

**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

**November 3, 2008**

**CALL TO ORDER:** The meeting of the Kings County Planning Commission was called to order by Chairman Trapnell, on November 3, 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:** R.G. Trapnell, Louise Draxler, Mark Cartwright, Riley Jones

**COMMISSIONERS ABSENT:** Jim Gregory

**STAFF PRESENT:** Bill Zumwalt, Kyle Sand, Chuck Kinney, Mark Sherman, Sandy Roper, Jeremy Kinney, Terri Yarbrough

**VISITORS PRESENT:** Mario Iglasia, Lonnie DeShazier, Nelson Majors, Russell Noturno

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

**UNSCHEDULED APPEARANCES:** None

**APPROVAL OF MINUTES:** A motion was made and seconded (Draxler/Cartwright) to approve the minutes of the October 6, 2008 meeting. Motion carried with Jones abstaining and Gregory absent.

## **OLD BUSINESS**

### **SITE PLAN REVIEW NO. 05-25 (Stockton).**

Mr. Sherman reported to the Commission that Mr. Stockton had installed the proper transitional paving on the north end of the project site as required but had not worked out an alternative improvement plan with the Public Works Department and Community Development Agency. Mr. Stockton had been instructed to work with the Public Works Department and work out the details for an alternative plan. Mr. Sherman pointed out that, based on the 30 day time limit granted by the Commission, Mr. Stockton still had two more days to meet with the Public Works Department and the Community Development Agency. Mr. Sherman reported that Mr. Stockton stated to him that the asphalt concrete dike was too expensive and had submitted a second request to postpone the site improvements. Mr. Stockton's memo requesting the postponement of the public improvements was provided to the Planning Commission. Staff recommended that the Commission set the date for the revocation hearing.

Motion was made and seconded (Cartwright/Jones) to set a revocation hearing for December 1, 2008. Motion carried unanimously with Gregory absent.

## **NEW BUSINESS**

### **1. CONDITIONAL USE PERMIT NO. 06-08 (Prins)**

Mr. Kinney summarized the request to expand the existing auto wrecking and salvage business to be conducted on adjacent land to the North and also establish a recycling facility for ferrous metals, wood, green waste, dirt, tires, sheetrock, and concrete located at 10716 8<sup>th</sup> Avenue, Hanford, Assessor's Parcel No. 016-060-049. Mr.

Kinney also noted that a letter limiting the facility to the currently existing access point from Caltrans was left out of the packet. A revised draft resolution was also handed out to include a comment from the Kings County Sheriff.

Chairman Trapnell opened the Public Hearing and asked if there was any testimony in favor of CUP Permit No. 06-08. Mr. Notturmo, facility manager, spoke in favor of the project and acknowledged that he understood that a violation of the conditions set forth in the comments from the Sheriffs Department and Caltrans would be grounds to revoke the permit. Commissioner Trapnell asked if there was any testimony opposing the project. Seeing none, Mr. Trapnell closed the Public Hearing.

A motion was made and seconded (Draxler/Jones) to adopt revised Resolution No. 08-13 approving the expansion of the existing business. Motion carried unanimously with Gregory absent.

**2. CONDITIONAL USE PERMIT NO. 07-09 (DeShazier)**

Mr. Roper summarized the proposal for an adaptive reuse of an existing 20,000 square foot structure by establishing a tire recycling plant that would process old tires to produce crumb rubber that is shipped off-site to be utilized by other facilities to produce rubberized asphalt for transportation projects and playground surfacing located at 13400 Hanford-Armona Road, Assessor's Parcel No. 018-270-045. The project is located in a Heavy Industrial zone district.

Chairman Trapnell opened the Public Hearing and asked if there was any testimony in favor of the project. Mario Iglaria and Lonnie DeShazier spoke in favor of the project. Rick Larson, Ann Brumley, and Nelson Majors were also in favor of the project provided there would be no outside storage, the facility would not be open to the public and it did not emit any odors. Chairman Trapnell asked if there was any testimony opposing the project. Seeing none, he closed the Public Hearing.

A motion was made and seconded (Jones/Draxler) to adopt Resolution No. 08-14 to establish a tire recycling plant. Motion carried unanimously with Gregory absent.

**3. CHANGE OF ZONE DISTRICT BOUNDARY NO. 08-01(Gheza)**

Mr. Jeremy Kinney summarized the proposal of a change in zone district boundaries for 13180 Hanford Armona Road, Armona (APN: 018-270-044) from Heavy Industrial (MH) to Rural Commercial (CR) in order to establish consistency with the County General Plan land use designation. No significant environmental impacts were identified in the environmental review and no responses were received on the CEQA document.

Chairman Trapnell opened the public Hearing and asked if there was any testimony in favor of the project. Mr. Nelson Majors spoke in favor of the project. Chairman Trapnell asked if there was any testimony opposing the project. Seeing none, he closed the Public Hearing.

A motion was made and seconded (Cartwright/Draxler) to adopt Resolution 08-15 changing the zone district boundaries. Motion carried unanimously with Gregory absent.

**4. ADMINISTRATIVE APPROVAL NO. 2009 (Pimentel)**

Mr. Sherman summarized the proposal to consider revocation of Administrative Approval No. 2009 for failure to comply with the Administrative Approval standards and requirements and for failure to comply with the Kings County Zoning Ordinance. The application was originally approved to add new corrals and a waste water lagoon to an existing 550 cow dairy located at 4751 6<sup>th</sup> Avenue, Hanford, Assessor's Parcel Number 002-180-007. The property owner had increased the herd to approximately 2,345 cows, constructed two new freestalls within the footprint of the facility and excavated a new lagoon outside of the approved footprint without the required zoning permit. Mr. Sherman reported that Mr. Pimentel started the process to prepare a technical report with a consultant but then stopped the process and did not actually retain the consultant. Staff recommended that the Commission set the date for the evocation hearing.

Chairman Trapnell asked if there was anyone who wanted to speak concerning the recommendation to set the matter for hearing. Mr. Michael Johnson with Griswold, LaSalle, Cobb, Dowd & Gin LLP, stated that they had been retained by Joe and Ester Pimentel to oversee this project. The services of a consultant, Mr. Blankenship, have also been secured but he would need 90 days to bring the facility into compliance. Mr. Johnson requested that the Commission delay the revocation hearing 90 days to allow the consultant time to prepare and submit the required technical report and application. Mr. Johnson stated that they would establish benchmarks and work with staff on the timeline and submission. County Counsel advised the Planning Commission that if the Commission did not move forward to set the revocation hearing date for December 1, 2008 then the revocation hearing might have to be delayed further should the property owner not continue to move forward with the application. Staff recommended that the property owner and consultants be present at the revocation hearing to advise the Commission of their progress.

A motion was made and seconded (Jones/Cartwright) to set a Revocation Hearing for December 1, 2008 and requested staff to provide a progress report on December 1, 2008. Motion carried unanimously with Gregory absent.

## MISCELLANEOUS

### 1. FUTURE MEETINGS

The next regular meeting of the Planning Commission is scheduled for Monday, December 1, 2008.

### 2. CORRESPONDENCE:

None

### 3. STAFF COMMENTS:

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

Mr. Zumwalt reported that staff is working toward holding a public hearing the first or second week of February 2009, possibly beginning the hearing in the afternoon, breaking for dinner and continuing the hearing to the evening and to the next day, depending on how many people want to speak. Commissioner Draxler said she would need one week notice and Commissioner Trapnell has a conflict the second and third week in February 2009.

#### B. General Plan Update and KCGPAC Actions

Mr. Zumwalt reported that the General Plan should be ready for Public Hearing June 2009.

### 4. COMMISSION COMMENTS:

Chairman Trapnell asked about the status of the Perez calf ranch revocation. Mr. Sherman reported that the Perez's had appealed the Planning Commission decision and it will potentially be going before the Board of Supervisors on November 18, 2009. Commissioner Cartwright asked about the status of the Fagundes revocation and Mr. Sherman reported that an appeal had also been filed in that case and it would probably be on the same time schedule.

ADJOURNMENT – The meeting was adjourned at 8:33 p.m.

Respectfully Submitted,

**KINGS COUNTY PLANNING COMMISSION**



**William R. Zumwalt, Commission Secretary**