

KINGS COUNTY PLANNING COMMISSION

**Regular Meeting
7:00 P.M.**

**Government Center
Hanford, California**

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Community Development Agency at (559) 852-2680 by 4:00 p.m. on the Thursday prior to this meeting. Agenda backup information and any public records provided to the Commission after the posting of the agenda for this meeting will be available for public review at the Kings County Community Development Agency, Building No. 6, Kings County Government Center, 1400 W. Lacey Blvd., Hanford, California.

AGENDA November 4, 2019

This meeting will be held in the Board of Supervisors Chambers, Administration Building No. 1, Kings County Government Center, 1400 W. Lacey Boulevard, Hanford, California. Pursuant to California Government Code Section 65009, subdivision (b), if you challenge a decision of the Planning Commission in court, you may be limited to raising only those issues you or someone else raised at the public hearing, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing.

I. CALL TO ORDER - Kings County Planning Commission Meeting

- 1. REQUEST THAT CELL PHONES BE TURNED OFF**
- 2. PLEDGE OF ALLEGIANCE**
- 3. SUMMARY OF THE AGENDA - Staff**
- 4. UNSCHEDULED APPEARANCES**

Any person may address the Commission on any subject matter within the jurisdiction or responsibility of the Commission at the beginning of the meeting; or may elect to address the Commission on any agenda item at the time the item is called by the Chair, but before the matter is acted upon by the Commission. Unscheduled comments will be limited to five minutes.

- 5. APPROVAL OF MINUTES - Meeting of October 7, 2019.**

II. OLD BUSINESS - NONE

III. NEW BUSINESS

- 1. CONDITIONAL USE PERMIT NO. 19-03 (HANFORD COLUMBIANS, INC.) -** The applicant proposes to establish a community facility for religious, philanthropic and charitable institution. The religious, philanthropic and charitable institution proposes to utilize existing structures and facilities already located on the property. The project site is to be located at 5152 11th Avenue, Hanford, Assessor's Parcel Numbers 006-031-006.

- A. Staff Report (C.U.P. No. 19-03)
- B. Public Hearing
- C. Decision: Adopt Resolution No. 19-06 (C.U.P. No. 19-03) Roll Call Vote

IV. MISCELLANEOUS

1. **FUTURE MEETINGS** - The next regular meeting of the Planning Commission is scheduled for Monday, December 2, 2019.
2. **CORRESPONDENCE**
3. **STAFF COMMENTS**
4. **COMMISSION COMMENTS**

V. ADJOURNMENT

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NOTICE OF RIGHT TO APPEAL: For projects where the Planning Commission's action is final, actions are subject to appeal by the applicant or any other directly affected person or party and no development proposed by the application may be authorized until the final date of the appeal period. An appeal may be filed with the Community Development Agency at 1400 W. Lacey Blvd., Building #6, Hanford, CA, on forms available at the Community Development Agency. A filing fee of \$320.00 must accompany the appeal form. The appeal must be filed within 8 days of the Planning Commission's decision date, not including the date of the decision. If no appeal is received, the Planning Commission's action is final. There is no right of appeal for projects for which the Planning Commission's action is advisory to the Board of Supervisors.

**KINGS COUNTY PLANNING COMMISSION
MINUTES**

District 1 Commissioner – Riley Jones*

District 2 Commissioner – April Bryant

District 3 Commissioner – Vacant

District 4 Commissioner – Jim Maciel**

District 5 Commissioner – Steven Dias

*Chairman

**Vice-Chairman

October 7, 2019

CALL TO ORDER: The meeting of the Kings County Planning Commission was called to order by Vice-Chairman Maciel 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: Jim Maciel, April Bryant, Steven Dias

COMMISSIONERS ABSENT: Riley Jones

STAFF PRESENT: Greg Gatzka – Director, Diane Freeman – County Counsel, Chuck Kinney – Deputy Director, Kao Nou Yang – Planner, Terri Yarbrough – Executive Secretary

VISITORS PRESENT: Brandon Jones, Bert Verrips, Bob Dowds

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

**UNSCHEDULED
APPEARANCES:**

None

APPROVAL OF MINUTES: A motion was made and seconded (Dias/Bryant) to approve the minutes of the September 9, 2019 meeting. Motion carried unanimously with Jones absent and one vacancy.

OLD BUSINESS: None

NEW BUSINESS:

1. Conditional Use Permit No. 19-01 (Westland Chestnut Solar)

Mr. Kinney provided a summary of a proposal to establish an approximately 150 megawatt alternating current solar photovoltaic generating farm, including the construction of an electrical substation, a battery storage facility, a operations and maintenance facility, access driveways and electrical interconnection/gen tie line on approximately 1,040 acres of agricultural land. The project site is to be located at 24998 Nevada Avenue, Lemoore. Mr. Kinney reported that some comments had been received and the responses are included in the staff report.

Mr. Maciel asked if it had been determined if the applicant would be paving the road or providing a fire truck. Mr. Kinney stated that would be determined when the building plans are submitted.

Vice-Chairman Maciel opened the public hearing and asked if there was anyone wanting to speak in favor of the project. Mr. Bert Verrips, preparer of the Environmental Document, stated he was available for any questions on the project. Vice-Chairman Maciel asked if there was anyone else wanting to speak in favor of the project, seeing none he asked if there was anyone wanting to speak in opposition of the project. Seeing none, he closed the public hearing.

A motion was made and seconded (Dias/Bryant) to adopt Resolution 19-04 approving CUP 19-01 for a 150 Megawatt photovoltaic solar energy generating facility. Motion carries unanimously with Jones absent and one vacancy.

2. Conditional Use Permit No. 19-02 (Westland Solar Blue)

Ms. Yang provided a summary of a proposal to establish an approximately 250 megawatt alternating current solar photovoltaic generating farm, including the construction of an electrical substation, a battery storage facility, a operations and maintenance facility, access driveways and electrical interconnection/gen tie line on approximately 1,895 acres of agricultural land. The project site is to be located at 25959 Laurel Avenue, Lemoore. Ms. Yang reported there was a change to the Public Works condition on the resolution regarding the right of way dedication. She also reported that a comment on the staff report wasn't transferred over to the resolution.

Vice-Chairman Maciel opened the public hearing and asked if there was anyone wanting to speak in favor of the project. Mr. Bert Verrips, preparer of the Environmental Document, stated he was available for any questions on the project. Vice-Chairman Maciel asked if there was anyone else wanting to speak in favor of the project, seeing none he asked if there was anyone wanting to speak in opposition of the project. Seeing none, he closed the public hearing.

A motion was made and seconded (Bryant/Dias) to adopt Resolution 19-05 approving CUP 19-02 for a photovoltaic generating farm. Motion carries unanimously with Jones absent and one vacancy.

MISCELLANEOUS

- 1. FUTURE MEETINGS:** The next regular meeting of the Planning Commission is scheduled for Monday, November 4, 2019
- 2. CORRESPONDENCE:** None
- 3. STAFF COMMENTS:** None
- 4. COMMISSION COMMENTS:** None

ADJOURNMENT – The meeting was adjourned at 7:18 p.m.

Respectfully Submitted,

KINGS COUNTY PLANNING COMMISSION



Greg Gatzka, Commission Secretary

KINGS COUNTY PLANNING COMMISSION STAFF REPORT

Conditional Use Permit 19-03

APPLICANT: Richard Tipton, Hanford Columbians Inc., 10612 6th Avenue, Hanford, CA 93230

PROPERTY OWNER: Hanford Columbians Inc., 5152 N. 11th Avenue, Hanford, CA 93230

LOCATION: 5152 N. 11th Avenue, Hanford, CA 93230 (Assessor's Parcel Numbers 006-031-006)

GENERAL PLAN DESIGNATION: General Agriculture, 20-Acre Minimum (AG-20)

ZONE DISTRICT CLASSIFICATION: General Agriculture, 20-Acre Minimum (AG-20)

CONDITIONAL USE PROPOSED: The applicant proposes to establish a new and separate use to establish a community facility for religious, philanthropic and charitable institution. The religious, philanthropic and charitable institution proposes to utilize existing structures and facilities already located on the property. Activities on the site will include the use of existing facilities to conduct religious type of events, fund raising activities and the rental of the facilities to generate funds which can be reinvested within the community through philanthropy.

CURRENT USE OF SITE: The current use of the site is a non commercial club which was authorized when Conditional Use Permit No. 09-04 was approved by the Kings County Planning Commission on August 3, 2009.

DISCUSSION: The applicant proposes to establish a new and separate use to establish a community facility for a religious, philanthropic and charitable institution to be located at 5152 N. 11th Avenue, Hanford Assessor's Parcel Numbers 006-031-006. The religious, philanthropic and charitable institution proposes to utilize existing structures and facilities already located on the property. Activities on the site will include the use of existing facilities to conduct religious type of events, fund raising activities and the rental of the facilities to generate funds which can be reinvested within the community through philanthropy. The proposed use will be limited to a maximum of 128 people being allowed to attend any event onsite and the site may be used seven (7) days a week. When facilities are rented for the purpose of generating funds which will be reinvested within the community through philanthropy, a private security firm

will be hired to provide security at each event when alcohol is proposed to be consumed onsite.

LAND USE

SURROUNDING SITE: Agriculture uses and agricultural residences.

ENVIRONMENTAL REVIEW: This proposed project is Categorically Exempt from environmental review pursuant to Section 15323 of the Guidelines for Environmental Quality Act (CEQA Guidelines). Class 23 consists of the normal operations of existing facilities for public gatherings for which the facilities were designed, where there is a past history of the facility being used for the same or similar kind of purpose.

The proposed project is also Categorically Exempt from environmental review pursuant to Section 15301 of the Guidelines for Environmental Quality Act (CEQA Guidelines). Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The numbers of structures described in this section are the maximum allowable on any legal parcel.

PROJECT REVIEW:

January 31, 2019	Application submitted
October 9, 2019	Application certified complete
November 4, 2019	Planning Commission hearing

STAFF ANALYSIS:

In order to approve this permit, the Commission is required to make the following findings:

1. The proposed use is consistent with the 2035 Kings County General Plan.
2. The approval of the conditional use permit for the proposed use is in compliance with the requirements of the *California Environmental Quality Act (CEQA)*.
3. There will be no potential significant negative effects upon environmental quality and natural resources that could not be eliminated or avoided through mitigation or monitoring or (b) there will not be potential significant negative effects upon environmental quality and natural resources that could not be mitigated to the extent feasible, and a Statement of Overriding Considerations is adopted explaining why the benefits of the project outweigh the impacts that cannot be mitigated to a less than significant level.
4. The proposed conditional use complies with all applicable standards and provisions of this Development Code and the purposes of the district in which the site is located.
5. The design, location, size and operating characteristics of the proposed conditional use and the conditions under which it would be operated or maintained will not create significant noise, traffic, or other conditions or situations that may be objectionable or detrimental to the public health, safety, or welfare, or materially injurious to other permitted uses, properties. or improvements in the vicinity.

6. That no process, equipment or materials shall be used which, are found by the Planning Commission, to be substantially injurious to persons, property, crops, or livestock in the vicinity by reasons of odor, fumes, dust, smoke, cinders, dirt, refuse, water carried wastes, noise, vibration, illumination, glare or unsightliness or to involve any undue risk of fire or explosion.
7. That no waste material shall be discharged into a public or private sewage disposal system except in compliance with the regulations of the owner of the system.
8. That all uses shall comply with the emission standards of the San Joaquin Valley Air Pollution Control District.
9. The site plan includes all applicable information as described in Article 16, Section 1602.A.5.

With regard to these required findings, staff comments that:

1. The proposed use is consistent with the General Plan.

Finding: The proposal conforms with the policies of the 2035 Kings County General Plan, specifically:

- A. Figure LU-11, the Kings County Land Use Map, of the Land Use Element of the *2035 Kings County General Plan* designates this site as General Agriculture (AG-20).
- B. Page LU-13, Section III.A.1. of the “Land Use Element” states that the AG-20 designation is applied to rural areas of the county north of Kansas Avenue, excluding the Urban Fringe areas of Hanford and Lemoore, Communities of Armona and Home Garden, the Naval Air Station Lemoore, the Santa Rosa Rancheria Tribal Trust Land, and other small Rural Interface pockets of urban uses. Generally characterized by extensive and intensive agricultural uses, farms within this designation have historically been smaller in size. These areas should remain reserved for commercial agricultural uses because of their high quality soil, natural and manmade waterways, scenic nature with larger concentrations of orchards, vineyards, and valley oak trees.
- C. Page LU-13, Section III.A.1. of the “Land Use Element” states that agricultural land use designations account for a vast majority of the County’s land use. Included within this land use type are four agricultural type land use designations, Limited Agriculture, General Agriculture 20 Acre Minimum, General Agriculture 40 Acre Minimum, and Exclusive Agriculture. The major differences between the four Agriculture designations relate to minimum parcel size, animal keeping, and agricultural service businesses. These designations preserve land best suited for agriculture, protect land from premature conversion, prevent encroachment of incompatible uses, and establish intensity of agricultural uses in a manner that remains compatible with other uses within the County. The development of agricultural service and produce processing facilities within the Agricultural areas of the County shall develop to County standards.
- D. Page LU-38, LU Goal B7 of the “Land Use Element” of the *2035 Kings County General Plan* states that community benefiting non-agricultural uses remain compatible within the County’s Agriculture Open Space area, and are supported for their continued operation and existence.

2. The approval of the conditional use permit for the proposed use is in compliance with the requirements of the California Environmental Quality Act (CEQA).

Finding: Approval of Conditional Use Permit No. 19-03 (Hanford Columbians, Inc.) is in compliance with the requirements of the *California Environmental Quality Act (CEQA)*. This proposed project is Categorical Exempt from environmental review pursuant to Section 15323 of the Guidelines for Environmental Quality Act (CEQA Guidelines). Class 23 consists of the normal operations of existing facilities for public gatherings for which the facilities were designed, where there is a past history of the facility being used for the same or similar kind of purpose.

The proposed project is also Categorical Exempt from environmental review pursuant to Section 15301 of the Guidelines for Environmental Quality Act (CEQA Guidelines). Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The numbers of structures described in this section are the maximum allowable on any legal parcel.

3. There will be no potential significant negative effects upon environmental quality and natural resources that could not be eliminated or avoided through mitigation or monitoring or (b) there will not be potential significant negative effects upon environmental quality and natural resources that could not be mitigated to the extent feasible, and a Statement of Overriding Considerations is adopted explaining why the benefits of the project outweigh the impacts that cannot be mitigated to a less than significant level.

Finding: The proposed use will not generate any environmental effects upon environmental quality and natural resources that could not be eliminated or avoided through mitigation or monitoring. The proposed application includes analysis related to noise which documents that amplification of music within the building up to 88 dBA would not result in conditions exceeding 2035 Kings County General Plan, Noise Element standards. The proposed application also includes analysis related to traffic showing the proposed average daily trips associated with the proposed project would not be a significant increase to traffic within the area since it represents less than 1% of the capacity of 11th Avenue.

4. The proposed conditional use complies with all applicable standards and provisions of this Development Code and the purposes of the district in which the site is located.

Finding: Article 4, Section 407, Table 4-1, General Agriculture (AG-20) District, lists Community facilities and institutions including religious institutions; philanthropic and charitable institutions as a conditional use subject to Planning Commission approval.

5. The design, location, size and operating characteristics of the proposed conditional use and the conditions under which it would be operated or maintained will not create significant noise, traffic, or other conditions or situations that may be objectionable or detrimental to the public health, safety, or welfare, or materially injurious to other permitted uses, properties or improvements in the vicinity.

Finding: The proposed use will not generate any environmental effects related to noise, air pollution, smoke, odors, pest control, litter, gases, waste by-products, heavy demands upon streets, sewer and water systems.

6. That no process, equipment or materials shall be used which, are found by the Planning Commission, to be substantially injurious to persons, property, crops, or livestock in the vicinity by reasons of odor, fumes, dust, smoke, cinders, dirt, refuse, water carried wastes, noise, vibration, illumination, glare or unsightliness or to involve any undue risk of fire or explosion.

Finding: The proposed use will not generate any significant environmental effects related to noise, air pollution, smoke, odors, pest control, litter, gases, waste by-products, heavy demands upon streets, sewer and water systems. Conditions of approval, including implementation of zoning, public works, public health and engineering and design standards will ensure that operation of the proposed use is not a nuisance.

7. That no waste material shall be discharged into a public or private sewage disposal system except in compliance with the regulations of the owner of the system.

Finding: The proposed use is for a new and separate use to establish a community facility for religious, philanthropic and charitable institution utilizing existing structures and facilities already located on the property. The existing structures and facilities include a private septic system capable of handling all waste material generated by the proposed use.

8. That all uses shall comply with the emission standards of the San Joaquin Valley Air Pollution Control District.

Finding: This project would not result in any significant adverse air quality effects.

9. The site plan includes all applicable information as described in Article 16, Section 1602.A.5.

Finding: Article 16, Section 1602.A.5 requires that site plans for commercial and industrial projects be professionally drawn to a scale large enough to show all details clearly with full dimension. Site plans must include detail of the following: lot dimensions; setback measurements; all buildings and structures; yards and space between buildings; all walls, fences, and gates; off-street parking; property access; signs; loading; lighting; street dedications and improvements; landscaping; fire hydrants; on-site drainage; and any other data as required. The site plan meets all of the criteria required by Section 1602.A.5, such that the locations, sizes, and functions of all existing and proposed features can be ascertained.

STATEMENT OF FINDINGS OF CONSISTENCY:

1. LAND CONSERVATION (WILLIAMSON) ACT FINDINGS:

- A. The project site is not located within an established agricultural preserve.

2. FLOOD PLAIN FINDINGS:

- A. The site is within Other Areas Zone X as shown on the National Flood Insurance Program, Flood Insurance Rate Map (FIRM), Map Number 06031C0075C, dated June 16, 2009. There are no

development restrictions associated with Other Areas Zone X since these are areas determined to be outside the 0.2 percent annual chance floodplain.

3. AIRPORT COMPATIBILITY ZONE FINDINGS:

A. The project site is not located within an Airport Compatibility Zone.

RECOMMENDATIONS:

It is recommended that the Commission approve Conditional Use Permit No. 19-03 as described above and adopt Resolution No. 19-06. Approval of this Resolution will:

1. Find that the proposed project is Categorical Exempt from environmental review pursuant to Section 15301 and 15323 of the Guidelines for Environmental Quality Act (CEQA Guidelines).
2. Find that the project is consistent with the 2035 Kings County General Plan and the Kings County Development Code.
3. Approve the project with specified conditions of approval.

This permit shall become effective upon the expiration of eight (8) days following the date on which the permit was granted unless the Board of Supervisors shall act to review the decision of the Planning Commission.

For the information of the applicant, compliance with other adopted rules and regulations of any local or state regulatory agency shall be required by the Planning Commission. This includes but is not limited to the following:

KINGS COUNTY COMMUNITY DEVELOPMENT AGENCY – PLANNING DIVISION Contact Chuck Kinney of the Kings County Community Development Agency – Planning Division at (559) 852-2674 regarding the following requirements:

1. All proposals of the applicant shall be conditions of approval if not mentioned herein.
 - A. Maximum seating is proposed to be limited to 128 persons unless further restricted by the Building Official and Fire Chief.
 - B. Hours of the facility for the proposed use for nighttime events, cleanup and lights out shall end on or before 11:00 PM on Sunday through Thursday events and by 12:00 AM on Friday and Saturday events.
 - C. Maximum number of events per year shall be limited to 100 events.
 - D. When alcohol is proposed with an event then the appropriate license from ABC shall be required.
 - E. When 50 or more people are expected at an event providing alcohol then a private security guard shall be onsite during said event.
 - F. No alcohol will be allowed in the parking lot areas.
 - G. Amplified music shall be limited to being allowed indoors only and must be in compliance with the 2035 Kings County General Plan Noise Element Standards. Amplified music

shall also be turned off by 10:00 PM Sunday through Thursday events and by 11:00 PM on Friday and Saturday events.

- H. A single amplified speaker and portable microphone shall be limited to its use for speaking purposes when located either indoors or outdoors in the covered area on the north side of the building in compliance with the 2035 Kings County General Plan Noise Element Standards.
- I. All parking shall be located on site and when 75 or more people are expected to attend an event then a parking attendant (may be a volunteer) shall be provided to assist and direct guests as they park.
- J. All event hosts renting the facility shall be required to sign an agreement provided by the Hanford Columbians, Inc. that includes all requirements of this Conditional Use Permit to ensure that hosts are made aware of all requirements.

2. The site plan for the project is approved in concept. However, it is understood that during the actual design of the project that either of the following minor alterations to the site plan may be necessary: 1) structural alterations; and/or 2) alterations to the location of structures. Any minor alterations shall comply with the following requirements:

- A. The site shall be developed in substantial compliance with the conceptually approved site plan. Development of the site shall be considered substantially consistent with the approved conceptual site plan if any minor structural alteration is within ten (10) percent of the square footage shown on the conceptually approved site plan or up to a 2,500 square foot increase in structural size, whichever is less, and the minor structural alteration complies with coverage standards.
- B. A minor alteration of the location of a structure shall be considered substantially consistent with the approved conceptual site plan if the new location of the structure complies with all setback requirements for the zone district that the project site is located in.
- C. Any minor alteration that would make it necessary to modify or change any condition of approval placed on the project would require resubmittal of the application to amend the approval of the Conditional Use Permit.
- D. No expansion of use, regardless of size, which would increase the projected scale of operations beyond the scope and nature described in this Conditional Use Permit application, will be allowed. Any expansion that is a substantial change from the conceptually approved site plan, will require either an amendment to the approved Conditional Use Permit or a new zoning permit.

3. The development shall comply with all regulations of *Development Code No. 668.14*, with particular reference to the General Agriculture 20 (AG-20) Zone District standards contained in Article 4.

4. All signage must comply with Section 418.C of the *Kings County Development Code*. Signs shall be located outside of the public right-of-way and shall not be located within a traffic safety visibility area if over three (3) feet in height. Unless a different setback is specified for a particular zone district, the minimum setback distance for all signs over three (3) feet in height shall be ten (10) feet from property lines.

5. Exterior lighting shall be hooded so as to be directed only on site.

6. Hazard control fencing shall be provided according to Section 701.B. of the *Kings County Improvement Standards*.
7. Parking shall be provided in accordance with Article 13, Table 13-1 of the *Kings County Development Code* and shall be installed in accordance with *Kings County Improvement Standards*. (Note: Accessible parking requirements are listed under Building Division Requirement No. 3-4 below.)
8. Accessible parking spaces shall be located so as to minimize the travel distance to the use's primary entrances for access. Required off street accessible parking spaces, and standards for those spaces, shall meet state standards.
9. All open and unlandscaped portions of the lot shall be maintained in good condition, free from weeds, dust, trash and debris.
10. Pursuant to Section 418.B of the *Kings County Development Code*, the project shall comply with the following requirements pertaining to fencing and gates:

Fences, Walls, and Hedges exceeding six feet in height shall be permitted except that fences, walls, and hedges shall not exceed three feet in height within a Traffic Safety Visibility Area as defined in Article 25 of this Development Code.

Gates shall be permitted as follows:

- A. Gates which are used for the primary vehicular ingress and egress and which are opened and closed manually shall be setback so that the greater of the following distances are met from the property line being used for access:
 - 1) A minimum distance of 20 feet.
 - 2) A distance sufficient to ensure that vehicles used for a permitted use requiring a Site Plan Review or Conditional Use permit are able to pull completely onto their property.
- B. Gates used for the primary vehicular ingress and egress and which are opened and closed electronically with a remote control may be located within any portion of the property being used for access to a driveway provided that:
 - 1) The property owner/occupant shall obtain a building permit from the building department for the installation of the electric gate operating mechanism and wiring. The property owner/occupant must also request and obtain a final inspection for the assigned building permit and demonstrate operation of the mechanism using the remote.
 - 2) The gate must be operational at all times using a remote control device that allows the property owner/occupant to open and close the gate to enter the driveway area without exiting the vehicle.
 - 3) At any time that the gate is not operational using the remote control device the gate must either be locked in the open position or it must be removed entirely.

- C. Access gates to property which are not the primary vehicular ingress and egress such as an access gate to a rear yard to allow the parking of an RV, boat or similar use or for equipment access to be used in maintenance of the property do not require additional setback from the property line. Secondary access gates shall have locking mechanisms accessible only from the interior side of the gate.
11. The minimum yard requirements from property line to a structure shall be as follows:
- A. The minimum front yard setback for occupied structures shall be not less than fifty (50) feet from the public road right-of-way line or the property line if not fronting on a public road right-of-way. The minimum front yard setback for non-occupied uses shall be not less than thirty-five (35) feet from the public road right-of-way or property line if not fronting on a public road right-of-way.
 - B. The minimum side yard setback shall be ten (10) feet from the side property line for interior sites. The minimum side yard setback shall be twenty (20) feet from the public road right-of-way line on the street side of a corner site.
 - C. The minimum rear yard setback shall be ten (10) feet from the rear property line.
12. Sales, use, or transactions tax may apply to business activities on the site. The applicant may seek written advice regarding the application of tax to your particular business by writing to the nearest State Board of Equalization office. For general information, please call the Board of Equalization at 1-800-400-7115.
13. The applicant shall comply with all adopted rules and regulations of the Kings County Public Works Department, Fire Department, and Department of Environmental Health Services, and all other local and state regulatory agencies.
14. Pursuant to Section 14-38(d) of the *Kings County Code of Ordinances*, a “Notice of Disclosure and Acknowledgment of Agricultural Land Use Protection and Right to Farm Policies of the County of Kings” shall be signed, notarized, and recorded.
15. Pursuant to Section 66020(d)(1) of the *California Government Code*, the owner is hereby notified that the 90-day approval period in which the applicant may protest the imposition of fees, dedications, reservations, or other exactions, begins on the date that this resolution is adopted.
16. Within eight (8) days following the date of the decision of the Kings County Planning Commission, the decision may be appealed to the Kings County Board of Supervisors. The appeal shall be filed with the Clerk of the Board of Supervisors.
17. This Conditional Use Permit shall lapse and shall become null and void one (1) year following the date that the Conditional Use Permit became effective, unless prior to the expiration of one (1) year the proposed use has been established. A Conditional Use Permit involving construction shall lapse and shall become null and void one (1) year following the date that the Conditional Use Permit became effective, unless prior to the expiration of one (1) year a building permit is issued

by the Building Official and construction is commenced and diligently pursued toward completion on the site that was subject of the Conditional Use Permit application.

18. This Conditional Use Permit may be renewed for additional periods of time, if an application (by letter) for renewal of the Conditional Use Permit is filed with the Planning Commission prior to the permit's expiration date.
19. This approved conditional use permit shall run with the land and shall continue to be valid upon change of ownership of the site which was the subject of the conditional use permit approval.
20. This permit shall become effective upon the expiration of eight (8) days following the date on which the permit was granted unless the Board of Supervisors shall act to review the decision of the Planning Commission.

OTHER STANDARDS AND REGULATIONS:

In addition to the above Development Code requirements, other standards and regulations affecting this project are listed below. These requirements are not part of this zoning approval. However, compliance is required by the departments and agencies listed below. Appeals for relief of these standards and regulations must be made through that department's or agency's procedures, not through the Development Code procedures.

KINGS COUNTY COMMUNITY DEVELOPMENT AGENCY - BUILDING DIVISION Contact Darren Verdegaal at the Kings County Community Development Agency - Building Division at (559) 852-2683, regarding the following requirements:

1. Building permits must be obtained from the Building Division of the Kings County Community Development Agency for any structures, plumbing, electrical, or mechanical work.
2. Failure to obtain a building permit for any structure, prior to commencing construction, which requires a building permit, will result in the payment of a double fee. Payment of such double fee shall not relieve any person from fully complying with the requirements of Kings County Code of Ordinances, Chapter 5 in the execution of the work or from any other penalties prescribed therein.
3. Pursuant to Section 1129B of the California Building Code, one (1) van accessible parking space, allowing room for individuals in wheelchairs, on braces or crutches to get in and out of an automobile onto a level surface, suitable for wheeling and walking shall be provided. The parking space shall be 9 feet x 20 feet with an 8-foot wide loading and unloading aisle placed on the side opposite the driver's side. The surfacing of the parking space, loading and unloading aisle and the accessible path from the space to the entrance of the building shall be either asphalt concrete or concrete.
4. The development shall comply with all applicable Americans with Disabilities Act (ADA) requirements, especially Section 1127B of the California Building Code, which states that site development and grading shall be designed to provide access to all entrances and exterior ground-floor exits, and access to normal paths of travel. The accessible route of travel shall be the most practical direct route between accessible building entrances, accessible site facilities and the

accessible entrance to the site, including but not limited to access from the accessible parking space to accessible building entrances.

5. The facility shall meet the requirements of the State of California Model Water Efficient Landscape Ordinance. Landscape and irrigation plans shall be provided to the Community Development Agency for review and approval prior to building permit issuance.
6. Pursuant to Section 1115B of the *California Building Code* an accessible restroom shall be provided.
7. All construction shall conform to the latest adopted edition of the California Building Standards Code which consists of the California Building Code, California Electrical Code, California Mechanical Code, California Plumbing Code, and California Energy Code, California Fire Code and California Green Building Standards Code.
8. The tenant, lessee and/or owner are responsible for compliance with the Americans with Disabilities Act, ADA. By federal law, the facility shall be made accessible to the highest degree possible.

KINGS COUNTY FIRE DEPARTMENT Contact Rick Levy of the Kings County Fire Department at (559) 852-2885 regarding the following requirements:

1. A Type 2A-10BC fire extinguisher is required to be located in plain sight not more than seventy-five (75) feet from any point within the structure. The location of fire extinguisher must be easily accessible and the extinguisher shall be mounted with fastened hangers so that the weight of the extinguisher is adequately supported.
2. Employees shall be made familiar with the use of fire safety equipment.
3. The plans shall comply with all regulations of the Kings County Fire Department.
4. All plans shall comply with California Fire Code and all regulations of the Kings County Fire Department.
5. Address identification required per Section 505.1 of the CFC.
6. Any future development must comply with applicable Fire Code, including rural firefighting water supply requirements.
7. Building Occupancy Limit shall be enforced at each event.
8. Exit signs required per CFC 1104.3

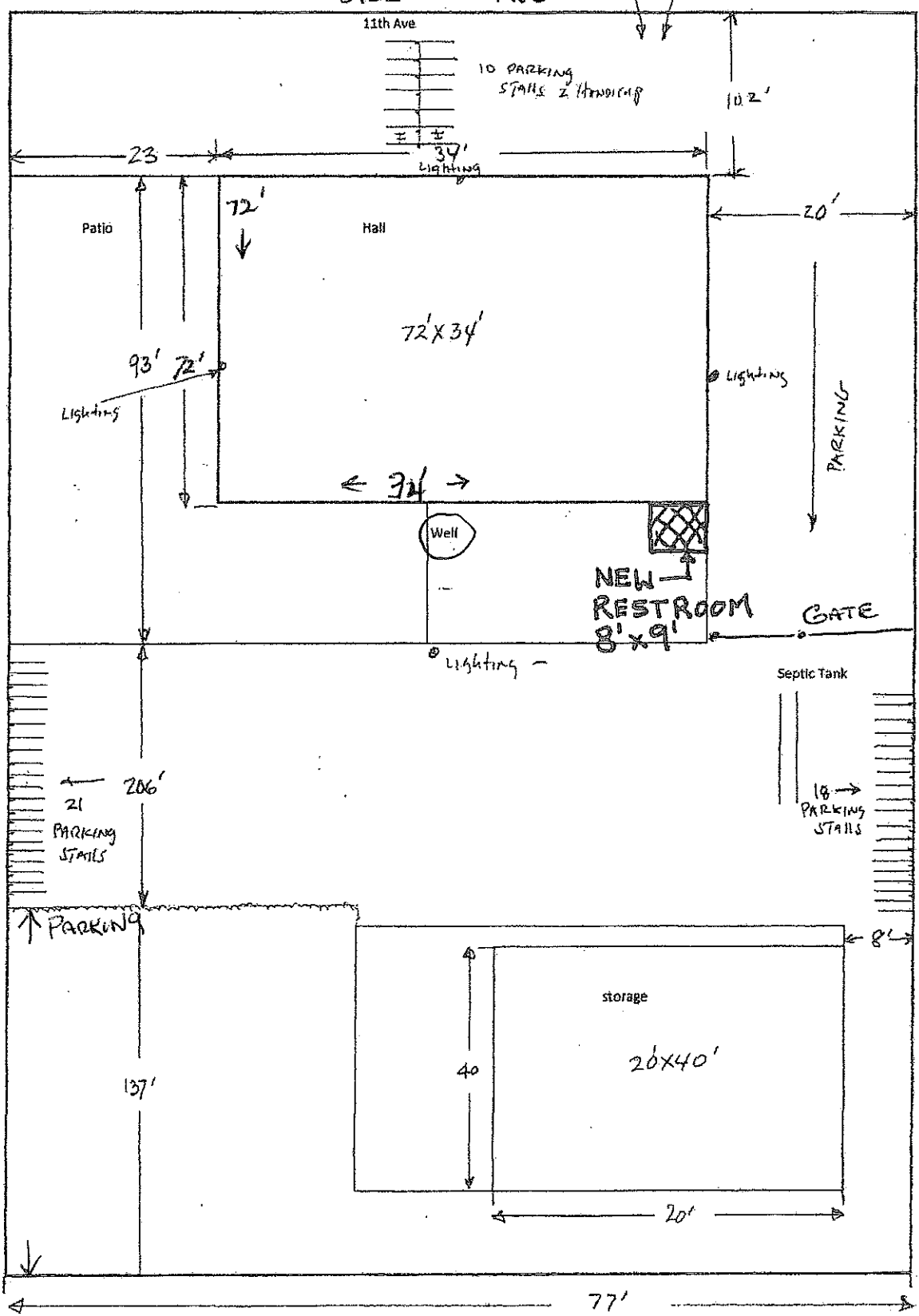
PREPARATION:

Prepared by the Kings County Community Development Agency (Chuck Kinney). Copies are available for review at the Kings County Community Development Agency, 1400 W. Lacey Blvd., Government Center, Hanford, California 93230 or at the Kings County Clerk's Office, Government Center, Hanford, California.

← Z →

5 MAR 2009
← NORTH

5152 11TH AVE



538' x 77'

**BEFORE THE KINGS COUNTY PLANNING COMMISSION
COUNTY OF KINGS, STATE OF CALIFORNIA**

IN THE MATTER OF CONDITIONAL USE) RESOLUTION NO. 19-06
PERMIT NO. 19-03)
RE: Hanford Columbians Inc.) RE: 5152 11th Avenue, Hanford, CA

WHEREAS, on January 31, 2019 Hanford Columbians, Inc., filed Conditional Use Permit No. 19-03 to establish a community facility for religious, philanthropic and charitable institution; and

WHEREAS, the application was determined to be complete on October 9, 2019; and

WHEREAS, approval of a conditional use permit constitutes a “lease, permit, license, certificate, or other entitlement for use”, and is therefore a “project” pursuant to the California Environmental Quality Act, Public Resources Code Section 21000, *et seq.* (“CEQA”) and the CEQA Guidelines, California Code of Regulations Section 15000, *et seq.*; and

WHEREAS, as the agency primarily responsible for carrying out or approving said Project, the County of Kings assumes the role of lead agency pursuant to CEQA; and

WHEREAS, the Community Development Agency of the County of Kings is the custodian of the documents and other materials that constitute the record of the proceedings upon which the Planning Commission’s decision is based, and the Kings County Government Center, Engineering Building No. 6, 1400 W. Lacey Boulevard, Hanford, CA 93230 is the location of this record; and

WHEREAS, on October 31, 2019, the Kings County Community Development Agency recommended that the proposal is Categorical Exempt from environmental review pursuant to Section 15323, Class 23, of the of the *California Environmental Quality Act Guidelines (CEQA Guidelines)* and Section 15301, Class 3, of the *California Environmental Quality Act Guidelines (CEQA Guidelines)*; and

WHEREAS, on October 31, 2019 the Kings County Community Development Agency staff notified the applicant of the proposed recommendation on this project; and

WHEREAS, on November 4, 2019, this Commission held a duly noticed public hearing to receive testimony from any interested person.

NOW, THEREFORE, BE IT RESOLVED that this Commission finds that in order to approve this permit, the Commission is required to make the following findings pursuant to Section 1707 of the *Kings County Development Code*:

1. The proposed use is consistent with the General Plan.
2. The approval of the conditional use permit for the proposed use is in compliance with the requirements of the *California Environmental Quality Act (CEQA)*.

3. There will be no potential significant negative effects upon environmental quality and natural resources that could not be eliminated or avoided through mitigation or monitoring or (b) there will not be potential significant negative effects upon environmental quality and natural resources that could not be mitigated to the extent feasible, and a Statement of Overriding Considerations is adopted explaining why the benefits of the project outweigh the impacts that cannot be mitigated to a less than significant level.
4. The proposed conditional use complies with all applicable standards and provisions of this Development Code and the purposes of the district in which the site is located.
5. The design, location, size and operating characteristics of the proposed conditional use and the conditions under which it would be operated or maintained will not create significant noise, traffic, or other conditions or situations that may be objectionable or detrimental to the public health, safety, or welfare, or materially injurious to other permitted uses, properties, or improvements in the vicinity.
6. That no process, equipment or materials shall be used which, are found by the Planning Commission, to be substantially injurious to persons, property, crops, or livestock in the vicinity by reasons of odor, fumes, dust, smoke, cinders, dirt, refuse, water carried wastes, noise, vibration, illumination, glare or unsightliness or to involve any undue risk of fire or explosion.
7. That no waste material shall be discharged into a public or private sewage disposal system except in compliance with the regulations of the owner of the system.
8. That all uses shall comply with the emission standards of the San Joaquin Valley Air Pollution Control District.
9. The site plan includes all applicable information as described in Article 16, Section 1602.A.5.

With regard to these required findings, this Commission finds that:

1. The proposed use is consistent with the General Plan.

Finding: The proposal conforms with the policies of the 2035 Kings County General Plan, specifically:

- A. Figure LU-11, the Kings County Land Use Map, of the Land Use Element of the *2035 Kings County General Plan* designates this site as General Agriculture (AG-20).
- B. Page LU-13, Section III.A.1. of the "Land Use Element" states that the AG-20 designation is applied to rural areas of the county north of Kansas Avenue, excluding the Urban Fringe areas of Hanford and Lemoore, Communities of Armona and Home Garden, the Naval Air Station Lemoore, the Santa Rosa Rancheria Tribal Trust Land, and other small Rural Interface pockets of urban uses. Generally characterized by extensive and intensive agricultural uses, farms within this designation have historically been smaller in size. These areas should remain reserved for commercial agricultural uses because of their high quality soil, natural and manmade waterways, scenic nature with larger concentrations of orchards, vineyards, and valley oak trees.

- C. Page LU-13, Section III.A.1. of the "Land Use Element" states that agricultural land use designations account for a vast majority of the County's land use. Included within this land use type are four agricultural type land use designations, Limited Agriculture, General Agriculture 20 Acre Minimum, General Agriculture 40 Acre Minimum, and Exclusive Agriculture. The major differences between the four Agriculture designations relate to minimum parcel size, animal keeping, and agricultural service businesses. These designations preserve land best suited for agriculture, protect land from premature conversion, prevent encroachment of incompatible uses, and establish intensity of agricultural uses in a manner that remains compatible with other uses within the County. The development of agricultural service and produce processing facilities within the Agricultural areas of the County shall develop to County standards.
- D. Page LU-38, LU Goal B7 of the "Land Use Element" of the *2035 Kings County General Plan* states that community benefiting non-agricultural uses remain compatible within the County's Agriculture Open Space area, and are supported for their continued operation and existence.

2. The approval of the conditional use permit for the proposed use is in compliance with the requirements of the California Environmental Quality Act (CEQA).

Finding: Approval of Conditional Use Permit No. 19-03 (Hanford Columbians, Inc.) is in compliance with the requirements of the *California Environmental Quality Act (CEQA)*. This proposed project is Categorical Exempt from environmental review pursuant to Section 15323 of the Guidelines for Environmental Quality Act (CEQA Guidelines). Class 23 consists of the normal operations of existing facilities for public gatherings for which the facilities were designed, where there is a past history of the facility being used for the same or similar kind of purpose.

The proposed project is also Categorical Exempt from environmental review pursuant to Section 15301 of the Guidelines for Environmental Quality Act (CEQA Guidelines). Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The numbers of structures described in this section are the maximum allowable on any legal parcel.

3. There will be no potential significant negative effects upon environmental quality and natural resources that could not be eliminated or avoided through mitigation or monitoring or (b) there will not be potential significant negative effects upon environmental quality and natural resources that could not be mitigated to the extent feasible, and a Statement of Overriding Considerations is adopted explaining why the benefits of the project outweigh the impacts that cannot be mitigated to a less than significant level.

Finding: The proposed use will not generate any environmental effects upon environmental quality and natural resources that could not be eliminated or avoided through mitigation or monitoring. The proposed application includes analysis related to noise which documents that amplification of music within the building up to 88 dBA would not result in conditions exceeding 2035 Kings County General Plan, Noise Element standards. The proposed application also includes analysis related to traffic showing the proposed average daily trips associated with the proposed project would not be

a significant increase to traffic within the area since it represents less than 1% of the capacity of 11th Avenue.

4. The proposed conditional use complies with all applicable standards and provisions of this Development Code and the purposes of the district in which the site is located.

Finding: Article 4, Section 407, Table 4-1, General Agriculture (AG-20) District, lists Community facilities and institutions including religious institutions; philanthropic and charitable institutions as a conditional use subject to Planning Commission approval.

5. The design, location, size and operating characteristics of the proposed conditional use and the conditions under which it would be operated or maintained will not create significant noise, traffic, or other conditions or situations that may be objectionable or detrimental to the public health, safety, or welfare, or materially injurious to other permitted uses, properties or improvements in the vicinity.

Finding: The proposed use will not generate any environmental effects related to noise, air pollution, smoke, odors, pest control, litter, gases, waste by-products, heavy demands upon streets, sewer and water systems.

6. That no process, equipment or materials shall be used which, are found by the Planning Commission, to be substantially injurious to persons, property, crops, or livestock in the vicinity by reasons of odor, fumes, dust, smoke, cinders, dirt, refuse, water carried wastes, noise, vibration, illumination, glare or unsightliness or to involve any undue risk of fire or explosion.

Finding: The proposed use will not generate any significant environmental effects related to noise, air pollution, smoke, odors, pest control, litter, gases, waste by-products, heavy demands upon streets, sewer and water systems. Conditions of approval, including implementation of zoning, public works, public health and engineering and design standards will ensure that operation of the proposed use is not a nuisance.

7. That no waste material shall be discharged into a public or private sewage disposal system except in compliance with the regulations of the owner of the system.

Finding: The proposed use is for a new and separate use to establish a community facility for religious, philanthropic and charitable institution utilizing existing structures and facilities already located on the property. The existing structures and facilities include a private septic system capable of handling all waste material generated by the proposed use.

8. That all uses shall comply with the emission standards of the San Joaquin Valley Air Pollution Control District.

Finding: This project would not result in any significant adverse air quality effects.

9. The site plan includes all applicable information as described in Article 16, Section 1602.A.5.

Finding: Article 16, Section 1602.A.5 requires that site plans for commercial and industrial projects be professionally drawn to a scale large enough to show all details clearly with full dimension. Site

plans must include detail of the following: lot dimensions; setback measurements; all buildings and structures; yards and space between buildings; all walls, fences, and gates; off-street parking; property access; signs; loading; lighting; street dedications and improvements; landscaping; fire hydrants; on-site drainage; and any other data as required. The site plan meets all of the criteria required by Section 1602.A.5, such that the locations, sizes, and functions of all existing and proposed features can be ascertained.

STATEMENT OF FINDINGS OF CONSISTENCY:

1. LAND CONSERVATION (WILLIAMSON) ACT FINDINGS:

A. The project site is not located within an established agricultural preserve.

2. FLOOD PLAIN FINDINGS:

A. The site is within Other Areas Zone X as shown on the National Flood Insurance Program, Flood Insurance Rate Map (FIRM), Map Number 06031C0075C, dated June 16, 2009. There are no development restrictions associated with Other Areas Zone X since these are areas determined to be outside the 0.2 percent annual chance floodplain.

3. AIRPORT COMPATIBILITY ZONE FINDINGS:

A. The project site is not located within an Airport Compatibility Zone.

BE IT FURTHER RESOLVED, that based on the above findings, this Commission approves Conditional Use Permit No. 19-03 as proposed, subject to the conditions and exceptions as follows:

KINGS COUNTY COMMUNITY DEVELOPMENT AGENCY – PLANNING DIVISION Contact Chuck Kinney of the Kings County Community Development Agency – Planning Division at (559) 852-2674 regarding the following requirements:

1. All proposals of the applicant shall be conditions of approval if not mentioned herein.
 - A. Maximum seating is proposed to be limited to 128 persons unless further restricted by the Building Official and Fire Chief.
 - B. Hours of the facility for the proposed use for nighttime events, cleanup and lights out shall end on or before 11:00 PM on Sunday through Thursday events and by 12:00 AM on Friday and Saturday events.
 - C. Maximum number of events per year shall be limited to 100 events.
 - D. When alcohol is proposed with an event then the appropriate license from ABC shall be required.
 - E. When 50 or more people are expected at an event providing alcohol then a private security guard shall be onsite during said event.
 - F. No alcohol will be allowed in the parking lot areas.
 - G. Amplified music shall be limited to being allowed indoors only and must be in compliance with the 2035 Kings County General Plan Noise Element Standards. Amplified music

shall also be turned off by 10:00 PM Sunday through Thursday events and by 11:00 PM on Friday and Saturday events.

- H. A single amplified speaker and portable microphone shall be limited to its use for speaking purposes when located either indoors or outdoors in the covered area on the north side of the building in compliance with the 2035 Kings County General Plan Noise Element Standards.
- I. All parking shall be located on site and when 75 or more people are expected to attend an event then a parking attendant (may be a volunteer) shall be provided to assist and direct guests as they park.
- J. All event hosts renting the facility shall be required to sign an agreement provided by the Hanford Columbians, Inc. that includes all requirements of this Conditional Use Permit to ensure that hosts are made aware of all requirements.

- 2. The site plan for the project is approved in concept. However, it is understood that during the actual design of the project that either of the following minor alterations to the site plan may be necessary: 1) structural alterations; and/or 2) alterations to the location of structures. Any minor alterations shall comply with the following requirements:
 - A. The site shall be developed in substantial compliance with the conceptually approved site plan. Development of the site shall be considered substantially consistent with the approved conceptual site plan if any minor structural alteration is within ten (10) percent of the square footage shown on the conceptually approved site plan or up to a 2,500 square foot increase in structural size, whichever is less, and the minor structural alteration complies with coverage standards.
 - B. A minor alteration of the location of a structure shall be considered substantially consistent with the approved conceptual site plan if the new location of the structure complies with all setback requirements for the zone district that the project site is located in.
 - C. Any minor alteration that would make it necessary to modify or change any condition of approval placed on the project would require resubmittal of the application to amend the approval of the Conditional Use Permit.
 - D. No expansion of use, regardless of size, which would increase the projected scale of operations beyond the scope and nature described in this Conditional Use Permit application, will be allowed. Any expansion that is a substantial change from the conceptually approved site plan, will require either an amendment to the approved Conditional Use Permit or a new zoning permit.
- 3. The development shall comply with all regulations of *Development Code No. 668.14*, with particular reference to the General Agriculture 20 (AG-20) Zone District standards contained in Article 4.
- 4. All signage must comply with Section 418.C of the *Kings County Development Code*. Signs shall be located outside of the public right-of-way and shall not be located within a traffic safety visibility area if over three (3) feet in height. Unless a different setback is specified for a particular zone district, the minimum setback distance for all signs over three (3) feet in height shall be ten (10) feet from property lines.
- 5. Exterior lighting shall be hooded so as to be directed only on site.

6. Hazard control fencing shall be provided according to Section 701.B. of the *Kings County Improvement Standards*.
7. Parking shall be provided in accordance with Article 13, Table 13-1 of the *Kings County Development Code* and shall be installed in accordance with *Kings County Improvement Standards*. (Note: Accessible parking requirements are listed under Building Division Requirement No. 3-4 below.)
8. Accessible parking spaces shall be located so as to minimize the travel distance to the use's primary entrances for access. Required off street accessible parking spaces, and standards for those spaces, shall meet state standards.
9. All open and unlandscaped portions of the lot shall be maintained in good condition, free from weeds, dust, trash and debris.
10. Pursuant to Section 418.B of the *Kings County Development Code*, the project shall comply with the following requirements pertaining to fencing and gates:

Fences, Walls, and Hedges exceeding six feet in height shall be permitted except that fences, walls, and hedges shall not exceed three feet in height within a Traffic Safety Visibility Area as defined in Article 25 of this Development Code.

Gates shall be permitted as follows:

- A. Gates which are used for the primary vehicular ingress and egress and which are opened and closed manually shall be setback so that the greater of the following distances are met from the property line being used for access:
 - 1) A minimum distance of 20 feet.
 - 2) A distance sufficient to ensure that vehicles used for a permitted use requiring a Site Plan Review or Conditional Use permit are able to pull completely onto their property.
- B. Gates used for the primary vehicular ingress and egress and which are opened and closed electronically with a remote control may be located within any portion of the property being used for access to a driveway provided that:
 - 1) The property owner/occupant shall obtain a building permit from the building department for the installation of the electric gate operating mechanism and wiring. The property owner/occupant must also request and obtain a final inspection for the assigned building permit and demonstrate operation of the mechanism using the remote.
 - 2) The gate must be operational at all times using a remote control device that allows the property owner/occupant to open and close the gate to enter the driveway area without exiting the vehicle.

- 3) At any time that the gate is not operational using the remote control device the gate must either be locked in the open position or it must be removed entirely.
 - C. Access gates to property which are not the primary vehicular ingress and egress such as an access gate to a rear yard to allow the parking of an RV, boat or similar use or for equipment access to be used in maintenance of the property do not require additional setback from the property line. Secondary access gates shall have locking mechanisms accessible only from the interior side of the gate.
11. The minimum yard requirements from property line to a structure shall be as follows:
 - A. The minimum front yard setback for occupied structures shall be not less than fifty (50) feet from the public road right-of-way line or the property line if not fronting on a public road right-of-way. The minimum front yard setback for non-occupied uses shall be not less than thirty-five (35) feet from the public road right-of-way or property line if not fronting on a public road right-of-way.
 - B. The minimum side yard setback shall be ten (10) feet from the side property line for interior sites. The minimum side yard setback shall be twenty (20) feet from the public road right-of-way line on the street side of a corner site.
 - C. The minimum rear yard setback shall be ten (10) feet from the rear property line.
 12. Sales, use, or transactions tax may apply to business activities on the site. The applicant may seek written advice regarding the application of tax to your particular business by writing to the nearest State Board of Equalization office. For general information, please call the Board of Equalization at 1-800-400-7115.
 13. The applicant shall comply with all adopted rules and regulations of the Kings County Public Works Department, Fire Department, and Department of Environmental Health Services, and all other local and state regulatory agencies.
 14. Pursuant to Section 14-38(d) of the *Kings County Code of Ordinances*, a "Notice of Disclosure and Acknowledgment of Agricultural Land Use Protection and Right to Farm Policies of the County of Kings" shall be signed, notarized, and recorded.
 15. Pursuant to Section 66020(d)(1) of the *California Government Code*, the owner is hereby notified that the 90-day approval period in which the applicant may protest the imposition of fees, dedications, reservations, or other exactions, begins on the date that this resolution is adopted.
 16. Within eight (8) days following the date of the decision of the Kings County Planning Commission, the decision may be appealed to the Kings County Board of Supervisors. The appeal shall be filed with the Clerk of the Board of Supervisors.
 17. This Conditional Use Permit shall lapse and shall become null and void one (1) year following the date that the Conditional Use Permit became effective, unless prior to the expiration of one (1) year the proposed use has been established. A Conditional Use Permit involving construction shall lapse and shall become null and void one (1) year following the date that the Conditional Use Permit

became effective, unless prior to the expiration of one (1) year a building permit is issued by the Building Official and construction is commenced and diligently pursued toward completion on the site that was subject of the Conditional Use Permit application.

18. This Conditional Use Permit may be renewed for additional periods of time, if an application (by letter) for renewal of the Conditional Use Permit is filed with the Planning Commission prior to the permit's expiration date.
19. This approved conditional use permit shall run with the land and shall continue to be valid upon change of ownership of the site which was the subject of the conditional use permit approval.
20. This permit shall become effective upon the expiration of eight (8) days following the date on which the permit was granted unless the Board of Supervisors shall act to review the decision of the Planning Commission.

BE IT FURTHER RESOLVED that the following departments' and agencies' have listed requirements, standards, and regulations that must be met under those departments' and agencies' jurisdiction. The Planning Commission has no authority to modify, amend, or delete any of these requirements, standards, and regulations, but lists them here as information to the applicant. Appeals for relief of these standards and regulations must be made through that department's or agency's procedures, not through the Development Code procedures. However, failure of the applicant to comply with these other departments' and agencies' requirements, standards, and regulations is a violation of this conditional use permit and could result in revocation of this conditional use permit.

KINGS COUNTY COMMUNITY DEVELOPMENT AGENCY - BUILDING DIVISION Contact Darren Verdegaal at the Kings County Community Development Agency - Building Division at (559) 852-2683, regarding the following requirements:

1. Building permits must be obtained from the Building Division of the Kings County Community Development Agency for any structures, plumbing, electrical, or mechanical work.
2. Failure to obtain a building permit for any structure, prior to commencing construction, which requires a building permit, will result in the payment of a double fee. Payment of such double fee shall not relieve any person from fully complying with the requirements of Kings County Code of Ordinances, Chapter 5 in the execution of the work or from any other penalties prescribed therein.
3. Pursuant to Section 1129B of the California Building Code, one (1) van accessible parking space, allowing room for individuals in wheelchairs, on braces or crutches to get in and out of an automobile onto a level surface, suitable for wheeling and walking shall be provided. The parking space shall be 9 feet x 20 feet with an 8-foot wide loading and unloading aisle placed on the side opposite the driver's side. The surfacing of the parking space, loading and unloading aisle and the accessible path from the space to the entrance of the building shall be either asphalt concrete or concrete.
4. The development shall comply with all applicable Americans with Disabilities Act (ADA) requirements, especially Section 1127B of the California Building Code, which states that site development and grading shall be designed to provide access to all entrances and exterior ground-floor exits, and access to normal paths of travel. The accessible route of travel shall be the most

practical direct route between accessible building entrances, accessible site facilities and the accessible entrance to the site, including but not limited to access from the accessible parking space to accessible building entrances.

5. The facility shall meet the requirements of the State of California Model Water Efficient Landscape Ordinance. Landscape and irrigation plans shall be provided to the Community Development Agency for review and approval prior to building permit issuance.
6. Pursuant to Section 1115B of the *California Building Code* an accessible restroom shall be provided.
7. All construction shall conform to the latest adopted edition of the California Building Standards Code which consists of the California Building Code, California Electrical Code, California Mechanical Code, California Plumbing Code, and California Energy Code, California Fire Code and California Green Building Standards Code.
8. The tenant, lessee and/or owner are responsible for compliance with the Americans with Disabilities Act, ADA. By federal law, the facility shall be made accessible to the highest degree possible.

KINGS COUNTY FIRE DEPARTMENT Contact Rick Levy of the Kings County Fire Department at (559) 852-2885 regarding the following requirements:

1. A Type 2A-10BC fire extinguisher is required to be located in plain sight not more than seventy-five (75) feet from any point within the structure. The location of fire extinguisher must be easily accessible and the extinguisher shall be mounted with fastened hangers so that the weight of the extinguisher is adequately supported.
2. Employees shall be made familiar with the use of fire safety equipment.
3. The plans shall comply with all regulations of the Kings County Fire Department.
4. All plans shall comply with California Fire Code and all regulations of the Kings County Fire Department.
5. Address identification required per Section 505.1 of the CFC.
6. Any future development must comply with applicable Fire Code, including rural firefighting water supply requirements.
7. Building Occupancy Limit shall be enforced at each event.
8. Exit signs required per CFC 1104.3

The foregoing Resolution was adopted on a motion by Commissioner _____ and seconded by Commissioner _____, at a regular meeting held on November 4, 2019, by the following vote:

AYES: COMMISSIONERS
NOES: COMMISSIONERS
ABSTAIN: COMMISSIONERS
ABSENT: COMMISSIONERS

KINGS COUNTY PLANNING COMMISSION

Riley Jones, Chairperson

WITNESS, my hand this ____ day of _____, 2019.

Gregory R. Gatzka
Secretary to the Commission

cc: Kings County Board of Supervisors
Kings County Counsel
Kings County Community Development Agency – Building Division
Kings County Fire Department
Kings County Public Works Department
Kings County Health Department, Division of Environmental Health Services