

**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, May 4, 2021

**PLACE: Madera County Government Center, Board of Supervisors Chambers,
200 West Fourth Street, Madera, California**

Chairman – Thomas Hurst
Vice Chairman – Pete Nijjar
Commissioner – Emlen Miles-Mattingly

Commissioner – Jeff Dal Cerro
Commissioner – Tom Burdette

**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.

*** SPECIAL NOTICE REGARDING PUBLIC PARTICIPATION DUE TO COVID-19***

Given the current Shelter-in-Place Order covering the State of California and the Social Distance Guidelines issued by Federal, State, and Local Authorities, Madera County is implementing the following changes for attendance and public comment at all Planning Commission meetings until notified otherwise. This meeting will be open to the public and accessible via GOTOMEETING at the following link:

<https://global.gotomeeting.com/join/374517629>

You can also dial in using your phone.

United States: [+1 \(786\) 535-3211](tel:+17865353211)

Access Code: 374-517-629

Noticed Public Hearings: For noticed public hearings, all public comments must be received by the beginning of the public hearing period. Comments may be mailed to: Planning Division 200 W 4th Street, Madera CA 93637 or emailed to mc_planning@maderacounty.com. All written comments received by the beginning of the public hearing period will be read aloud by a staff member during the applicable agenda item, provided that such comments may be read within three (3) minutes allotted to each speaker. Any portion of your comment extending past three (3) minutes may not be read aloud due to time restrictions but will be included in the record of proceedings. If a comment on a public hearing item is received after the beginning of the public hearing, such comment will be treated like a general public comment and made part of the record of proceeding, provided that such comment is received prior to the end of the meeting.

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 ensure 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 agenda.

PUBLIC HEARINGS:

- *1. BASS LAKE MINI STORAGE, LLC– CONDITIONAL USE PERMIT (CUP #2019-006), VARIANCE (VA #2020-001) – BASS LAKE (DISTRICT 5) LEAD PLANNER: ANNETTE KEPHART**

Bass Lake Mini Storage, LLC is requesting a Conditional Use Permit (CUP #2019-026) to amend Conditional Use Permit #1985-32 to include outdoor storage on an existing mini storage lot and Variance (VA #2020-001) to allow for a 6' fence where an 8' is required by ordinance and for outdoor storage area to not be separated as required by ordinance. The property is owned by Bass Lake Mini Storage, LLC and is located on the southeast corner of Road 274 and Judge Lane (40679 Road 274) Bass Lake. The property is zoned CRM (Commercial, Rural, Median) District. Size: 3.25 acres. APN: 059-070-031.

- *2. CAPSTONE RANCH – CONDITIONAL USE PERMIT (CUP #2021-001) MADERA (DISTRICT 2) LEAD PLANNER: ROBERT MANSFIELD**

Capstone Ranch is requesting a Conditional Use Permit (CUP #2021-001) to amend Conditional Use Permit #2019-007 to allow construction of one compost bed pack barn to house additional animals on facility. The proposed structure will be placed on the western side of the facility between two existing freestall barns. The property is owned by Diepersloot Robert J & Willemina and is located on the northeast corner of Avenue 14 and Road 14 (14221 Avenue 14 and 14456 Avenue 15) Madera. A draft Mitigated Negative Declaration (MND #2021-04) has been prepared concerning the proposed project in compliance with provisions of the California Environmental Quality Act (CEQA). The property is zoned ARE-40 (Agricultural, Rural, Exclusive – 40 Acre). Size: 317.57. APN: 043-052-001, 043-052-004.

- *3. DIEPERSLOOT, ROBERT – CONDITIONAL USE PERMIT (CUP #2021-002) MADERA (DISTRICT 2) LEAD PLANNER: ROBERT MANSFIELD**

Diepersloot, Robert is requesting a Conditional Use Permit (CUP #2021-002) to amend Conditional Use Permit #2019-008 to allow construction and operation of an anaerobic digester at Southpoint 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 from the digester to a proposed Bloom Fuel Cell Energy Servicer onsite. Southpoint Dairy is also proposing construction of numerous weaning pens, open lot corrals, and calf hutches to house young stock. Lastly, Southpoint Dairy is proposing conversion of an existing shop into a milk house. The property is owned by Diepersloot, Wilemina, Diepersloot, Robert J., and is located on the north and south side of Avenue 13, approximately 1.47 miles west of its intersection with Road 16 (13668 Avenue 13) Madera. A draft Mitigated Negative Declaration (MND #2021-05) has been prepared concerning the proposed project in compliance with provisions of the California Environmental Quality Act (CEQA). The property is zoned ARE-40 (Agricultural, Rural, Exclusive – 40 Acre). Size: 178.98. APN: 043-101-002, 043-096-005.

4. MADERA COUNTY – COUNTY CODE AMENDMENT (CZ #2021-001) - COUNTY WIDE

LEAD PLANNER: BECKY BEAVERS

This is a proposal by the County of Madera for a Madera County Code Text Change (CZ #2021-001) to amend Title 9, Chapter 9.94 and add Chapter 9.7 regarding the firing of weapons along the San Joaquin Riverfront. The property is located below the historical high-water mark along the San Joaquin River between Highway 99 and Friant Dam.

PLANNING COMMISSION COMMENTS:

PLANNING DIRECTOR COMMENTS:

TENTATIVE MEETING DATES AND LOCATIONS:

Tuesday, June 8, 2021 @ 6:00 p.m. - Regular Meeting – Madera County Government Center 200 West Fourth Street, Madera, California.

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 regarding 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.