

**MADERA COUNTY PLANNING COMMISSION
AGENDA**

ALL PERSONS REQUESTING DISABILITY- RELATED MODIFICATION OR ACCOMMODATION, INCLUDING AUXILIARY AIDS OR SERVICES MAY CONTACT THE COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT – PLANNING DIVISION AT (559) 675-7821, 72 HOURS PRIOR TO THE PUBLIC MEETING.

REGULAR MEETING

TIME: 6:00 p.m., Tuesday, August 6, 2019

PLACE: Madera County Government Center, 3rd Floor Hearing Room #3005, 200 West Fourth Street, Madera, California

	Chairman – John Reed	
Vice Chairman - Thomas Hurst		Commissioner - Pete Nijjar
Commissioner – Angelina Herrera Cantu		Commissioner – Jeff Dal Cerro

All persons wishing to give testimony on quasi judicial items (noted with an *) must sign an oath as supplied by the Planning Commission Secretary.

CALL TO ORDER

INVOCATION
PLEDGE OF ALLEGIANCE
INTRODUCTION OF COUNTY STAFF
PLANNING COMMISSION MEETING PROCEDURES
RULES FOR PRESENTING TESTIMONY
ADMINISTER OATH FOR QUASI JUDICIAL ITEMS

TURN OFF ALL CELL PHONES

BUSINESS

Supporting documents relating to the items on this agenda that are not listed as “Closed Session” are available through the Madera County Planning Division website at <https://www.maderacounty.com/government/community-economic-development-department/divisions/planning-division/planning-commission-agenda>. The documents are also available at the Community and Economic Development Department - Planning Division, 200 West Fourth Street, Madera, CA 93637. Please note that supporting documents may be submitted after the posting of the agenda; please visit the website or the Planning Division for updates.

INTRODUCTION OF COUNTY STAFF

REQUEST FOR COMMENTS FROM THE AUDIENCE

This portion of the meeting is set aside for members of the public to comment on any item within the jurisdiction of the Commission, but not appearing on the agenda. Items presented under public comment may not be discussed or acted upon by the Commission at this time. For items appearing on the agenda, the public is invited to comment at the time the item is called for consideration by the Commission. Any person addressing the Commission under public comment will be limited to a 3 minute presentation to insure that all interested parties have an opportunity to speak. Also, all persons addressing the Commission must state their name and County of residence for the record.

ALL MATTERS LISTED UNDER CONSENT CALENDAR ARE CONSIDERED TO BE ROUTINE AND WILL BE ENACTED BY ONE MOTION.

CONSENT CALENDAR

Approval of the August 6, 2019 agenda and the July 2 and July 16, 2019 minutes.

PUBLIC HEARINGS:

- 1. SHINGU, GARRETT – REZONE (CZ #2019-002), CONDITIONAL USE PERMIT (CUP #2019-012) – OAKHURST (DISTRICT 5)**

LEAD PLANNER: Kamara Biawogi

Shingu, Garrett is requesting a Rezone (CZ #2019-002) from Residential, Rural, Single Family, 2 ½ Acre (RRS-2 1/2) to Planned Development District (PDD), and a Conditional Use Permit (CUP #2019-012) to allow 34 units of Senior Apartments for a Continuum of Care Senior Community. The property is owned by PENSCO TRUST CO FBO BRADFORD D. DITTON IRA and is located on the south corner of North Slope Lane & Victoria Lane, (no situs) Oakhurst. The property is zoned is RRS-2 ½ (Residential, Rural, Single Family, 2 ½ Acre). Size: 2.85 acres. APN: 064-080-087. A draft Mitigated Negative Declaration (MND #2019-15) has been prepared concerning the proposed project in compliance with provisions of the California Environmental Quality Act (CEQA) and is available together with the Initial Study for public review at the Madera County Planning Department.

- *2. HORIZON TOWER LLC – CONDITIONAL USE PERMIT (CUP #2019-011) – OAKHURST (DISTRICT 5)**

LEAD PLANNER: EMILY LANE

Horizon Tower, LLC is requesting a Conditional Use Permit (CUP #2019-011) to allow the replacement of existing tower with same design (lattice) and height (100') built to Rev G standards. The property is owned by Independent Properties Limited Partnership and is location on the west side of Highway 41 approximately 0.75 miles west of its intersection with an unnamed Access Road (no situs), Oakhurst. The property is zoned RMS (Residential Mountain Single Family) District. This project is exempt pursuant to Section 15302(c) of the California Environmental Quality Act (CEQA) and is available for review at the Madera County Planning Division. Size: 0.02. APN: 064-100-044.

- *3. CAPSTONE – CONDITIONAL USE PERMIT (CUP #2019-007) – MADERA (DISTRICT 1)**

LEAD PLANNER: ROBERT MANSFIELD

Capstone Ranch is requesting a Conditional Use Permit (CUP #2019-007) to amend CUP #97-01 to allow the construction and operation of an anaerobic digester at Capstone Ranch Dairy, an existing dairy facility, along with necessary infrastructure for wastewater management. Additionally, it is proposed to construct a low-pressure pipeline to deliver biogas to a proposed Bloom Fuel Cell Energy Server (separate CUP) to be constructed 1 mile west along Avenue 14. The property is owned by Diepersloot Robert (atty In Fact-

adrian), Diepersloot Robert-att In Fact-willy Trs, Diepersloot Ranch L P, Diepersloot Robert & Willemina, Diepersloot, Willemina, Diepersloot, Robert J. and is located on the North side of Avenue 14, approximately 1.47 miles west of its intersection with Road 16 (14221 Road 14) Madera. The property is zoned ARE-40 (Agricultural, Rural, Exclusive, and 40 Acre) District. A draft Mitigated Negative Declaration (MND # 2019-10) has been prepared concerning the proposed project in compliance with provisions of the California Environmental Quality Act (CEQA) and is available for review at the Madera County Planning Division. Size: 317.57. APN: 043-052-001.

***4. SOUTH POINT DAIRY – CONDITIONAL USE PERMIT (CUP #2019-008) – MADERA (DISTRICT 1) LEAD PLANNER: ROBERT MANSFIELD**

South Point Dairy is requesting a Conditional Use Permit (CUP #2019-008) to amend CUP #2014-014 to allow the construction and operation of an anaerobic digester at South Point Dairy, an existing dairy facility, along with necessary infrastructure for wastewater management. Additionally, it is proposed to construct a low-pressure pipeline to deliver biogas to a proposed Bloom Fuel Cell Energy Server (separate CUP) to be constructed 1.5 miles northwest along Avenue 14. The property is owned by Diepersloot, Willemina, Diepersloot, Robert J. and is located on the north side of Avenue 13 approximately 1.47 miles west of its intersection with Road 16 (14495 Avenue 13) Madera. The property is zoned ARE-40 (Agricultural, Rural, Exclusive, 40 Acre) District. A draft Mitigated Negative Declaration (MND # 2019-11) has been prepared concerning the proposed project in compliance with provisions of the California Environmental Quality Act (CEQA) and is available for review at the Madera County Planning Division. Size: 178.4. APN: 043-101-002.

***5. CALIFORNIA BIOENERGY, LLC – CONDITIONAL USE PERMIT (CUP #2019-009) – MADERA (DISTRICT 1) LEAD PLANNER: ROBERT MANSFIELD**

CALIFORNIA BIOENERGY, LLC is requesting a Conditional Use Permit (CUP #2019-009) to allow to construct a Bloom Fuel Cell Energy Server to receive biogas from nearby dairy digesters for the production of electricity. The Energy Server will be interconnected to the existing local utility line for sale of the produced electricity. The property is owned by Diepersloot Robert & Willemina, Diepersloot Ranch L P and is located on the on the north side of Avenue 14, approximately 0.99 of a mile east of its intersection with Road 12 (13481 Avenue 14) Madera. The property is zoned ARE-40 (Agricultural, Rural, Exclusive, 40 Acre) District. A draft Mitigated Negative Declaration (MND # 2019-12) has been prepared concerning the proposed project in compliance with provisions of the California Environmental Quality Act (CEQA) and is available for review at the Madera County Planning Division. Size: 325.41. APN: 043-046-003.

***6 MADERA 41 LLC/GAYANE BISLANYAN – CONDITIONAL USE PERMIT (CUP #2019-013) MADERA (DISTRICT 1) LEAD PLANNER: ROBERT MANSFIELD**

Madera 41 LLC/Gayane Bislanyan is requesting a Conditional Use Permit (CUP #2019-013) to allow Development of a 14,000 +/- sq. ft. Congregate Living Health Facility with a maximum of 18 beds. The property is owned by Hartley, David & Catherine Trustee et al. and is located on the on the north side of Avenue 10 1/2 on the Northeast corner of its intersection with Rolling Hills Drive (no situs), Madera. The property is zoned RRM (Residential, Rural, Multiple Family) with a Manufactured Housing Architectural Review Overlaid District. A draft Mitigated Negative Declaration (MND # 2019-16) has been prepared concerning the proposed project in compliance with provisions of the California Environmental Quality Act (CEQA) and is available for review at the Madera County Planning Division. Size: 1.01 acre. APN: 049-150-003.

**7. PDD – Zoning Ordinance Text Change (CZ#2019-003)
(District Madera County)**

Lead Planner: Jamie Bax

This is a proposal by the County of Madera for an Ordinance Text Change (CZ #2019-003) to amend Title 18 to revise the requirements of the PDD (Planned Development District) Zone District. This project is exempt pursuant to Section 15061.B.3 of the California Environmental Quality Act (CEQA) Guidelines and the Ordinance is available for public review at the Madera County Planning Division.

PLANNING COMMISSION COMMENTS:

PLANNING DIRECTOR COMMENTS:

TENTATIVE MEETING DATES AND LOCATIONS:

Tuesday September 3rd, 2019 @ 6:00 p.m. – Regular meeting-Madera County Government Center, 3rd Floor Hearing Room

PLANNING COMMISSION MEETING PROCEDURES

Planning Commission meetings are conducted under the direction of the Chairman. Each item scheduled for public hearing at a Planning Commission meeting will be announced by the Chairman, and the hearing will be conducted as follows:

1. The Planning staff will present their report and recommendation on the matter being heard. Commission members will be provided an opportunity to question staff.
2. The Chairman will first ask the project applicant or proponent to present any points they feel the Commission should understand about their proposal. The Commission may ask questions.
3. The Chairman will ask those in support and then those opposed to the application to come to the podium and present any testimony they wish to give in regard to the proposal being considered.
4. The Chairman will offer the project applicant an opportunity for rebuttal of any testimony against the proposal or to clarify information previously presented.
5. The public comment portion of the hearing will be closed and the matter will be deliberated by the Commission and a decision will be rendered.
6. Persons wishing to appeal a decision must present a written notice of appeal together with the fee to the planning commission secretary whose office is located at the Madera County Government Center 200 West 4th Street, 3rd floor, Madera CA. The notice and fee must be received within 15 days of the date the decision is rendered

RULES FOR PRESENTING TESTIMONY

All persons who wish to present testimony to the Planning Commission in a public hearing must observe the following rules:

1. All testimony must be presented from the podium. When beginning to speak, first identify yourself, County of residence, and interest in the matter. This is required for the public record. Since all meetings are recorded, please speak clearly and use the microphone provided.
2. All remarks must be addressed to the Chair. Conversation or debate between a speaker at the podium and a member of the audience or staff is not permitted.
3. Please keep your remarks as brief as possible. Focus your testimony on the most important facts you wish to be considered. Avoid duplicating testimony provided by others.
4. Planning Commission hearings can involve highly emotional issues, so it is important that all participants conduct themselves with courtesy, dignity, and respect.
5. Whenever possible, written testimony should be presented as well as oral. Written testimony should be submitted for Planning Commission consideration in advance of the actual hearing date.