

KINGS COUNTY PLANNING COMMISSION

Regular Meeting
7:00 P.M.

Government Center
Hanford, California

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Planning Agency at (559) 582-3211, ext. 2680 by 4:00 p.m. on the Thursday prior to this meeting.

AGENDA October 6, 2008

This meeting will be held in the Board of Supervisors Chambers, Administration Building, Kings County Government Center, 1400 W. Lacey Boulevard, Hanford, California.

I. CALL TO ORDER - Kings County Planning Commission Meeting

1. PLEDGE OF ALLEGIANCE
2. SUMMARY OF THE AGENDA - Staff
3. UNSCHEDULED APPEARANCES

Any person may address the Commission on any subject matter within the jurisdiction or responsibility of the Commission at the beginning of the meeting; or may elect to address the Commission on any agenda item at the time the item is called by the Chair, but before the matter is acted upon by the Commission. Unscheduled comments will be limited to five minutes.

4. APPROVAL OF MINUTES – Meeting of September 8, 2008.

II. OLD BUSINESS - None

III. NEW BUSINESS

A. TIME EXTENSION REQUESTS

1. **CONDITIONAL USE PERMIT NO. 05-05 (THORBUS)** – The applicant has requested an extension of time for a proposal to establish a rural health clinic located at 16894 Houston Avenue, Lemoore, Assessor's Parcel No. 023-030-040.
 - A. Staff Report (C.U.P. No. 05-05 Pages 1 to 2)
 - B. Public Hearing
 - C. Decision: Adopt Resolution No. 08-07 (C.U.P. No. 05-05 Pages 5 to 13) Roll Call Vote
2. **CONDITIONAL USE PERMIT NO. 07-07 (GREWAL)** – The applicant has requested an extension of time for a proposal to establish a service station/convenience store/food mart and also an incidental watchman's caretaker quarters located at 19538 Highway 41, Stratford, Assessor's Parcel No. 026-131-054.
 - A. Staff Report (C.U.P. No. 07-07 Pages 1 to 2)
 - B. Public Hearing
 - C. Decision: Adopt Resolution No. 08-08 (C.U.P. No. 07-07 Pages 5 to 15) Roll Call Vote

B. REVOCATION HEARINGS

1. **ADMINISTRATIVE APPROVAL NO. 94-10 (PEREZ)** – This application was originally approved by the Kings County Zoning Administrator on April 15, 1994, to establish a calf raising operation located at 22312 Grangeville Blvd, Lemoore, Assessor's Parcel Number 004-220-013. The Commission will consider revocation of Administrative Approval No. 94-10 for failure to comply with the Administrative Approval standards and conditions.
 - A. Staff Report (AA. No. 94-10 Pages 1 to 6)
 - B. Revocation Hearing
 - C. Decision: Adopt Resolution No. 08-09 (AA. No. 94-10 Pages 23 to 26) Roll Call Vote

2. **SITE PLAN REVIEW NO. 05-25 (STOCKTON)** - This application was originally approved by the Kings County Zoning Administrator on July 27, 2005 to establish a new multi-family housing development located at 10842 and 10882 Railroad Avenue, Armona, Assessor's Parcel Number 018-070-010. The Commission will consider revocation of Site Plan Review No. 05-25 for failure to comply with the Site Plan Review standards and requirements.
 - A. Staff Report (S.P.R. No. 05-25 Pages 1 to 4)
 - B. Revocation Hearing
 - C. Decision: Adopt Resolution No. 08-10 (S.P.R. No. 05-25 Pages 17 to 20) Roll Call Vote

3. **SITE PLAN REVIEW NO. 07-72 (FAGUNDES)** – This application was originally approved by the Kings County Zoning Administrator on January 31, 2008, to establish a new loafing barn on an existing dairy facility located at 10522 15th Avenue, Assessor's Parcel Number 018-011-017. The Commission will consider revocation of Site Plan Review No. 07-72 for failure to comply with the Site Plan Review standards and requirements.
 - A. Staff Report (S.P.R. No. 07-72 Pages 1 to 4)
 - B. Revocation Hearing
 - C. Decision: Adopt Resolution No. 08-11 (S.P.R. No. 07-72 Pages 28 to 31) Roll Call Vote

C. ZONING ORDINANCE AMENDMENTS

1. **ZONING ORDINANCE TEXT CHANGE NO. 269.65 (KINGS COUNTY)** – A proposal to amend various sections of the zoning ordinance pertaining to:
 - Component A: Various miscellaneous changes, clarifications, and minor corrections of the zoning ordinance text to remove, add, or change various words or phrases to clarify and update the meaning and intent of the ordinance. These changes are to the Table of Contents and Articles 4, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, and 25.
 - Component B: Addition of manufactured homes and Manufactured Housing Community terms. These changes add clarification language that manufactured homes and mobile homes must be on temporary foundations where the intent is that the dwelling is temporary and may someday be required to be removed, as in the case of a temporary second dwelling for an immediate family member 62 years of age or older, or to care for an infirm relative, or in the case of a caretaker's quarters. These changes are to Articles 4, 7, 9, 10, 12, 13, 16, and 25.
 - Component C: Addition of solar and wind electrical generation equipment in many districts. These changes add non-commercial, personal use solar and wind electrical generation equipment as permitted uses in the (A) Agricultural and (RR) Rural Residential zone districts. These changes also add non-commercial, personal use solar electrical generation equipment as permitted uses in the (PF) Public Facilities, (R) One-Family Residential, (RM) Multi-Family Residential, (PO) Professional Office, (T)Transitional, (C) Commercial and (M) Manufacturing Districts. These changes also add solar voltaic generating facilities on a commercial basis in the (C) Commercial and (I) Industrial zone districts as a conditional use. These changes are in Articles 4, 7, 8, 9, 10, 11, 12, 13 and 14.

- Component D: Changes in the regulation of “basic animal shades”, “patio covers” and “storage sheds” as permitted accessory structures. These changes add basic animal shade structures to the list of permitted uses in the (A) Agricultural Districts where previously, because of the existing wording in the zoning ordinance, a site plan review was required if the animal shade structure was incidental to a permitted use requiring a site plan review, as in the case of a dairy facility. These changes also add patio covers and storage sheds to the list of permitted uses in the (A) Agricultural. These changes are to Articles 4, 7, 9, 10, 12, and 25.
- Component E: Inclusion of Emergency Shelters as a permitted use, site plan review in the (PF) and (RM) districts and as a conditional use in the (R) One-Family Residential, (CC) Central Commercial, (CHL) Limited Highway Commercial, and (CH) Highway Commercial zone districts in order to comply with recent legislation. These changes are in Articles 8, 9, 10, 13, 15, 16, and 25.
- Component F: Moves Rural Residential (RR) fencing and gating requirements from residential to agricultural for consistency. These changes also permit a change to the setback requirement in all zone districts when gates are electronically operated with a remote control. The changes distinguish between a primary access and secondary access gate for the purposes of determining setback requirements. Allows open type fences at the front and side yard property line without the need for a site plan review. Allows storage yards to have open type fencing on the street side property line if requested by law enforcement. These changes are in Article 16.
- Component G: Various minor changes to terminology concerning parking areas, aisles, access drives, access lanes. The change also clarifies the design requirement for access drives and access lanes. These changes are to Articles 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15.
- Component H: Updates the requirements for outdoor festivals and moves the requirements from Article 18 to Article 21 for consistency. These changes also add carnivals and circuses to open recreational facilities. These changes clarify that such open recreational facilities are not permitted on “Williamson” Act contracted land. These changes are to Articles 4, 5, 8, 13, 15, and 21.
- Component I: This change formalizes the requirements for temporary carports and vehicle shades. These changes ensure that temporary carports and vehicle shades do not detract from the sense of aesthetics within a neighborhood or tend to reduce real property values by becoming public nuisance. These changes are to Article 15.
- Component J: Makes minor changes to several sections in the zoning ordinance pertaining to permit revocations. Most of the changes are for clarification and consistency including adding specific language in Article 21 rather than the need to refer back to Article 19 for procedures. Deletes the requirement for the zoning administrator to submit a report to the planning commission in order to have the planning commission simply set a hearing date for possible revocation. The decision to set the hearing date will fall to the zoning administrator and the decision to revoke a land use permit will remain with the planning commission. These changes are to Articles 18, 19, 21, and 22.
- Component K: A new Section is added in order to allow for the recovery of code enforcement costs. When a Notice of Violation of the zoning ordinance has been issued, but was not voluntarily complied with by the permit holder(s), and administrative fines are subsequently issued, the County may recover the costs associated with the enforcement action. This change places the cost burden of enforcement on the property owner where the zoning violation or public nuisance is allowed to exist, rather than on the taxpayers. These changes are to Article 24.
- Component L: These changes to the zoning ordinance modify the content, format and requirements of the application form to include the requirement to have the property owner sign and acknowledge in all cases when a land use proposal is submitted on land that he/she owns. Also changes the quantity and quality requirements for site plan drawings. Decreases the number of site plan copies for a site plan review from twenty-two (22) to five (5) copies and allows dairy applications and technical reports to be submitted with one (1) paper copy and twenty-one (21) copies on CD. These changes are in Articles 17, 18, 19, 21, 22, and 23.
- Component M: Clarifies the maximum height of structures in traffic safety visibility areas. This change specifies that no structure over three feet in height may be located within a Traffic Safety Visibility Area. These changes are to Articles 4, 6, 7, 8, 9, 10, 11, 12, and 13.
- Component N: This change clarifies that when a Change of Use and a Change of Occupancy Classification occur, a new zoning permit is required. A Change of Occupancy Classification is determined by the Building department using the California Building Code. These changes are to Article 17.
- Component O: Adds Agricultural Shipping Facilities to the lists of conditional uses. This change is to Article 4.

- A. Staff Report (Z.O.T.C. No. 269.65 Pages 1 to 20)
- B. Public Hearing
- C. Decision: Adopt Resolution No. 07-04 (Z.T.C. No. 269.65 Pages 21 to 71) Roll Call Vote

IV. MISCELLANEOUS

- 1. **FUTURE MEETINGS** - The next regular meeting of the Planning Commission is scheduled for Monday, November 3, 2008.
- 2. **CORRESPONDENCE**
- 3. **STAFF COMMENTS**
 - A. Update for CUP 05-10 (CWM B-18/B-20)
 - B. Update for Specific Plan 06-01 (Quay Valley Ranch Project)
 - C. Update of General Plan update and KCGPAC actions.
- 4. **COMMISSION COMMENTS**

V. ADJOURNMENT

NOTICE OF RIGHT TO APPEAL: For projects where the Planning Commission's action is final, actions are subject to appeal by the applicant or any other directly affected person or party and no development proposed by the application may be authorized until the final date of the appeal period. An appeal may be filed with the Planning Department at 1400 W. Lacey Blvd., Building #6, Hanford, CA, on forms available at the Planning Department. A filing fee of \$275.00 must accompany the appeal form. The appeal must be filed within 8 days of the Planning Commission's decision date, not including the date of the decision. If no appeal is received, the Planning Commission's action is final. There is no right of appeal for projects for which the Planning Commission's action is advisory to the Board of Supervisors.

NOTICE OF RIGHT TO APPEAL: For projects where the Advisory Agency's action is final, actions are subject to appeal by any interested person and no development proposed by the application may be authorized until the final date of the appeal. An appeal may be filed with the Planning Department at 1400 W. Lacey Blvd., Building #6, Hanford, CA, on forms available at the Planning Department. A filing fee of \$275.00 must accompany the appeal form. The appeal must be filed within 10 days of the Advisory Agency's decision date, not including the date of the decision. If no appeal is received, the Advisory Agency's action is final.