No. 07-03 (South Fresno Housing)

A proposal to divide approximately 11.67 acres into three (3) parcels (1/75 acres, 1.39 acres, and 2.44 acres) and an unmapped remainder (4.14 acres) located at 33000 Cyril Place, Kettleman City, CA, Assessor's Parcel Number 042-150-064 will be re-noticed and heard at a future meeting.

TAPE COUNT – 1-1975

RE-CONVENE AS PLANNING COMMISSION

1. Appeal to the Planning Commission for Site Plan Review No. 07-38

Ms. Bounds summarized the denial of the application for Site Plan Review No. 07-38 (SPR 07-38) by the Kings County Zoning Administrator on March 31, 2008, a proposal to designate an existing residence as a farm employee residence for the purpose of constructing an additional conventional construction home on the parcel located at 13391 Fargo Ave., Hanford, Assessor Parcel No. 009-100-002. Ms. Bounds stated the parcel is restricted by the Williamson Act and the proposal would significantly reduce the farmable land. A notice of non-renewal was filed in 2004 which will expire on January 1, 2015. Once the contract expires the proposed project would be allowed.

Commissioner Jones opened the Appeal Hearing and asked if there was anyone wishing to testify in opposition of the denial. Mr. David Avila stated that he was farming the land and sells his products at the farmers markets and would not be taking any productive land out of farming. He also stated the well that would be installed for the house would also provide water for trees. Commissioner Gregory asked if a mobile home would be allowed. Ms. Bounds stated it would be allowed for a temporary use for a relative 62 years of age or older or to care for an infirm relative. Temporary is based on whoever qualifies to live there as long as they remain in the home. Mr. Avila stated he didn't want a mobile home. Several documents were provided as evidence of a viable farming operation. Mr. Anthony Hamilton spoke in opposition of the denial. Commissioner Jones asked if there was any further testimony. Seeing none, he closed the Appeal Hearing.

Commissioner Gregory noted that when the regulations were made small intensive farming wasn't taken into consideration. Commissioner Trapnell asked if there was any way to remove the parcel from the Williamson Act Contract. Mr. Gatzka stated a cancellation could possibly be done but it's very expensive to the property owner and requires certain findings to be made. Mr. Sand stated it is very rare to have a contract cancelled and the State has aggressively been looking for breaches of contract.

A motion was made and seconded (Trapnell/Gregory) to adopt Resolution No. 08-05 to deny the appeal of the Zoning Administrator's denial of Site Plan Review No. 07-38. Motion carried unanimously with Cartwright and Draxler absent.

TAPE COUNT – 2-0

2. Study Session – San Joaquin Valley Regional Blueprint Scenario Map Update

3. Study Session – Draft Armona Community Plan

Mr. Jeremy Kinney gave a PowerPoint presentation and overview of the Armona Community Plan. Mr. Kinney stated that public meetings had been held in order to obtain input from community residents. Revitalization and a mixed use core are central themes within the Plan. He also gave an overview of the history of Armona. Businesses are encouraged to build and integrate historical themes back into the town. Water capacity is an issue and needs to be provided in order for the community to grow.

MISCELLANEOUS

1. FUTURE MEETINGS

The next regular meeting of the Planning Commission is scheduled for Monday, June 2, 2008.

2. CORRESPONDENCE (2008 Central Section Award)

Applications are currently open.

3. STAFF COMMENTS:

A. Update for CUP 05-10 (CWM B18-B20)

Mr. Chuck Kinney reported that on May 3, 2008, an addition to the Subsequent Draft Environmental Report was released for comment and the comment period for the Subsequent Draft Environmental Report has been extended until June 20, 2008. He also reported that the Local Assessment Committee will be meeting on Thursday and will be designating the regular meeting dates and location of the meetings.

B. Election of Officers for 2008-2009 at the June 2, 2008 Planning Commission meeting.

No comments

4. COMMISSION COMMENTS:

None

ADJOURNMENT - The meeting was adjourned at 8:58 p.m.

Respectfully Submitted,

KINGS COUNTY PLANNING COMMISSION



William R. Zumwalt, Commission Secretary