

**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 1, 2008

CALL TO ORDER: The meeting of the Kings County Planning Commission was called to order by Chairman Trapnell, on December 1, 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, Jim Gregory

COMMISSIONERS ABSENT: None

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

VISITORS PRESENT: Larry Collar, Carol Collar, Jim Hansen, Ty Mizote, Michael Blankenship, Joe Pimentel

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

UNSCHEDULED APPEARANCES: None

APPROVAL OF MINUTES: A motion was made and seconded (Cartwright/Draxler) to approve the minutes of the November 3, 2008 meeting. Motion carried unanimously with Gregory abstaining.

OLD BUSINESS

SITE PLAN REVIEW NO. 05-25 (Stockton)

Mr. Sherman reported to the Commission that Mr. Stockton had not met with the Public Works Department to work out the details of an alternative improvement plan with the Public Works. Mr. Stockton has not made contact with the Community Development Agency since October 24, 2008. Staff recommended that the Commission revoke the "second half" of the land use permit granted by Site Plan Review No. 05-25 for failure to comply with the Site Plan Review requirements and standards and the approved improvement drawings. Mr. Zumwalt also suggested withdrawing condition four, requiring a bond be posted for the public improvement requirements for any new development proposal, and changing condition number four to condition number three.

A motion was made and seconded (Cartwright/Draxler) to approve resolution 08-16, with the recommended modification, revoking the second half of the land use permit granted by Site Plan Review No. 05-25. Motion carried unanimously with Gregory abstaining.

NEW BUSINESS

1. ADMINISTRATIVE APPROVAL NO. 2009 (Pimentel)

Mr. Sherman summarized the proposal to consider revocation of Administrative Review No. 2009 for failure to comply with the Administrative Approval standards and requirements. The application was originally approved by the Kings County Zoning Administrator on August 3, 1982, to add new corrals and a waste water

lagoon to an existing 550 cow dairy located at 4571 6th Avenue, Hanford, Assessor's Parcel Number 002-180-007. Mr. Sherman reported that the property owner's consultant had submitted a status report proposing a timeline and milestones for completion of a technical report and submission of a conditional use permit. Staff recommended revoking Administrative Approval No. 2009 for failure to comply with the standards and requirements of Administrative Approval No. 2009 and for failure to comply with the Notice of Violation to reduce the herd and failure to submit a technical report and application as required. Staff also recommended that the revocation be suspended indefinitely subject to satisfactory compliance with the status report timeline.

Chairman Trapnell opened the Public Hearing and asked if the property owner or anyone would like to speak in favor of not revoking Administrative Approval No. 2009. Mr. Ty Mizote, with Griswold, LaSalle, Cobb, Dowd & Gin LLP, stated that the property owner is working toward compliance and Michael Blankenship with Blankenship and Associates has been hired as a consultant and has developed a list of milestones and anticipated dates for completion of these milestones. Mr. Michael Blankenship spoke and provided an updated list of milestones to the Commissioners. Mr. Zumwalt confirmed with Mr. Pimentel that he understood that what was being proposed would allow him time to correct the current violations, but violation of any of the conditions would automatically revoke Administrative Approval No. 2009. Mr. Pimentel acknowledged that he understood. Mr. Blankenship stated that his schedule is aggressive but he would do everything possible to meet the deadline and would keep Staff and the Planning Commission informed of the progress. He also stated that it would be very likely that he may need to request an extension because the green house gas issues and CEQA may take longer than anticipated. Commissioner Jones requested that monthly progress reports be provided to the Commission and that the reports needed to be submitted early enough to be included in the Planning Commission packets.

Chairman Trapnell asked if there was anyone else who would like to speak in favor of not revoking Administrative Approval No. 2009. Seeing none he asked if there was anyone who would like to speak in favor of revoking the Administrative Approval. Seeing none, Chairman Trapnell closed the Public Hearing.

A motion was made and seconded (Gregory/Jones) to adopt resolution 08-17 revoking the zoning permit and suspending the revocation as recommended, require monthly progress reports to the Planning Commission regarding the preparation of the Technical Report and estimated application submittal date. The property owner and his consultants are required to submit a complete and correct conditional use permit application for the expansion of the herd and dairy facility not later than March 26, 2009 unless an extension of time is specifically granted by the Planning Commission. The revocation is suspended indefinitely pending satisfactory compliance with the status report timeline and target completion date for each milestone submitted by the property owner's consultant. Motion carried unanimously.

2. CHANGE OF ZONE DISTRICT BOUNDARY NO. 08-02 (Verdegaal)

Mr. Roper summarized the proposal to change the zone district boundary from Multi-Family Residential (RM-3) to Service Commercial (CS) for a portion of a parcel. The project site is located on the east side of 14th Avenue, approximately ¼ mile south of Lacey Blvd., Armona, Assessor's Parcel No. 018-101-032 & 043. Mr. Roper stated that this application was being processed in conjunction with Tentative Tract No. 897. Mr. Roper also stated that the proposed change of zone district boundary is a legislative act that would need to be approved by the Board of Supervisors if the Planning Commission recommends approval.

Chairman Trapnell opened the Public Hearing and asked if there was anyone who would like to speak in favor of the proposal. Mr. Jim Hansen, representing the applicant, requested that the Public Hearing be postponed for this application and Tentative Tract No. 897 because Mr. Verdegaal had some questions that needed to be worked out before proceeding. Chairman Trapnell continued the hearing to January 5, 2009.

CONVENE AS DIVISION TWO OF THE KINGS COUNTY ADVISORY AGENCY

1. TENTATIVE TRACT NO. 897 (Verdegaal)

Mr. Roper summarized the proposal to subdivide 33.46 acres into five (5) parcels. The project site is located on the east side of 14th Avenue, approximately ¼ mile south of Lacey Blvd., Armona, Assessor's Parcel No. 018-101-032 & 043.

Chairman Trapnell continued the hearing to January 5, 2009 pursuant to Mr. Hansen's request earlier during this meeting.

2. TENTATIVE TRACT NO. 898 (Diaz)

Mr. Chuck Kinney summarized the proposal to divide 139.65 acres into twelve (12) parcels. The project site is located on the West side of 7th Avenue approximately 1/8 mile south of Grangeville Blvd., Hanford (APN: 014-260-021 and 029). Mr. Kinney noted that there are two public utility easements on the 139.65 acres of land. In a letter dated November 7, 2008 from the Southern California Edison Company, it was stated that they believed the proposed development may interfere with the complete and free exercise of Edison's rights. The property is currently zoned limited agriculture (AL-10) which limits its use to agriculturally related uses and the property is also under a Farmland Security Zone contract which restricts the subject property, requiring it to maintain a valid commercial agricultural operation on the property and comply with the standards of the Williamson Act for as long as the contract is in effect. It would be possible to construct a single family residence, which is incidental to a commercial farming operation on each proposed parcel, but it is not expected that the proposed subdivision would unreasonably interfere with the full and complete exercise of those public entity and public utility rights-of-way or easements.

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 (Gregory/Cartwright) to adopt Resolution 08-04 approving Tentative Tract No. 898 as proposed. Motion carried with four in favor and one opposing.

RE-CONVENE AS PLANNING COMMISSION STUDY SESSIONS

Draft Circulation Element for the 2035 General Plan

Mr. Gatzka provided an overview of the Draft Circulation Element. He reported that greenhouse gasses are a major issue that need to be addressed in the General Plan. Mr. Gatzka also reported that due to the KART vanpool program, vehicle miles driven have been reduced by 53 million miles.

Draft Noise Element for the 2035 General Plan

Mr. Gatzka provided an overview of the Draft Noise Element. He noted that the most significant issue is the Lemoore Naval Air Station and addressing noise mitigation levels. The question was raised regarding hail cannons, Mr. Gatzka stated that the Ag Commissioner has requested to comment on the draft element.

MISCELLANEOUS

1. FUTURE MEETINGS

The next regular meeting of the Planning Commission is scheduled for Monday, January 5, 2009.

2. CORRESPONDENCE:

None

3. STAFF COMMENTS:

A. 2009 Calendar

Mr. Zumwalt reported that on June 30, 2009, Commissioner Gregory's term will be expiring.

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

Mr. Zumwalt reported that the applicant stated they will have approximately 200 people to speak on their behalf in addition to those who will speak in opposition. Mr. Zumwalt asked for permission to look for another location to hold the meeting. He stated it will likely be on a Wednesday or Thursday at the Hanford Civic Auditorium. The Commissioners agreed that a new location was necessary.

B. General Plan Update and KCGPAC Actions

Nothing was reported.

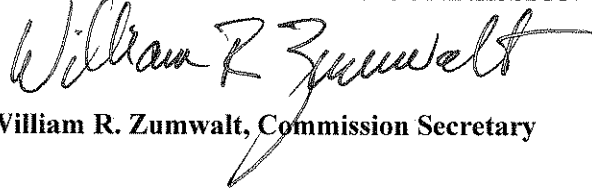
4. COMMISSION COMMENTS:

None

ADJOURNMENT – The meeting was adjourned at 8:28 p.m.

Respectfully Submitted,

KINGS COUNTY PLANNING COMMISSION



William R. Zumwalt, Commission Secretary