

**KINGS COUNTY PLANNING COMMISSION
MINUTES**

District 1 Commissioner – Riley Jones

District 2 Commissioner – Bob Bajwa

District 3 Commissioner – R.G. Trapnell*

District 4 Commissioner – Jim Gregory**

District 5 Commissioner - Louise Silacci

*Chairman

**Vice-Chairman

January 6, 2014

CALL TO ORDER: The meeting of the Kings County Planning Commission was called to order by Chairman Trapnell, on January 6, 2014, 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, Louise Silacci, R.G. Trapnell

COMMISSIONERS ABSENT: Bob Bajwa, Jim Gregory,

STAFF PRESENT: Greg Gatzka - Director, Erik Kaeding – County Counsel, Chuck Kinney – Deputy Director - Planning, Sandy Roper – Principal Planner, Terri Yarbrough – Executive Secretary, Dan Kassik - Planner

VISITORS PRESENT: Ed Dias, Aimee Epstein, Don Watson, Florence Lewis, Victoria Jaurigui, Dawn Marple, Seth Isreal, John Garamendi Jr.

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

**UNSCHEDULED
APPEARANCES:**

No one spoke during this portion of the meeting.

APPROVAL OF MINUTES: A motion was made and seconded (Jones/Silacci) to approve the minutes of the December 2, 2013 meeting. Motion carried unanimously with Gregory and Bajwa absent.

OLD BUSINESS - None

NEW BUSINESS:

- 1. Conditional Use Permit No. 13-05 (ImMODO, CA 1)** – Mr. Kassik provided an overview of a proposal to establish a 3 Megawatt (MW) photovoltaic solar energy generating facility located at 11375 9 ¼ Avenue, Hanford, Assessor Parcel Number 016-160-024 and 069. Mr. Kassik stated the project was located within a Light Manufacturing zone district (ML) and is not subject to a land conservation contract. The project is consistent with the 2035 Kings County General Plan and Zoning Ordinance. Mr. Kassik reviewed changes that were made to response 1/1 and 1/7 of the staff report. He also reviewed changes made to the Mitigation Monitoring requirement. Commissioner Jones expressed a concern that the issues over the Swainson's Hawk seem to change with every project. Mr. Roper addressed Commissioner Jones' concern regarding the previous projects regarding mitigation for the Swainson's Hawk.

Mr. Kassik stated that as a result of consultation with County Counsel clarification was made to the Responses to Comments for Response No. 1/1, 1/7, and 1/8 and he went over the clarifications. Mr. Kassik stated that the clarifications also made it necessary to update the Staff Report, Resolution, and Mitigation Monitoring and Reporting Plan concerning Mitigation Measures Bio-2, Bio-3, Bio-5, and Bio-6 and he went over the changes to the mitigation measures. He also noted that the sequence of the Planning Division Condition Numbers in the Staff Report needed to

be corrected and that Planning Division Condition No. 13 concerning the San Joaquin Kit Fox needed to be deleted from both the Staff Report and the Resolution since the existing fence prevented any San Joaquin Kits Fox from being located on the project site.

Chairman Trapnell opened the public hearing and asked if there was anyone wishing to speak in favor of the project. Don Watson, Vice President of ImMODO, and Florence Lewis, Central Valley Cooperative Gin Manager, spoke in favor of the project. Seeing nobody else wanting to speak in favor of the project, he then asked if there was anyone wanting to speak in opposition to the project. Seeing none, he closed the public hearing.

A motion was made and seconded (Silacci/Jones) to adopt Planning Commission Resolution No. 14-01 with the changes made to Mitigation Measures Bio-2, Bio-3, Bio-5, and Bio-6, the deletion of Planning Division Condition No. 13 concerning the San Joaquin Kit Fox, and approving the proposal to establish a 3 Megawatt photovoltaic solar energy generating facility. Motion carried unanimously with Bajwa and Gregory absent.

After the public hearing had been closed, and after the decision had been made, Victoria Jaurigui asked if 9 ¾ would be opened up to Orchard Drive, how many people would be employed, and if property values would be impacted. Mr. Kassik responded to her questions.

2. **Addendum No. 2 to Conditional Use Permit No. 11-06 (RE Kansas, LLC)** – Mr. Roper provided an overview of a proposal to amend the findings, mitigation measures, and conditions for the original Conditional Use Permit relating to Farmland Security Zone Contract and consistency with Kings County Board of Supervisors Resolution 13-058, and to clarify the description of the project substation and gen-tie location. The applicant proposed to establish a 20 Megawatt solar photovoltaic energy facility located on the northeast corner of Jersey Avenue and 21st Avenue, Lemoore, CA. The proposed project is located on Assessor's Parcel Number's 024-100-006 and 024-100-015. Mr. Roper also summarized the first addendum and stated that addendum 2 provides site specific evidence of impaired soil and water quality and drainage on the project site. The revision remains consistent with the approved Conditional Use Permit and will continue to be subject to the same conditions of approval and mitigation measures as previously approved by the Kings County Planning Commission, except for the modifications of Mitigation Measure AG-3 and Planning Division Condition Numbers 24 and 27 as modified by Addendum No. 2.

Chairman Trapnell opened the public hearing and asked if there was anyone wishing to speak in favor of the project. Aimee Epstein, representing Recurrent Energy, spoke in favor of the project and thanked staff for their time and work. Seeing nobody else wanting to speak in favor of the project, he then asked if there was anyone wanting to speak in opposition to the project. Seeing none, he closed the public hearing.

A motion was made and seconded (Jones/Silacci) to adopt Planning Commission Resolution No. 14-02 as modified approving Addendum No. 2 to Conditional Use Permit No. 11-06. Motion carried unanimously with Bajwa and Gregory absent.

3. **Addendum to Conditional Use Permit No. 11-09 (RE Mustang, LLC) 12-01 (RE Orion, LLC) and 12-02 (RE Kent South, LLC)** – Mr. Kassik provided an overview of a proposal to amend the findings, mitigation measures, and conditions for the original Conditional Use Permit relating to Farmland Security Zone Contract and consistency with Kings County Board of Supervisors Resolution 13-058, and to clarify the description and environmental analysis of the PG&E switching stations. Conditional Use Permit No. 11-09 proposes to establish a 160 Megawatt solar photovoltaic energy facility located at 15866 25th Avenue, Lemoore, CA on Assessor's Parcel Numbers 024-260-004, 010, and 16; 024-270-001, 004, 006, 007, 008, 010, 015, 016, 018, 022, 023, 024, CUP 12-01 proposes to establish a 20 Megawatt solar photovoltaic energy facility located at 16480 25th Avenue, Lemoore, CA located on Assessor's Parcel Number's 024-260-004, 010, and 018, and CUP 12-02 proposes to establish a 20 Megawatt solar photovoltaic energy facility located at 17264 25th Avenue, Lemoore, CA located on Assessor's Parcel Number's 024-260-018 and 026-010-041. Mr. Kassik also reviewed modifications to Mitigation Measure AG-3 and Planning Division Condition Numbers 23, 28 and 31.

Chairman Trapnell opened the public hearing and asked if there was anyone wishing to speak in favor of the project. Aimee Epstein, representing Recurrent Energy, spoke in favor of the project and clarified that Ag Condition number 5 would be changed to match the Planning Division Condition number 23. Seeing nobody else wanting to speak in

favor of the project, he then asked if there was anyone wanting to speak in opposition to the project. Seeing none, he closed the public hearing.

A motion was made and seconded (Silacci/Jones) to adopt Planning Commission Resolution No. 14-03 as modified approving the Addendum to Conditional Use Permit Numbers 11-09, 12-01, and 12-02. Motion carried unanimously with Bajwa and Gregory absent.

MISCELLANEOUS

1. **FUTURE MEETINGS:** The next regular meeting of the Planning Commission is scheduled for Monday, February 3, 2014. A study session on fracking will be included on the agenda.
2. **CORRESPONDENCE:** None
3. **STAFF COMMENTS:** None
4. **COMMISSION COMMENTS:** None

ADJOURNMENT – The meeting was adjourned at 7:56 p.m.

Respectfully Submitted,

KINGS COUNTY PLANNING COMMISSION



Gregory R. Gatzka, Commission Secretary