



COUNTY OF KINGS BOARD OF SUPERVISORS

GOVERNMENT CENTER HANFORD, CALIFORNIA 93230 (559) 852-2362
Catherine Venturella, Clerk of the Board of Supervisors

AGENDA ITEM June 25, 2024

SUBMITTED BY: Community Development Agency – Chuck Kinney/Yesenia Kharufeh
SUBJECT: CONSIDER KINGS COUNTY DEVELOPMENT CODE TEXT CHANGE
NUMBER 668.18

SUMMARY:

Overview:

The Community Development Agency (CDA) has received an application for a Kings County Development Code Text Change to allow the operation of a short pour concrete system and the rental of portable cement mixers to the public, in the Rural Commercial (CR) Zone District, subject to the approval of a Site Plan Review zoning permit. This use would include the production, storage, and sale of cement materials in the CR Zone District. Currently, the Kings County Development Code does not allow for the bulk production, storage, or sale of cement materials in any commercial zone district. Additional regulations will apply. The portable cement mixers shall not exceed three cubic yards in concrete weight capacity and any proposed facility would be limited to operating at a maximum noise level of 60 decibels at the property lines.

Recommendation:

- a. Conduct a public hearing to consider proposed Ordinance No. 668-1-24 to amend Article 6, Section 603, Table 6-1 of the Kings County Development Code;
- b. Introduce Ordinance No. 668-1-24 and waive the first reading.

Fiscal Impact:

There is no fiscal impact with this development code text change.

Advisory Board Statement:

On May 6, 2024, the Planning Commission held a duly noticed public hearing to receive testimony on

(Cont'd)

BOARD ACTION:

APPROVED AS RECOMMENDED: _____ OTHER: _____

I hereby certify that the above order was passed and adopted
on _____, 2024.

CATHERINE VENTURELLA, Clerk to the Board

By _____, Deputy.

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this proposal from any interested person. Due to the testimony received at the public hearing, the Planning Commission did not make a specific finding on Development Code Text Change No. 668.18. On June 3, 2024, the Planning Commission held a public meeting to revisit Development Code Text Change No. 668.18 and voted to adopt Resolution No. 24-04 and recommends that the Board adopt Development Code Text Change 668.18 in the public interest. The Planning Commission Resolution and staff report are attached as Exhibit B. Pursuant to Section 2108 (Exhibit C) of the Kings County Development Code, copies of supporting materials from the Planning Commission are on file and available for review with the Clerk of the Board.

BACKGROUND:

CDA has received private industry interest to amend Article 6, Section 603, Table 6-1 to allow the operation of a commercial short pour concrete system and the rental of portable cement mixers to the public, in the CR zone district. The proposed amendment would include the production, storage, and sale of cement materials in the CR zone district. Currently, the Kings County Development Code does not allow for the bulk production, storage, or sale of cement materials in any commercial zone district (**See Figure 1**).

Figure 1. Development Code Section 603 Current Allowance of Building Material Sales

Table 6-1 COMMERCIAL ZONING DISTRICTS LAND USE REGULATIONS						
KEY "P" Permitted uses - no permit required. "S" Site Plan Review required. "C" Conditional Use Permit required. "TUP" A temporary land use which requires an over-the-counter permit "." Not permitted	ZONING DISTRICT					Additional Regulations
	CN Note 1	CS	CT Note 1	CH	CR Note 1	
Commercial Uses <i>For a definition of the use see Article 25</i>	PERMIT REQUIRED					
★ Building material sales, excluding bulk storage of sand, gravel or cement.	-	S	-	-	S	
Bus depots and passenger transit stations.	S	S*	S	S	S	*Including repair and storage.
Business colleges, trade schools and other specialized education & training.	-	S	S	-	S	
Butcher shops.	-	S	-	-	S	
Cabinet or carpenter shops.	-	S	-	-	S	

The proposed amendment would also include the rental of small portable cement mixers to the public and would be limited to a maximum weight capacity of three cubic yards in concrete weight. Additionally, any proposed facility would be limited to operating at a maximum noise level of 60 decibels at the property lines.

The approval of this Development Code amendment would amend Article 6, Section 603, Table 6-1 of the Kings County Development Code to allow short pour concrete systems and the rental of small portable cement mixers to the public, with a limit of three cubic yards in concrete weight capacity and a maximum noise level of 60 decibels at the property lines, through a Site Plan Review zoning permit in the CR zone district. An example of the proposed amendment to Article 6 can be seen below in **Figure 2**.

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Figure 2. Development Code Section 603 Allowance of Short Pour Concrete Systems and the Rentals of Portable Cement Mixers

Table 6-1 COMMERCIAL ZONING DISTRICTS LAND USE REGULATIONS						
KEY "P" Permitted uses - no permit required. "S" Site Plan Review required. "C" Conditional Use Permit required. "TUP" A temporary land use which requires an over-the-counter permit "-" Not permitted	ZONING DISTRICT					Additional Regulations
	CN Note 1	CS	CT Note 1	CH	CR Note 1	
Commercial Uses <i>For a definition of the use see Article 25</i>	PERMIT REQUIRED					
Restaurants or similar eating establishments that sell or serve beer, wine, and/or distilled spirits which require or obtain a special ABC license # 41, 47, or 75.	C(2)	S(2)	S	S	S(2)	See Note 2.
Retail Sales Type Uses	S	-	-	S	S	See List in Article 25
Riding stables and riding academies.	-	-	C	C	C	
Safe and vault repair services.	-	S	-	-	S	
Sheet metal shops.	-	S	-	-	S	
★ Short pour concrete systems and portable cement mixer rentals.	-	-	-	-	S*	*Limited to operate at a maximum of 60 decibels at the property lines. Portable cement mixers shall not exceed three (3) cubic yards in concrete weight capacity.

The proposed changes will remain consistent with the goals and objectives of the 2035 Kings County General Plan. Specifically, Section III.A.3, on page LU-15, of the Land Use Element in the 2035 Kings County General Plan states that the Rural Commercial Designation is intended primarily for application to such rural service centers of the County as Armona, Kettleman City, Stratford, Grangeville, Hardwick, and Halls Corner to permit the establishment of uses which cater primarily to the needs of rural residents. Since it is not reasonable to expect large-scale urban development within these communities with an attendant demand for specialized commercial designations, the Rural Commercial Designation is established to permit the accommodation of most of the commercial uses otherwise provided for in other commercial designations. In addition, Land Use (LU) Objective D1.5, on page LU-43, of the Land Use Element in the 2035 Kings County General Plan increases economic reinvestment by directing future commercial and industrial development to existing Community District areas as outlined in each Community Plan in order to meet the daily needs of residents and provide employment opportunities near residences and transportation routes.

ENVIRONMENTAL REVIEW:

The approval of Development Code Text Change No. 668.18 is exempt from California Environmental Quality Act (CEQA) review pursuant to Section 15061(b)(3) of the CEQA Guidelines. This section states that a project is exempt from CEQA if the activity is covered by the general rule that CEQA applies only to projects, which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The changes to the Development Code are technical changes concerning general policy for the implementation of the zoning regulations and there is no possibility that these changes will have a

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significant effect on the environment by the act of adopting the Development Code Text Change. For the same reason, none of the circumstances in CEQA Guideline Section 15300.2 apply (Exhibit D).

The ordinance has been reviewed and approved by County Counsel as to form.

Attachments:

Ordinance 668-1-24

Exhibit A – Proposed Kings County Development Code Text Change 668.18

Exhibit B – Planning Commission Resolution and Staff Report

Exhibit C – Kings County Development Code Section 2108

Exhibit D – CEQA Guidelines Section 15300.2

Exhibit E – Cart-Away Concrete Systems: Equipment Specifications and Local Impact Information (Included by request of the applicant for Development Code Text Change No. 668.18)

ORDINANCE NO. 668-1-24

AN ORDINANCE AMENDING SECTION 603, TABLE 6-1 OF THE KINGS COUNTY DEVELOPMENT CODE TO ALLOW THE OPERATION OF A SHORT POUR CONCRETE SYSTEM AND THE RENTAL OF PORTABLE MIXERS TO THE PUBLIC, IN THE RURAL COMMERCIAL (CR) ZONE DISTRICT SUBJECT TO THE APPROVAL OF A SITE PLAN REVIEW ZONING PERMIT

The Board of Supervisors of the County of Kings ordains as follows:

SECTION 1. The Kings County Development Code Section 603, Table 6-1, Commercial Uses, is hereby amended to allow the operation of a short pour concrete system and the rental of portable cement mixers to the public, subject to a Site Plan Review zoning permit in the CR (Rural Commercial) zone districts and add, “*Limited to operate at a maximum of 60 decibels at the property lines. Portable cement mixers shall not exceed three (3) cubic yards in concrete weight capacity” to the Additional Regulations and Information section.

SECTION 2. Hereby finds that the Development Code Text Change No. 668.18 is exempt from CEQA review pursuant to Section 15061(b)(3) of the Guidelines for California Environmental Quality Act (CEQA Guidelines). This section states that a project is exempt from CEQA if the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The changes in the Development Code are technical changes concerning general policy for the implementation of the zoning regulations and there is no possibility that these changes will have a significant effect on the environment by the act of adopting the Development Code. For the same reasons, none of the circumstances in CEQA Guidelines Section 15300.2 apply.

SECTION 3. This ordinance shall take effect and be in force thirty (30) days after its adoption and before the expiration of fifteen (15) days after its passage, and it shall be published once with the names of the members of the Board of Supervisors voting for and against the same in the Hanford Sentinel, a newspaper of general circulation published in the County of Kings.

PASSED AND ADOPTED by the Board of Supervisors of the County of Kings, State of California, on the 25th day of June 2024, by the following vote:

AYES: Supervisors:
NOES: None
ABSTAIN: None
ABSENT: None

/s/ Doug Verboon
Doug Verboon, Chairman
Board of Supervisors

WITNESS my hand and seal of said Board of Supervisors this 25th day of June 2024.

/s/ Catherine Venturella
Catherine Venturella
Clerk of said Board of Supervisors

Article 6. Commercial Zoning Districts

Sections:

- Sec. 601 - Purpose and Objectives**
- Sec. 602 - District Designations**
- Sec. 603 - Land Use Regulations**
- Sec. 604 - Outdoor Advertising Structures**
- Sec. 605 - Development Standards for Commercial Zoning Districts**
- Sec. 606 - Additional Standards and Regulations**

Sec. 601. Purpose and Objectives: The classes of Commercial (C) Districts included in this Development Code are designed to provide various types of retail stores, offices, service establishments and wholesale businesses opportunities in locations best suited to serve the public. Commercial districts are intended to be located and/or grouped in areas throughout the County that are in logical proximity to residents of patrons they may serve.

Sec. 602. District Designations

- A. **CN – Neighborhood Commercial District:** The Neighborhood Commercial District is intended primarily for the provision of retail and personal service facilities to satisfy the convenience-goods needs of the consumer relatively close to his or her place of residence.
- B. **CS – Service Commercial District:** The Service Commercial District is intended primarily for establishments engaged in servicing equipment, materials and products, but which do not require the manufacturing, assembling, packaging or processing of articles of merchandise for distribution and retail sale. Land requirements for most commercial service uses generally dictate its application along major streets of the county which generally lay close to highway commercial and industrial districts.
- C. **CT – Thoroughfare Commercial District:** This district is intended primarily for application along certain major streets and highways of the county within urban areas where a mixture of commercial and other uses already exists to the extent that it is impractical to apply any other commercial zoning districts to such areas as provided by this Development Code.
- D. **CH – Highway Commercial District:** The Highway Commercial District is intended primarily for application in areas along major highway access points and/or entrances to a community typically, the area will have controlled access to the highway and have connectivity to frontage roads, interchanges and channelized intersections.
- E. **CR – Rural Commercial District:** The Rural Commercial District is intended primarily for application in rural service centers of the county, such as Armona, Kettleman City, Stratford, Grangeville, Hardwick, and Halls Corner. Uses are intended to serve the needs of rural residents. The Rural Commercial District is established to permit the accommodation of most of the commercial uses otherwise provided for in other commercial districts.

Sec. 603. Land Use Regulations: The following table prescribes the land use regulations for “Commercial” districts. The regulations for each district are established by letter designation shown in the key of Table 6-1:



Table 6-1 COMMERCIAL ZONING DISTRICTS LAND USE REGULATIONS

KEY "P" Permitted uses - no permit required. "S" Site Plan Review required. "C" Conditional Use Permit required. "TUP" A temporary land use which requires an over-the-counter permit "-." Not permitted	ZONING DISTRICT					Additional Regulations
	CN Note 1	CS	CT Note 1	CH	CR Note 1	
Commercial Uses For a definition of the use see Article 25	PERMIT REQUIRED					
Agricultural equipment parts and equipment stores	-	S	S	S	S	
Alcohol beverage sales for consumption off site - beer, wine, and/or distilled spirits sales when the establishment dedicates more than 25% of the sale floor to sales of alcoholic beverages for off-premises consumption.	C	-	-	C	C	See Article 11, Sec. 1105.
Alcohol Beverage sales of beer, wine, and/or distilled spirits for consumption on the site where purchased.	-	-	C*	C*	C*	* Does not include restaurants or similar establishments that sell or serve beer, wine, and/or distilled spirits in conjunction with the business and require or obtain a special ABC license number 41, 47, or 75. See Article 11, Sec. 1105.
Ambulance service.	-	S	S	S	S	
Amusement parks.	-	-	C	C	C	
Animal rescue shelters.	-	S*	-	-	S*	* Located not closer than 500 feet to a residential, district.
Automobile and Truck repair Service Stations (trucks up to and including one-ton rated capacity).	-	S	S	S	S	See list of services in Article 25.
Automobile and Motorcycle Sales and Service (new and used).	-	S	S	S	S	
Automobile parts stores.	-	S	S	S	S	
Automobile/vehicle washing facilities (automated & do-it-yourself).	S	S	S	S	S	
Bakery goods stores (wholesale).		S	-	-	S	
Banks and other financial institutions.	S	-	S	-	S	
Barbeque facilities (Open-air).	S	S	S	S	S	See Article, 11, Sec 1103.
Bars/night clubs/lounges/taverns.	-	-	-	S	S	See Article 11, Sec. 1105.
Billiard and pool halls.	-		-	-	S(1)	See Note 1 and Article 11, Sec. 1105.
Blacksmith shops.	-	S	-	-	S	
Boat and watercraft sales and service.	-	S	-	-	S	
Body Piercing establishments.	S	-	-	-	S	
Bowling alleys.	C	-	S(1)	S	S(1)	See Note 1 and Article 11, Sec. 1105.
Bottling works.	-	S	-	-	S	
Building material sales, excluding bulk storage of sand, gravel or cement.	-	S	-	-	S	
Bus depots and passenger transit stations.	S	S*	S	S	S	*Including repair and storage.
Business colleges, trade schools and other specialized education & training.	-	S	S	-	S	
Butcher shops.	-	S	-	-	S	
Cabinet or carpenter shops.	-	S	-	-	S	



Table 6-1

COMMERCIAL ZONING DISTRICTS LAND USE REGULATIONS

<p>KEY</p> <p>“P” Permitted uses - no permit required.</p> <p>“S” Site Plan Review required.</p> <p>“C” Conditional Use Permit required.</p> <p>“TUP” A temporary land use which requires an over-the-counter permit</p> <p>“-” Not permitted</p>	ZONING DISTRICT					Additional Regulations
	CN Note 1	CS	CT Note 1	CH	CR Note 1	
Commercial Uses <i>For a definition of the use see Article 25</i>	PERMIT REQUIRED					
Caretaker’s mobile home or manufactured home on a temporary foundation as watchman's or caretaker's quarters incidental to and used in connection with a permitted or conditional use.	-	S	-	-	-	Permitted for the duration of the use to which it is incidental. Each site so used shall be subject to the coverage, yard, and parking requirements of the R-1 District.
Carpet and floor coverings store.	-	S	-	-	S	
Carpet and rug cleaning and dyeing establishments.	-	S	-	-	S	
Catering shops.	-	S	-	C	S	
Coffee shops, outdoor cafes, tearooms.	S	-	S	-	S	
Cold storage, packing and crating services	-	S	-	-	S	
Columbariums and crematoriums.	-	S	C	-	S	
Commercial/meeting halls.	C	C	C	-	C	
Contractor storage yards.	-	S	-	-	S	
Convenience stores with incidental fuel pumps.	S	S	S	S	S	See Note 1 and Article 11, Sec. 1105.
Countertop shops.	-	S	-	-	S	
Copy and duplicating services.	-	S	-	-	S	
Dairy products plants.	-	S	-	-	S	
Delicatessens and health food stores	S	-	S	-	S	
Dry cleaning, pressing and laundry agencies.	C*	S	S	S	S	*Including the use of synthetic dry cleaning machines using non-flammable, non explosive solvents and having a capacity of not to exceed 40 pounds per cycle.
Electrical/electronic repair shops.	-	S	-	-	S	
Equipment rental yards.	-	S	C*	-	S	* Yards for heavy construction or farm equip. exceeding 15,000 pounds net weight.
Exterminators.	-	S	-	-	S	
Farmers markets.	TUP	TUP	TUP	-	TUP	
Feed and seed stores.		S	-	-	S	
Food lockers (no slaughtering).	S	S	S	-	S	
Food stores, grocery stores, and super markets.	S	-	S	-	S	See Article 11, Section 1105.D. Full service grocery stores are permitted for the off-sales of alcoholic beverages without a CUP.
Freight transit yards and terminals.	-	S	-	-	S	



Table 6-1

COMMERCIAL ZONING DISTRICTS LAND USE REGULATIONS

KEY “P” Permitted uses - no permit required. “S” Site Plan Review required. “C” Conditional Use Permit required. “TUP” A temporary land use which requires an over-the-counter permit “-” Not permitted	ZONING DISTRICT					Additional Regulations
	CN Note 1	CS	CT Note 1	CH	CR Note 1	
Commercial Uses For a definition of the use see Article 25	PERMIT REQUIRED					
Fueling stations including CNG, and Electric Vehicle (EV) recharge stations.	C	S	S	S	C	Excludes automotive repair services not included in the definition of “Service Station” as provided in Article 25. All operations, except the sale of gasoline and oil, shall be conducted in a building enclosed on at least two sides.
Furniture warehouses and van services.	-	S	-	-	S	
Garden supply shop and nurseries.	S	S	S	-	S	All equipment, supplies and merchandise, other than plants, shall be kept within completely enclosed buildings or under a lathed structure; Fertilizer of any type shall be stored and sold in packaged form only.
Glass shops including automotive glass.	-	S	-	C	S	
Golf driving ranges.	-	-	C	-	-	
Gunsmith shops.	-	S	-	-	S	
Hazardous waste treatment equipment added to an existing use.	-	S	-	-	S	
Health and Fitness Type Uses	S	-	S	-	S	See list in Article 25
Heating, ventilating, and air-conditioning shops including incidental sheet metal.	-	S	-	-	S	
Hotels, motels, apartment hotels, and Single Room Occupancy (SRO) Hotels.	-	S	-	S	S	
Household appliance service & incidental repair.	S	S	S	-	S	
Ice cream and desert shops.	S	-	-	S	S	
Ice storage or sales.	-	S	-	-	S	
Interior decorating and design shops.	-	S	S	-	S	
Kennels or catteries.	-	S	-	-	S	Must be located at least 500 feet from a residential or recreation district.
Laboratories.	-	S	-	-	S	
Laundries and linen supply services.	-	S	-	-	S	
Laundromats – self serve.	S	S	S	S	S	
Limousine service.	-	S	-	-	S	
Locksmiths.	S	S	S	-	S	
Lumber yards excluding planning, saw mills and bulk gravel or sand.	-	S	-	-	-	
Machine shops.	-	S	-	-	S	
Machinery and equipment sales and rentals.	-	S	-	-	S	
Mailbox and delivery services.	-	S	-	-	S	



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	CN Note 1	CS	CT Note 1	CH	CR Note 1	
Commercial Uses <i>For a definition of the use see Article 25</i>	PERMIT REQUIRED					
Mini storage facilities.	-	S	-	-	S	
Mobile home and recreation vehicle sales and service.	-	S	S	-	S	
Mortuaries and funeral parlors.	-	S	C	-	S	
Motor vehicle dismantling or wrecking yards with total site area not to exceed 10,000 square feet in area.	-	C	-	-	-	All dismantling shall be conducted within an enclosed building. No burning of any portion of a motor vehicle on site.
Movie theaters, theaters, auditoriums.	-	-	S(1)	-	S(1)	See Note 1
Musical instrument repair shops.	-	S	-	-	S	
Music, dance and gymnastics studios	-	-	S	-	S	
Office equipment and machinery repair shops.	-	S	-	-	S	
Offices, Business and Professional Type Uses	S	-	S	-	S	See list in Article 25
Parking facility, commercial.	-	-	S	-	S	See Article 13.
Party supply rentals.	-	S	-	-	S	
Pawn Shops.	-	-	-	-	S	See Article 11, Sec. 1118.
Personal Services Type Uses	S	-	S	-	S	See list in Article 25
Photography studios.	S	-	S	-	S	
Picture framing shops.	-	S	-	-	S	
Printing, graphics, embroidery, lithography and engraving shops.	S	S	S	-	S	
Private non-commercial clubs, lodges and fraternal organizations.	S	-	S	-	S	
Professional Services Type Uses	S	S	S	-	S	See list in Article 25
Race tracks and drag strips.	-	-	C	C	-	
Radio and television broadcasting studios	-	S	-	-	S	
Radio and television repair and services.	S	S	S	-	S	
Recycling centers for ferrous metals such as iron, steel, etc., and all other scrap metals.	-	C	-	-	-	All processing of recycled material shall be conducted within an enclosed building. Total site area shall not exceed 10,000 square feet
Recycling facility; Small collection facility.	S	S	-	-	S	See Article 11, Sec. 1115.B.
Recycling facility; Large collection facility.	-	C	-	-	-	See Article 11, Sec. 1115.C.
Refrigeration equipment sales and service.	-	S	-	-	S	
Religious Facilities	C	-	C	C	C	
Restaurants, cafes, including fast food, drive-in restaurants, buffets, cafeterias, etc. with no sale of alcoholic beverages.	S(2)	S(2)	S	S	S(2)	See Note 2 .

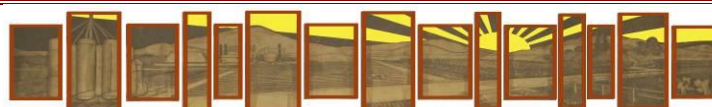


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	<p><i>CN</i></p> <p>Note 1</p>	<p><i>CS</i></p>	<p><i>CT</i></p> <p>Note 1</p>	<p><i>CH</i></p>	<p><i>CR</i></p> <p>Note 1</p>	
<p>Commercial Uses</p> <p><i>For a definition of the use see Article 25</i></p>	<p>PERMIT REQUIRED</p>					
Restaurants or similar eating establishments that sell or serve beer, wine, and/or distilled spirits which require or obtain a special ABC license # 41, 47, or 75.	C(2)	S(2)	S	S	S(2)	See Note 2.
Retail Sales Type Uses	S	-	-	S	S	See List in Article 25
Riding stables and riding academies.	-	-	C	C	C	
Safe and vault repair services.	-	S	-	-	S	
Sheet metal shops.	-	S	-	-	S	
Short pour concrete systems and portable cement mixer rentals.	-	-	-	-	S*	*Limited to operate at a maximum of 60 decibels at the property lines. Portable cement mixers shall not exceed three (3) cubic yards in concrete weight capacity.
Sign shops.	-	S	-	-	S	
Skating rinks, outdoor.	-	-	C	-	C	
Skating rinks, indoor.	-	-	S	-	S	
Sports arenas and stadiums.	-	-	S(1)	-	S(1)	See Note 1.
Stone and monument yards and mills.	-	S	-	-	S	
Storage facilities, garages, and yards.	-	S	-	-	S	
Storage facilities for chemicals, gas, petroleum or inflammable liquids.	-	C	-	-	-	
Tattoo parlors.	S	S	-	-	S	
Taxidermists.	-	S	-	-	S	
Taxicab service.	-	S	-	-	S	
Telecommunication dealers and services.	S	S	S	-	S	
Tire sales and service, retreading, and recapping, excluding repair	-	S	-	S	S	
Tool or cutlery sharpening or grinding.	-	S	-	-	S	
Trailer and recreational vehicles sales, service, and rentals.	-	S	-	S	S	
Travel bureaus	-	-	S	S	S	
Truck repair garages and service stations (trucks over one-ton rated capacity).	-	C	C	S	C	
Trucking terminals.	-	S	-	S	S	
Upholstery shops.	-	S	-	-	S	



Veterinarian offices, hospitals or clinics, including short-term boarding of animals and incidental care such as bathing and trimming.	-	S	S	-	S	Located not closer than 500 feet to a residential, district. All operations conducted entirely within a completely enclosed structure which complies with specifications of soundproof construction which shall be prescribed by the Zoning Administrator.
Warehouses, excluding storage of fuel, flammable liquids or explosives.	-	S	-	-	-	



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	CN Note 1	CS	CT Note 1	CH	CR Note 1	
Commercial Uses <i>For a definition of the use see Article 25</i>	PERMIT REQUIRED					
Wedding services and supplies.	S	-	S	-	S	
Welding services and supplies	-	S	-	-	S	
Industrial Uses <i>For a definition of the use see Article 25</i>	PERMIT REQUIRED					Additional Regulations and Information
All uses listed in the IL Light Industrial Zoning District which are permitted by right.	-	-	-	-	S*	*Excluding service stations, outdoor advertising structures, and watchman's living quarters which are not allowed in the CR Zoning District.
All uses listed in the IL Light Industrial Zoning District which requires a Site Plan Review.	-	C	-	-	S*	*Excluding service stations, outdoor advertising structures, and watchman's living quarters which are not allowed in the CR Zoning District.
Energy Uses <i>For a definition of the use see Article 25</i>	PERMIT REQUIRED					Additional Regulations and Information
Active solar heating systems.	P	P	P	P	P	Used to convert sunlight to heat that can be used for space heating and hot water.
Commercial solar photovoltaic electrical generating facilities.	C	C	C	C	C	
Incidental Electric Vehicle (EV) Recharge Stations	P	P	P	P	P	Incidental to designated parking spaces for electric vehicles. See Article 15, Sec. 1511.C.
Public and Utility Uses <i>For a definition of the use see Article 25</i>	PERMIT REQUIRED					Additional Regulations and Information
Solar electrical generation equipment for non-commercial personal use	P	P	P	P	P	With a design capacity to serve the electrical needs of the properties and contiguous properties
Cellular telephone towers.	C	C	C	C	C	
City, county, special district, state and federal administrative offices.	S	C	C	C	C	
Co-location of antennas and related equipment on existing towers, poles, structures or wireless telecommunications collocation facilities.	P	P	P	P	P	
Communications equipment buildings.	S	S	S	-	S	
Fire and police stations.	-	C	C	C	C	
Gas regulator stations.	-	S	-	-	S	
Libraries.	S	C	C	C	C	
Post offices.	S	C	C	C	C	
Public buildings and grounds.	-	C	-	C	C	



Table 6-1 COMMERCIAL ZONING DISTRICTS LAND USE REGULATIONS

KEY “P” Permitted uses - no permit required. “S” Site Plan Review required. “C” Conditional Use Permit required. “TUP” A temporary land use which requires an over-the-counter permit “-” Not permitted	ZONING DISTRICT					Additional Regulations
	CN Note 1	CS	CT Note 1	CH	CR Note 1	
Public and Utility Uses <i>For a definition of the use see Article 25</i>	PERMIT REQUIRED					
Public service pumping stations and/or elevated pressure tanks.	S	S	S	-	S	
Public utility yards.	-	S	-	-	S	
Public utility structures, services and facilities.	-	-	-	S	S	
Miscellaneous Uses <i>For a definition of the use see Article 25</i>	PERMIT REQUIRED					Additional Regulations and Information
Accessory structures for non-residential uses and/or incidental uses located on the same site as a use requiring Site Plan Review or Conditional Use Permit.	S	S	S	S	S	See Article 11, Sec. 1101 Does not include those uses which are owned or operated by a public agency.
ATMs	P	P	P	P	P	
Community gardens	-	-	-	-	P	See Article 15, Sec. 1503.
Outdoor or off-site advertising structures.	-	S	S	S/C*	-	See Section 1104. *See Section 1104.G.
Raising of fruit/nut trees, vegetables, and horticultural specialties.	P	-	-	-	P	
Rain water collection.	P	P	P	P	P	See Article 15.
Recycling facility or reverse vending machine.	P	P	P	P	P	See Article 11, Sec. 1115.A.
Regional produce stand in Armona.	-	S	-	S	S	Reserved for the Community of Armona as a centralized location.
Signs, freestanding or detached.	S	S	S	S	S	See Table 6-3.
Signs in the immediate area of interchanges along Interstate 5 which are illuminated and exceed the standards in Table 6-3 below.	-	-	-	C	-	See Article 14, Section 1410.
Signs, wall mounted, projecting, or awning.	P	P	P	P	P	Permitted without a new zoning permit provided the total amount of signage allowed for the zoning district is not exceeded and the sign meets signage regulations. See Table 6-3.
Signs, temporary.	P	P	P	P	P	See Article 14 for time limits and additional information.
Vending machines including filtered water dispensers, snacks, food, and soda machines, and DVD vending machines.	P	P	P	P	P	Incidental to an existing use.

(Ord. No. 668-1-16, §10, §11, 1/12/16) (Ord. No. 668-1-17, §26, 3/28/17)

Table 6-1 Notes:

1. New commercial uses that have incidental sales of alcoholic beverages are allowed in the CN, CT, and CR zoning district and are located within 300 feet of any school site and/or R1, RM, or RR zoning district.



2. Drive-up windows are not allowed between the street and a building entrance. Vehicle access should be taken from a side drive-thru, alley or interior driveway where possible, and conflicts between vehicles and pedestrians should be minimized.

Sec. 604. Outdoor Advertising Structures: Outdoor or off-site commercial advertising structures, as defined in Article 25, are permitted in all commercial zoning districts except the Neighborhood Commercial (CN) and the Rural Commercial (CR) zoning districts. Refer to Section 1104 of this Development Code for additional details concerning the requirements and permitting of outdoor advertising structures.

Sec. 605. Development Standards for Commercial Zoning Districts: Table 6-2 below provides development standards for parcels within commercial zoning districts:

Table 6-2 DEVELOPMENT STANDARDS FOR COMMERCIAL ZONING DISTRICTS						
<i>Use Classifications</i>	<i>CN</i>	<i>CS</i>	<i>CT</i>	<i>CH</i>	<i>CR</i>	<i>Additional Regulations and Information</i>
Site Area and Lot Standards	All Standards Shown are Minimum Standards Unless Otherwise Stated					
Site area limitation.	No Limitation	No Limitation	No Limitation	No Limitation	No Limitation	
Site frontage.	No Limitation	No Limitation	No Limitation	No Limitation	No Limitation	
Site width.	No Limitation	No Limitation	No Limitation	No Limitation	No Limitation	
Site depth.	No Limitation	No Limitation	No Limitation	No Limitation	No Limitation	
Site Coverage						
Maximum area covered by structures.	No Limitation	No Limitation	No Limitation	No Limitation	No Limitation	
Setback Requirement (ft.)						
Front Setback	15	5	5	15	15	
Front Setback abutting property in an RR, R, or RM District fronting on the same street	15	15	15	20	20	
Rear Setback	No Limitation	No Limitation	No Limitation	No Limitation	No Limitation	
Rear Setback abutting an RR, R-1 or RM District	10	10	10	10	10	
Side Setback.	No Limitation	No Limitation	No Limitation	No Limitation	No Limitation	
Side Setback abutting an RR, R-1 or RM District	10	10	10	10	10	
Side Setback on a reversed corner lot adjoining a key lot in an RR, R-1 or RM District	½ the required front yard of the key lot.	½ the required front yard of the key lot.	½ the required front yard of the key lot.	½ the required front yard of the key lot.	½ the required front yard of the key lot.	
Distance Between Structures (ft.)						
Distance between commercial uses	No Limitation	No Limitation	No Limitation	No Limitation	No Limitation	
Distance between residential use and another structure	10	10	10	10	10	
Height of Structures (ft.)						
Maximum height of a permitted use or its accessory structures	50	75	50	50	50	See Note 1.
Maximum height of a sign or tower used for commercial cellular telephone service	(2)	No Limitation	(2)	(2)	No Limitation	(2) See Notes 2 and 3.
Maximum height of a structure in a traffic safety visibility area	3	3	3	3	3	See Note 4.



Table 6-2 Notes:

1. New structures in Kettleman City shall not exceed two stories in height unless adequate fire equipment is provided that can reach beyond two stories or other alternatives are found acceptable to the Kings County Fire Department.
2. Illuminated outdoor commercial advertising structures in the immediate area of interchanges along Interstate-5, advertising highway traveler services at that interchange, which exceed the maximum copy area per site or per use allowed by this Development Code, may be permitted through a Conditional Use Permit. Such structures shall not be larger than is necessary to be clearly seen by travelers on Interstate 5, provided the structure is designed by a professional engineer and does not pose a safety hazard. Such structures may be located on the actual site of the business or service being advertised, or a group of signs may be clustered in two off premises sites per interchange, but within the CH zoning district at that interchange.
3. Maximum height determined as part of the Conditional Use Permit.
4. Pole mounted signs over 3 feet in height within a traffic safety visibility area may be permitted by Site Plan Review provided that the sign must be at least 12 feet above the ground if the sign is placed within 30 feet of a street intersection (intersecting curb lines).

(Ord. No. 668-1-17, §27, 3/28/17)

Sec. 606. Additional Standards and Regulations:

A. Off-street Parking Areas, Aisles, Access Drives, Access Lanes and Off-street Loading Facilities: In addition to available on-street parking, off-street parking areas, aisles, access drives, access lanes and off-street loading facilities shall be provided on the site for each use as prescribed in Article 13.

B. Fences, Walls, Gates, Hedges, and Screening and Landscaping: In order to ensure that fences, walls, gates, hedges, and screening and landscaping do not create traffic hazards at street or road intersections, and where driveways enter streets and roads, the following standards prescribed in this article shall be required by the Zoning Administrator or County Planning Commission for all new uses and major alterations and enlargement of existing uses. These requirements are to protect public health and safety, conserve water resources, and where appropriate, insulate surrounding land uses from their impact.

1. **Fences, Walls, and Hedges** shall be permitted as follows:
 - a. Where a site adjoins or is located across an alley from a R, RM, or RR zoning district, a solid wall or fence, vine covered open fence or compact evergreen hedge six feet in height shall be located on the property line common to such districts, except in a required front yard and/or Traffic Safety Visibility Area as defined in Article 25 of this Development Code.
 - b. In all C Districts, no solid fence, wall, hedge or shrub exceeding three feet in height shall be erected, planted or maintained within a required Traffic Safety Visibility Area.
 - c. No solid fence, open-type fence, or wall, shall exceed seven feet in height if located in a required front, side, or rear yard. Noise attenuation fencing that is required as a mitigation measure is not limited to seven feet, but shall not exceed the height required in the mitigation measure.
 - d. No hedge or shrub shall exceed seven feet in height if located in a required front yard.
2. **Gates** shall be permitted as follows:
 - a. Gates which are used for 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 regular 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 division 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 used for 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 fence line. Secondary access gates shall have locking mechanisms accessible only from the interior side of the gate.

3. General Fencing and Gate Requirements:

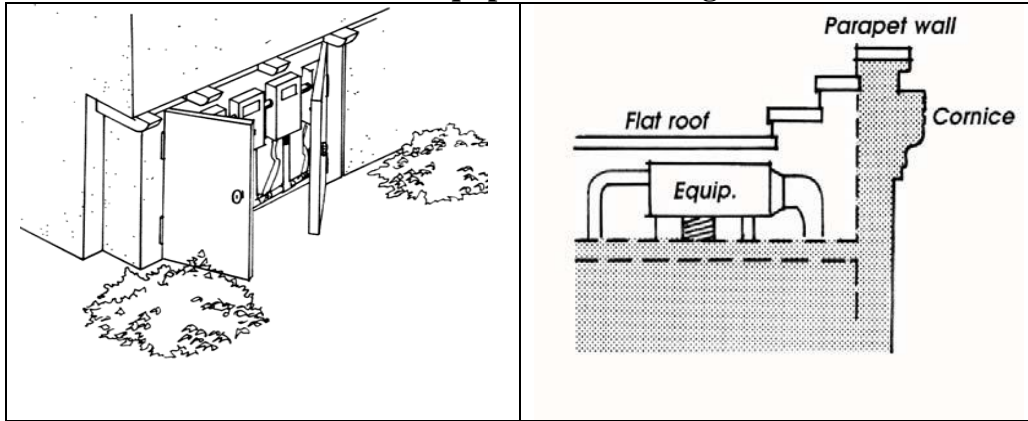
- a. All private, single-family home swimming pools constructed after January 1, 1998 shall be fenced, enclosed or equipped with another safety feature as provided in Sections 115920 – 115927 of the California Health and Safety Code.
- b. Any fence or wall over seven feet in height is a structure and requires a building permit prior to construction.
- c. All heights in this Section shall be measured from the finished grade of site or the adjacent property, whichever is lower.
- d. Fences, walls, hedges, gates, walks, driveways and retaining walls may occupy any required yard or other open spaces, subject to the limitations prescribed in the district regulations.

4. Screening Requirements:

- a. Open storage of materials attendant to a permitted use or conditional use shall be permitted only within an area surrounded or screened by a solid wall or fence six feet in height, provided that no materials or equipment shall be stored to a height greater than that of the wall or fence. The requirement for a solid or screened fence may be modified or eliminated for situations where law enforcement provides comments on the zoning permit application stipulating that the street side fence be an open-type fence to allow patrol officers to ensure there are no unauthorized persons in the yard after hours.
- b. All mechanical or utility equipment, whether on the roof, ground or side of a building must be screened from view, above or below. The method of screening should be architecturally integrated with the structure in terms of materials, color, shape and size. The design of the screening should be done in concert with and as a part of the design of the building, rather than as an afterthought.
- c. Roof mounted mechanical or utility equipment must be screened. The method of screening should be architecturally integrated with the structure in terms of materials, color, shape and size. It is preferable to screen equipment with permanent solid building elements (e.g. parapet wall) instead of after-the-fact add-on screening (e.g. wood or metal slats) which are not part of the structure.
- d. Air conditioning units placed in individual windows and window transom areas are *strongly* discouraged.



Figure 6-1
Equipment Screening



5. Landscaping and Maintenance:

- a. In all C Districts, not less than five feet of a property adjoining a street shall be landscaped and permanently maintained. This requirement may be waived by the Zoning Administrator if the site was previously developed prior to this requirement and does not currently have sufficient space for the five feet of landscaping.
- b. All new urban development shall provide and maintain shade trees and other landscaping along streets and within parking areas to reduce radiation heating.
- c. As stated in Article 15 of this Development Code, all new construction and rehabilitated landscape projects installed after January 1, 2010 are subject to and shall comply with the “Model Water Efficient Landscape Ordinance.” See Article 15 for additional information concerning specific landscaping requirements.
- d. All open and unlandscaped portions of any lot shall be maintained in good condition free from weeds, dust, trash and debris.

C. Signs in Commercial Zoning Districts: Signs shall be allowed in compliance with the regulations contained in Article 14 and as prescribed in Table 6-3 below and the “Specific Limitations and Requirements” section following Table 6-3.

Table 6-3 SIGNS IN COMMERCIAL ZONING DISTRICTS			
Type of Sign	Maximum Number	Maximum Aggregate Sign Area Allowed	<i>Additional Regulations</i>
Business identification signs in CN districts.	Number of signs not to exceed maximum aggregate sign area.	1.5 Sq. Ft. Per 1 linear foot of building frontage.	Only one face of a double-faced sign shall be counted in computing the permitted copy area of the sign. If the sign is multi-faced (3 or more faces), then <u>the third or subsequent faces</u> shall be counted in computing the permitted area of the sign.
Business identification signs in CS, CT and CR districts.	Number of signs not to exceed maximum aggregate sign area.	2 Sq. Ft. Per 1 linear foot of building frontage	Only one face of a double-faced sign shall be counted in computing the permitted copy area of the sign. If the sign is multi-faced (3 or more faces), then <u>the third or subsequent faces</u> shall be counted in computing the permitted area of the sign.



Table 6-3 SIGNS IN COMMERCIAL ZONING DISTRICTS			
Type of Sign	Maximum Number	Maximum Aggregate Sign Area Allowed	<i>Additional Regulations</i>
Business identification signs in CH districts.	Number of signs not to exceed maximum aggregate sign area.	3.2 Sq. Ft. Per 1 linear foot of building frontage not to exceed 240 square feet per direct frontage along each highway.	Only one face of a double-faced sign shall be counted in computing the permitted copy area of the sign. If the sign is multi-faced (3 or more faces), then <u>the third or subsequent faces</u> shall be counted in computing the permitted area of the sign.
Name plate for single-family uses.	1 per legal dwelling unit.	1 sq. ft.	See Section 1406.D.10. Below Cornice or roof line near main entrance.
Identification sign for multifamily residential uses.	1 per multi-unit use.	12 sq. ft.	Below Cornice or roof line flat against a wall.
Parking lot signs for multifamily residential uses.	1	4 sq. ft.	
Window signs.	No Limitation	Not calculated as part of the aggregate sign area per use.	Signs shall cover no more than 15% of a single window's surface area.
Temporary special event signs.	1 per business.	32 sq. ft. in area.	Article 14, Sec. 1406.C.1.
Temporary advertising/promotional signs.	1 per business.	32 sq. ft. in area.	Article 14, Sec. 1406.C.2.
Temporary construction signs.	1 per street frontage.	32 sq. ft. in area.	Article 14, Sec. 1406.D.5.
On-site real estate sign pertaining to the sale, lease, rental or display of a structure or land.	1 per street frontage.	10 sq. ft. in area in CN District. 20 sq. ft. in area in all other commercial districts.	Article 14, Sec. 1406.D.7.
Directional signs for off-street parking and off-street loading facilities.	2	6 sq. ft. in area.	Illuminated or non-illuminated
Open-air barbeque facility signs.	1 "A" frame lettered on both sides or 2 single faced signs.	6 sq. ft. in area.	"A" frame sign shall not be placed in a landscape area, sidewalk or used as an off site directional sign/advertisement. Single faced signs shall be attached to mobile food preparation unit's walls or sides.
Political and other non-commercial signs.	No Restriction.	32 sq. ft. per sign.	See Article 14, Sec. 1406.D.9.
Murals	No Restriction	No Restriction	Shall be non-commercial in nature.

Table 6-3 Specific Limitations and Additional Requirements:

1. All signs shall be located outside of the public right-of-way.
2. No sign other than a directional sign shall project more than 24 inches into a required rear yard or required interior side yard. No sign other than a sign required by law shall project more than 12 inches into a public right-of-way. No outdoor advertising structure shall project into a public right-of-way.
3. No sign permitted by this Section shall be placed within 30 feet of a street intersection (intersecting curb lines) unless placed on a pole at least 12 feet above the ground or unless placed at a maximum height of three feet above ground.
4. No sign which faces and is located directly across the street from property situated in an R-1 or RM District, shall be directly illuminated or flashing.



5. No red, green or amber lights or illuminated signs may be placed in such position that they could reasonably be expected to interfere with or be confused with any official traffic control device or traffic signal or official directional guide signs.
6. Corner lots in Commercial zoning districts at an intersection controlled by traffic lights are not subject to the Traffic Safety Visibility Area restriction.
7. Unless a different setback is specified for a particular zoning district, the minimum setback distance for all signs over three feet in height shall be ten feet from property lines.
8. **Building Frontage:** For the purposes of signage, building frontage shall be considered the wall of a building that faces and is roughly parallel with a public street, excluding an alley. The linear dimension of that building frontage shall be used to calculate allowable signage. Buildings with walls facing more than one public street shall be allowed signage for each building frontage. Buildings located on interior lots (not on a corner) and that are oriented perpendicular to a public street shall be allowed signage based on the longer of the front or side building elevation.

(Ord. No. 668-1-17, §28, 3/28/17)

D. General Provisions and Exceptions: All uses shall be subject to the general provisions and exceptions prescribed in Article 1.

E. Transit Stop Improvements: In Community Plan designated areas, building entrances and pedestrian walkways shall be designed to provide safe and efficient access to nearby public transit stops. The applicant for a development on property which is near or abuts a transit stop may be required to make transit stop improvements. Improvements may include the installation of a bus pad, turnouts, benches, trash receptacles (and service), shade/shelter, security lighting, bike racks, water features, and/or landscaping. When practical, the bus stop shall be built into the project and be compatible with the development.

F. Exterior Lighting: Exterior lighting should be designed to be compatible with the architectural and landscape design of the project, so as not to constitute a nuisance.

1. All new proposed uses shall preserve the existing nighttime environment by ensuring that the outdoor lighting for the use is so arranged and/or hooded as to reflect light away from adjoining properties.
2. An appropriate hierarchy of lighting fixtures/structures and intensity should be considered when designing the lighting for the various elements of a project (i.e., building and site entrances, walkways, parking areas, or other areas of the site).
3. The use of exterior lighting to accent a building's architecture is encouraged. All lighting fixtures shall be properly shielded to eliminate light and glare from impacting adjacent properties, and passing vehicles or pedestrians. If neon tubing is used to illuminate portions of a building it shall be concealed from view through the use of parapets, cornices or ledges. Small portions of exposed neon tubing may be used to add a special effect to a building's architecture but this must be integrated into the overall design of the project.
4. To achieve the desired lighting level for parking and pedestrian areas, the use of several short, low intensity fixtures is encouraged over the use of a few tall fixtures that illuminate large areas.

(Ord. No. 668-1-17, §29, 3/28/17)

G. Stormwater Drainage: All new development within the communities of Armona, Home Garden, Kettleman City, and Stratford shall integrate onsite stormwater drainage features such as small catch basins, rain gardens, and landscape depression basins into their site plans to increase the stormwater detention throughout the community.



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

IN THE MATTER OF DEVELOPMENT CODE)
TEXT CHANGE 668.18 AMENDING)
SECTION 603, TABLE 6-1 OF THE KINGS)
COUNTY DEVELOPMENT CODE TO ALLOW)
THE OPERATION OF A SHORT POUR)
CONCRETE SYSTEM AND THE RENTAL OF)
PORTABLE CEMENT MIXERS TO THE PUBLIC,)
IN THE RURAL COMMERCIAL (CR) ZONE)
DISTRICT, SUBJECT TO THE APPROVAL OF A)
SITE PLAN REVIEW ZONING PERMIT)

RESOLUTION NO. 24-04

Re: Development Code Text Change 668.18

WHEREAS, the County of Kings has adopted an Ordinance known as Development Code No. 668 in order to preserve, protect, and promote the public health, safety, peace, comfort, convenience, prosperity, and general welfare of the County of Kings and there are occasions in which the language of that Ordinance may need to be amended; and

WHEREAS, on March 14, 2024, Brandon Holloway filed an application for Development Code Text Change 668.18 to amend the Development Code to allow for the operation of a short pour concrete system and the rental of portable cement mixers to the public, in the Rural Commercial (CR) Zone District, subject to the approval of a Site Plan Review zoning permit; and

WHEREAS, on April 2, 2024, the Kings County Community Development Agency drafted proposed changes to section 603 of the Kings County Development Code, provided as Exhibit "A" of this Resolution, after ensuring that it is consistent with current law, is internally consistent, implements policies within the 2035 Kings County General Plan, and addresses the needs of the county and the people who live and work here; and

WHEREAS, the approval of Development Code Text Change 668.18 is exempt from CEQA review pursuant to Section 15061(b)(3) of the Guidelines for California Environmental Quality Act (CEQA Guidelines). This section states that a project is exempt from CEQA if the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The changes in the Development Code are technical changes concerning general policy for the implementation of the zoning regulations and there is no possibility that these changes will have a significant effect on the environment by the act of adopting the Development Code. For the same reason, none of the circumstances in CEQA Guideline Section 15300.2 apply. In addition, any new uses added to the Development Code will be required to undergo individual environmental review determination, and will either be ministerial, categorically exempt, or subject to individual CEQA review.

WHEREAS, on May 6, 2024, this Commission held a duly noticed public hearing to receive testimony from any interested person; and

WHEREAS, on May 6, 2024, due to the testimony received during the public hearing, this Commission did not make a specific finding; and

WHEREAS, on June 3, 2024, this Commission held a public meeting to revisit the amendment to Article 6; and

WHEREAS, on June 3, 2024, this Commission considered all of the testimony it had received in the meeting held on May 6, 2024, the report and recommendation of the Community Development Agency Director before taking the following action:

NOW, THEREFORE, BE IT RESOLVED AND CERTIFIED, that this Commission finds that:

1. The approval of Development Code Text Change 668.18 is exempt from *CEQA* review pursuant to Section 15061(b)(3) of the *Guidelines for California Environmental Quality Act (CEQA Guidelines)*.
2. The Commission finds that Development Code Text Change No. 668.18 is consistent with and will implement the policies of the *2035 Kings County General Plan*.
3. The Commission finds that Development Code Text Change 668.18 will achieve the objectives of the General Plan and the Development Code.
4. Adopt Resolution No. 24-04, recommending that the Board of Supervisors approve the Development Code Text Change No. 668.18, as applied subject to a Site Plan Review.

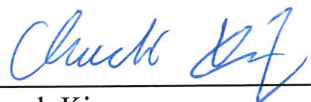
The foregoing Resolution was adopted on a motion by Commissioner Lynch and seconded by Commissioner Dias, at a regular meeting held on June 3, 2024 by the following vote:

AYES: COMMISSIONERS: Lynch, Dias, Maciel, Jones
NOES: COMMISSIONERS: Bryant
ABSTAIN: COMMISSIONERS
ABSENT: COMMISSIONERS

KINGS COUNTY PLANNING COMMISSION


Riley Jones, Chairperson

WITNESS, my hand this 3rd day of June 2024.


Chuck Kinney
Secretary to the Commission

cc: Kings County Board of Supervisors
Kings County Counsel

Attachments: Exhibit "A" - Proposed Development Code Changes

KINGS COUNTY PLANNING COMMISSION
STAFF REPORT

Development Code Text Change No. 668.18
June 3, 2024

APPLICANT: Brandon Holloway
13101 13th Rd., Hanford, CA 93230

PROPOSED CHANGES: Amendment of Article 6, Section 603, Table 6-1 of the Kings County Development Code to allow the operation of a short pour concrete system and the rental of portable cement mixers to the public, in the Rural Commercial (CR) Zone District, subject to the approval of a Site Plan Review zoning permit.

DISCUSSION:

The Kings County Community Development Agency (CDA) is revisiting an ordinance for an amendment to Article 6, Section 603, Table 6-1 to allow the operation of a commercial short pour concrete system and the rental of portable cement mixers to the public, in the Rural Commercial (CR) zone district. At the previously held Planning Commission meeting on May 6, 2024, this Commission was presented with the amendment to Article 6 but did not make a specific finding due to the testimony it received in opposition to the Development Code Text Change. According to Article 21 of the Kings County Development Code, the Planning Commission **must** make a specific finding as to whether the change is in the public interest and will achieve the objectives of the Development Code as prescribed in Article 1, Section 105 of the Development Code. The Commission **must also** determine whether the change would be consistent with the purposes and intended applications of the zoning classification proposed.

The proposed amendment would include the production, storage, and sale of cement materials in the Rural Commercial (CR) zone district. Currently, the Kings County Development Code does not allow for the bulk production, storage, or sale of cement materials in any commercial zone district (See Figure 1).

Figure 1. Development Code Section 603 Current Allowance of Building Material Sales

Table 6-1 COMMERCIAL ZONING DISTRICTS LAND USE REGULATIONS						
KEY "P" Permitted uses - no permit required. "S" Site Plan Review required. "C" Conditional Use Permit required. "TUP" A temporary land use which requires an over-the-counter permit "." Not permitted	ZONING DISTRICT					Additional Regulations
	CN Note 1	CS	CT Note 1	CH	CR Note 1	
Commercial Uses <i>For a definition of the use see Article 25</i>	PERMIT REQUIRED					
★ Building material sales, excluding bulk storage of sand, gravel or cement.	-	S	-	-	S	
Bus depots and passenger transit stations.	S	S*	S	S	S	*Including repair and storage.
Business colleges, trade schools and other specialized education & training.	-	S	S	-	S	
Butcher shops.	-	S	-	-	S	
Cabinet or carpenter shops.	-	S	-	-	S	

The amendment would also include the rental of small portable cement mixers to the public and would be limited to a maximum weight capacity of three (3) cubic yards in concrete weight. Additionally, any proposed facility would be limited to operate at a maximum noise level of 60 decibels at the property lines.

This Commission is free to make an alternate decision of their own regarding the proposed amendment. However, in an effort to support the Commission as best as possible, three possible options are detailed below which your Commission can consider choosing from when deciding how to best render your decision.

Option No. 1 approves the Development Code Text Change of Article 6, Section 603, Table 6-1 of the Kings County Development Code to allow short pour concrete systems and the rental of small portable cement mixers to the public, with a limit of three (3) cubic yards in concrete weight capacity and a maximum noise level of 60 decibels at the property lines, through a non-discretionary Site Plan Review zoning permit in the Rural Commercial (CR) zone district as the applicant has requested. An example of said changes to Article 6 can be seen below in **Figure 2** and is provided as Exhibit “A” of Resolution No. 24-04 (Option #1).

Figure 2. Development Code Section 603 Allowance of Short Pour Concrete Systems and the Rentals of Portable Cement Mixers subject to the approval of a Site Plan Review zoning permit.

Table 6-1 COMMERCIAL ZONING DISTRICTS LAND USE REGULATIONS						
KEY “P” Permitted uses - no permit required. “S” Site Plan Review required. “C” Conditional Use Permit required. “TUP” A temporary land use which requires an over-the-counter permit “-” Not permitted	ZONING DISTRICT					Additional Regulations
	CN Note 1	CS	CT Note 1	CH	CR Note 1	
Commercial Uses <i>For a definition of the use see Article 25</i>	PERMIT REQUIRED					
Restaurants or similar eating establishments that sell or serve beer, wine, and/or distilled spirits which require or obtain a special ABC license # 41, 47, or 75.	C(2)	S(2)	S	S	S(2)	See Note 2.
Retail Sales Type Uses	S	-	-	S	S	See List in Article 25
Riding stables and riding academies.	-	-	C	C	C	
Safe and vault repair services.	-	S	-	-	S	
Sheet metal shops.	-	S	-	-	S	
Short pour concrete systems and portable cement mixer rentals.	-	-	-	-	S*	*Limited to operate at a maximum of 60 decibels at the property lines. Portable cement mixers shall not exceed three (3) cubic yards in concrete weight capacity.

Option No. 2 approves the Development Code Text Change of Article 6, Section 603, Table 6-1 of the Kings County Development code to allow short pour concrete systems and the rental of small portable cement mixers to the public, with a limit of three (3) cubic yards in concrete weight capacity and a maximum noise level of 60 decibels at the property lines, through a discretionary Conditional Use Permit in the Rural Commercial (CR) zone district. An example of said changes to Article 6 can be seen below in **Figure 3** and is provided as Exhibit “A” of Resolution No. 24-04 (Option #2).

Figure 3. Development Code Section 603 Allowance of Short Pour Concrete Systems and the Rentals of Portable Cement Mixers subject to the approval of a Conditional Use Permit.

Table 6-1 COMMERCIAL ZONING DISTRICTS LAND USE REGULATIONS						
KEY "P" Permitted uses - no permit required. "S" Site Plan Review required. "C" Conditional Use Permit required. "TUP" A temporary land use which requires an over-the-counter permit "L" Not permitted	ZONING DISTRICT					Additional Regulations
	CN Note 1	CS	CT Note 1	CH	CR Note 1	
Commercial Uses <i>For a definition of the use see Article 25</i>	PERMIT REQUIRED					
Restaurants or similar eating establishments that sell or serve beer, wine, and/or distilled spirits which require or obtain a special ABC license # 41, 47, or 75.	C(2)	S(2)	S	S	S(2)	See Note 2.
Retail Sales Type Uses	S	-	-	S	S	See List in Article 25
Riding stables and riding academies.	-	-	C	C	C	
Safe and vault repair services.	-	S	-	-	S	
Sheet metal shops.	-	S	-	-	S	
Short pour concrete systems and portable cement mixer rentals	-	-	-	-	C*	*Limited to operate at a maximum of 60 decibels at the property lines. Portable cement mixers shall not exceed three (3) cubic yards in concrete weight capacity.

Option No. 3 rejects the Development Code Text Change of Article 6, Section 603, Table 6-1 of the Kings County Development Code and recommends that the Board of Supervisors does not approve Development Code Text Change No. 668.18 (Resolution No. 24-04 Option #3).

GENERAL PLAN REVIEW:

The Community Development Agency (CDA) has the responsibility to administer and maintain the 2035 Kings County General Plan. The proposed changes will remain consistent with the goals and objectives of the General Plan. Specifically, Section III.A.3, on page LU-15, of the Land Use Element in the 2035 Kings County General Plan states that the Rural Commercial Designation is intended primarily for application to such rural service centers of the County as Armona, Kettleman City, Stratford, Grangeville, Hardwick, and Halls Corner to permit the establishment of uses which cater primarily to the needs of rural residents. Since it is not reasonable to expect large-scale urban development within these communities with an attendant demand for specialized commercial designations, the Rural Commercial Designation is established to permit the accommodation of most of the commercial uses otherwise provided for in other commercial designations. In addition, LU Objective D1.5, on page LU-43, of the Land Use Element in the 2035 Kings County General Plan increases economic reinvestment by directing future commercial and industrial development to existing Community District areas as outlined in each Community Plan in order to meet the daily needs of residents and provide employment opportunities near residences and transportation routes.

ENVIRONMENTAL REVIEW:

The approval of Development Code Text Change No. 668.18 is exempt from CEQA review pursuant to Section 15061(b)(3) of the Guidelines for California Environmental Quality Act (CEQA Guidelines). This section states that a project is exempt from CEQA if the activity is covered by the general rule that CEQA applies only to projects, which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The changes to

the Development Code are technical changes concerning general policy for the implementation of the zoning regulations and there is no possibility that these changes will have a significant effect on the environment by the act of adopting the Development Code Text Change. For the same reason, none of the circumstances in CEQA Guideline Section 15300.2 apply. In addition, any uses allowed by the Development Code Text Change will be required to undergo their own individual environmental review determinations, and will either be ministerial, categorically exempt, or subject to individual CEQA review.

STAFF RECOMMENDATION:

Staff recommends that the Commission, upon conclusion of the public meeting recommend:

1. The approval of the Development Code Text Change 668.18 is exempt from CEQA review pursuant to Section 15061(b)(3) of the Guidelines for California Environmental Quality Act (CEQA Guidelines).
2. The Commission finds that Development Code Text Change No. 668.18 is consistent with and will implement the policies of the *2035 Kings County General Plan*.
3. The Commission finds that Development Code Text Change 668.18 will achieve the objectives of the General Plan and the Development Code.
4. Adopt Resolution No. 24-04 (Option #1/ Option #2 / Option #3), making a recommendation to the Board of Supervisors regarding Development Code Text Change No. 668.18.

PREPARATION:

Prepared by the Kings County Community Development Agency (Yesenia Kharufeh) on May 17, 2024, 2024. Copies are available for review at the Kings County Community Development Agency, Government Center, Hanford, California, or at the Kings County Clerk's Office, Government Center, Hanford, California.

Exhibit C

Kings County Development Code

Article 21, Section 2108

Sec. 2108. Action of the Planning Commission:

- A. Within 45 days following the close of the public hearing or hearings, the Commission shall make a specific finding as to whether the change is in the public interest and will achieve the objectives of the Development Code prescribed in Article 1, Section 104 of this Development Code and whether the change would be consistent with the purposes and intended applications of the zoning classification proposed.
- B. Within 90 days following the close of the public hearing, the Commission shall transmit a written report to the Board of Supervisors recommending that the application be granted or denied or that the proposal be adopted or rejected. The report shall include the following:
 - 1. One copy of the application.
 - 2. The resolution of the Commission or request of the Board.
 - 3. The scale drawing of the site and the surrounding area, and all other data filed with the site plan.
 - 4. The minutes of the public hearing.
 - 5. The report of the Zoning Administrator.
 - 6. The findings of the Commission,
 - 7. Reasons for the recommendation concerning the proposed amendment.

Exhibit D

2023 California Environmental Quality Act & CEQA Guidelines

Section 15300.2. Exceptions.

(a) Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located – a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply in all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.

(b) Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.

(c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.

(d) Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.

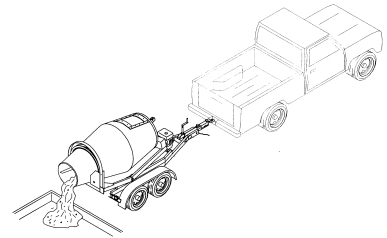
(e) Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.

(f) Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.

Exhibit E



Dry Delivery Systems

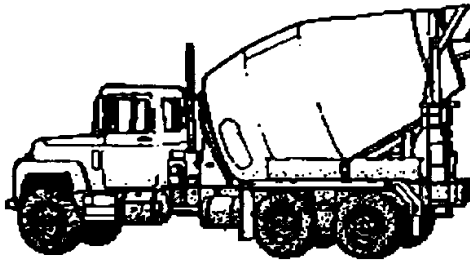
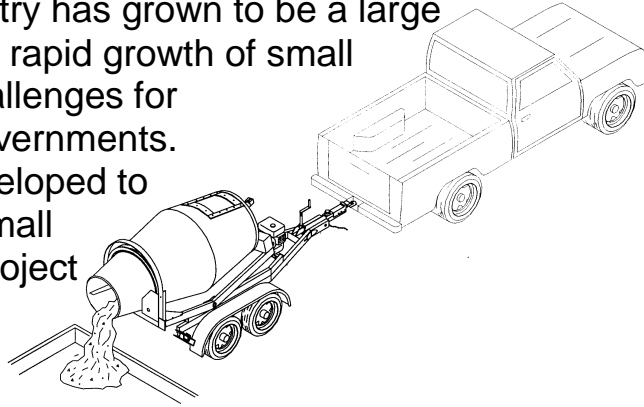


**Equipment Specifications
and Local Impact
Information**



ShortPour Concrete

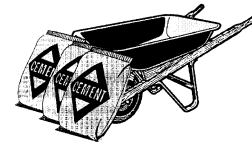
The Home Improvement industry has grown to be a large part of most communities. The rapid growth of small projects has created many challenges for consumers as well as local governments. ShortPour Concrete was developed to solve the problem of getting small quantities of concrete to the project site and reduce the impact on existing roads.



Most small concrete projects require less than 4 yards of concrete, but have traditionally required heavy transit-mix trucks to roll down existing residential streets. The impact of these large batch plants and heavy trucks has increased because of the multiple trips these trucks take to

service all of the residences in a given area. These heavy trucks, even with small loads do severe damage to sidewalks in residential areas as they service the small project customer.

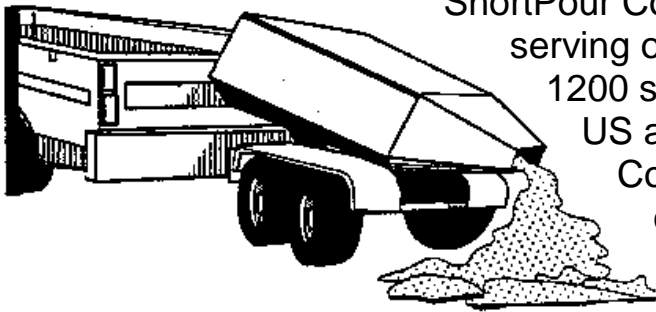
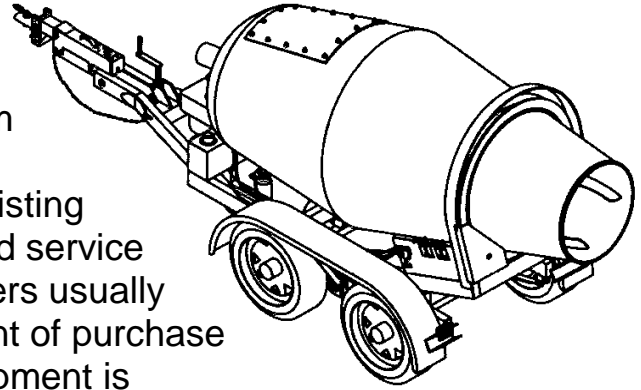
Using transit-mix trucks or mixing the material in a small mixer on the site require extra expense to the consumer. Extra short load fees as high as \$300 are required from the transit-mix companies.



Alternatively, it can take as many as twelve extra trips to the material yard for sand, gravel and cement to pour a small 3-yard patio.

 **CART-AWAY**
CONCRETE
Concrete Solutions for Your Community

ShortPour Concrete is a benefit to the local community because of the size of the equipment and the extra revenue generated. ShortPour only requires a compact material dispensing system and small towable trailers. Most ShortPour systems are added to existing building material or rental stores and service existing customers. These customers usually drive less than 5 miles from the point of purchase to their job-site. All ShortPour equipment is designed to be used in city environments, to increase the cash flow of existing businesses, and increase the tax revenues for the community.



ShortPour Concrete has a long history of serving our communities, with over 1200 systems in cities across the US and Canada. Cart-away Concrete Systems has provided clean and efficient solutions to the short-load concrete problem through these modern TRM systems.



Concrete Solutions for Your Community

Transit-mix VS ShortPour Concrete

10 yards per load

50 yards a day

80,000 lbs. per load

1 yard per load

3 to 5 yards a day

6,000 lbs. per load



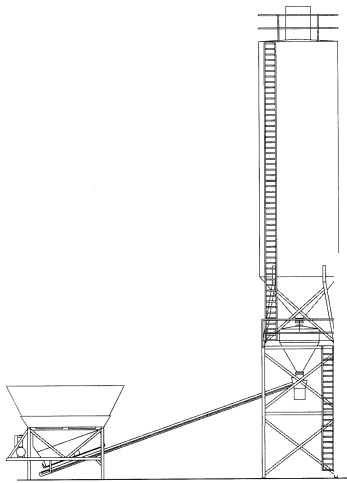
Because concrete is a major building material in most construction projects there are hundreds of thousands of cubic yards of concrete delivered to local projects every year. Most of this concrete is delivered in large transit-mix trucks.

In every community there are many small concrete projects that require what is called a “Short-load” of concrete. These short-loads are for projects of 4 yards or less and are usually done in existing residential areas.

Thousands of these short-load ready-mix projects are delivered every year. Traditionally, these short-loads are delivered using heavy transit-mix trucks that have a major impact on local streets and walks. The average short-load delivery is 2.5 yards which means thousands of trips down local roads by these heavy trucks. The Cart-Away concrete system replaces the heavy trucks with small trailers. These trailers have only 10% of the impact on streets as the large trucks, saving on street maintenance and replacement.

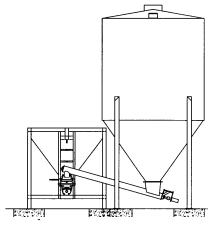


Transit-mix VS ShortPour Concrete



Big Volumes

170,000 yards per year
60 to 75 feet tall
4,590,000 gallons of water
79,900,000 lbs of powder cement



Small Volumes

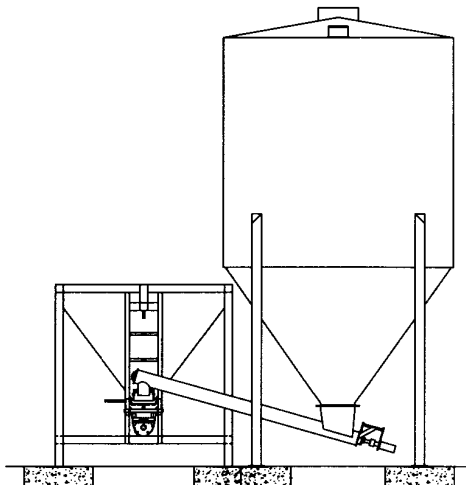
1200 yards per year
19'6" tall
26,400 gallons of water
564,000 lbs of powder cement

The average transit-mix concrete plant produces around 500 yards of concrete every day. These large volumes of concrete require several truckloads of raw materials to be delivered each day. This is in addition to the transit-mix trucks going out to deliver ready-mixed concrete. These trucks weigh about 80,000 lbs. each loaded with either aggregates or powdered cement.

An average Cart-Away concrete system will receive one truckload of aggregates per week and one load of powdered cement each month. Community streets will benefit from the reduced truck traffic needed to supply raw materials for short-load projects.

A Cart-Away system uses only 26,000 gallons of water in a year so there is little impact on the local water systems. Air quality will have minimal impact due to the small volumes of cement and aggregates needed to service the Cart-Away system and the EPA approved bag house. A Cart-Away short-load concrete system is the ideal way to reduce impact to community systems.



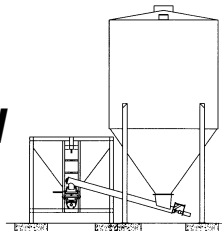


The Dry Material Dispenser:

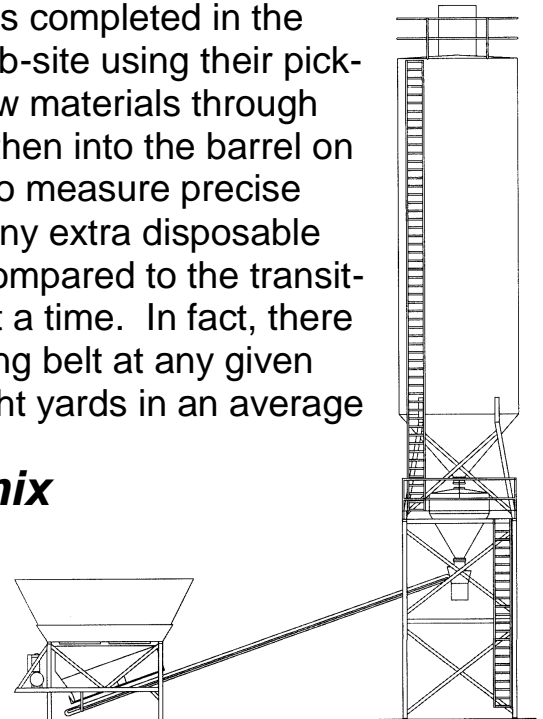
The material is placed into a mixing trailer using a Cart-Away dry material dispenser. The loading belt conveys the sand, gravel and cement into the barrel of a Cart-Away mixing trailer where it is

blended with water. All of the concrete mixing is completed in the trailer as the customer pulls the trailer to the job-site using their pick-up truck. The dry material dispenser moves raw materials through augers and short belts to the loading belt and then into the barrel on the mixing trailer. The dispenser is calibrated to measure precise volumes of sand, rock and cement to reduce any extra disposable waste. The calibrated volumes are very low compared to the transit-mix batch plant that mixes eight to ten yards at a time. In fact, there is less than 1/4 yard of material is on the loading belt at any given time and most locations dispense less that eight yards in an average day.

Dry Material Dispenser



Transit-mix Plant



The total height of the Cart-away dry concrete dispenser is very low, with the material hopper at less than eight feet and the cement silo under twenty feet. Transit-mix plants will be at least twice this height. ShortPour Concrete locations can easily fit into commercial lots without causing line of site blockages. Each concrete dispensing system is compact and designed to be easily maintained. The impact to the community is minimal because noise levels are well bellow standards and traffic flow increases are very small.



The Local Impact:

The environmental impact of the Cart-Away dry material dispenser system is low because of an AQMD approved dust control system and the fact that all concrete mixing is completed in transit to the job-site. On-site water reclamation systems aren't necessary because materials are fed into the barrel dry and no rinsing is done after the loading process. Because there is no wet concrete mess to dispose of, the dry system cleans up in minutes.



The clean-up waste products amount to less than a wheelbarrow load per day and can be reused in the raw material pile.

The dry materials dispenser and mixing trailers have demonstrated to communities that they are excellent additions to the neighborhood. In fact, most municipalities allow installations in I-1 zones and occasionally C-1 or 2 commercial zoning with an accessory use permit. Because of the small size and impact, many agencies agree that Cart-Away is more retail in scope than it is industrial like the large transit-mix operations.

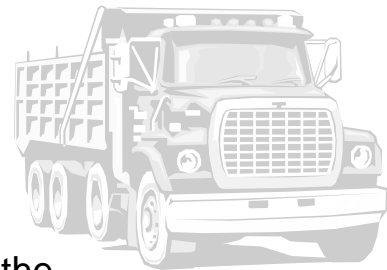
ShortPour concrete has a proven history supporting the needs of the communities that they serve. Customers benefit from a convenient source for the short-load concrete because Cart-Away fills this underserved niche. The business operator benefits from the increased revenues from the ShortPour. Moreover, the community benefits because of reduced environmental impact and greater revenues for local services.



Dry-Mix Material Flow Profile:

The Cart-Away dry-mix system uses the barrel of the mixing trailer to blend materials into concrete while in the end user's possession.

The raw materials are delivered to the TRM location via truck and stored in material bins on the site. The average location will produce approximately 3-5 yards of concrete per day.

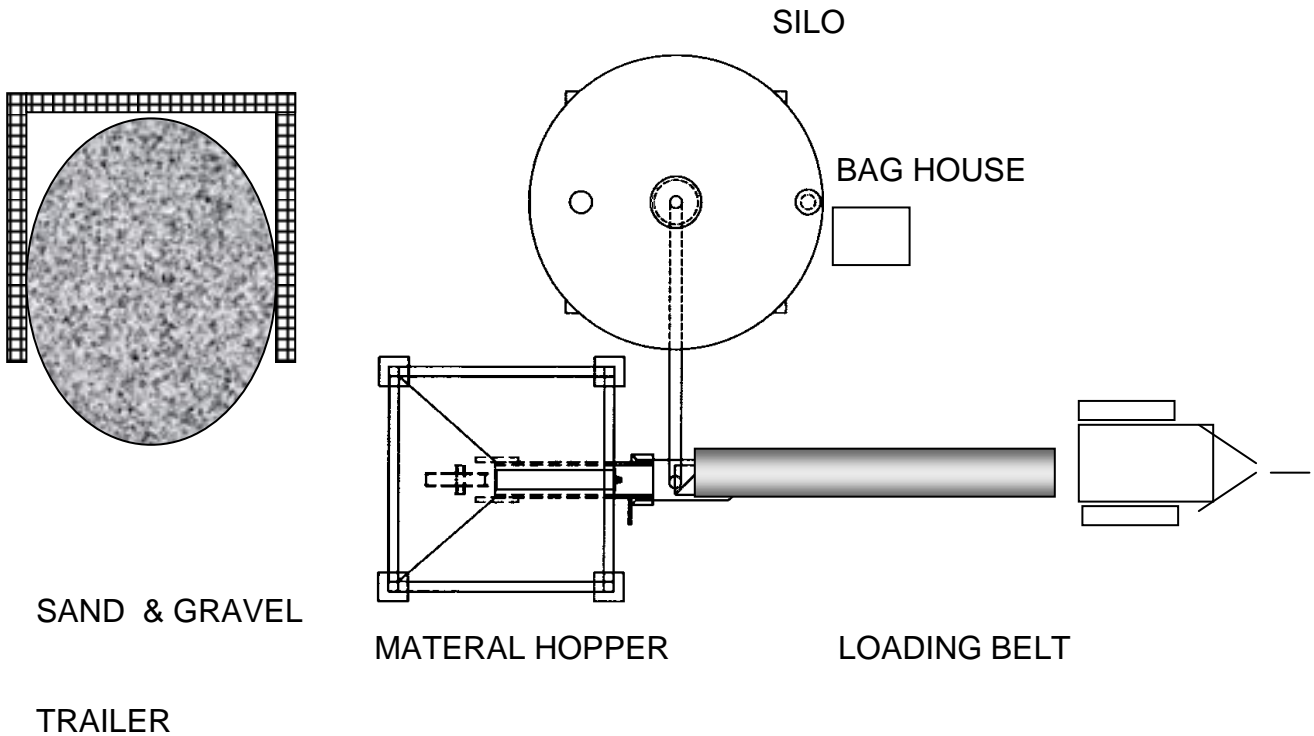


Sand and Gravel are usually stored in a three sided walled bin (typically 10'x12') that can be filled using a dump truck. Cement is blown into the silo by a common pneumatic tanker that is mounted on a trailer. Most locations use independent vendors to provide the transportation of these items to their yard.

The profile of the material flow through the dispenser to the trailer and ultimately to the job-site is as follows:

- Sand and Gravel are delivered from the quarry: 1 load = 24 tons, weekly delivery.
- Cement from manufacturer: 1 load = 26 tons, monthly delivery.
- Any excess cement dust travels through a discharge tube in the silo to a ground mounted bag house (AQMD approved) to be captured and filtered.
- Sand and Gravel are loaded into the dispenser hopper from the storage bin using a front loader. Loaded one time each day on average. The flow rate of this material is calibrated at one cubic yard (trailer capacity) for a two minute cycle.

- Sand and Gravel mixture moves through the dispenser via a short, enclosed conveyor under the material hopper. This material drops onto the covered loading conveyor to be moved into the mixing trailer barrel. Water is metered into the barrel of the trailer at the end of the conveyor.
- The cement is augered onto the conveyor from the silo in an enclosed tube. The cement drops directly into the sand and gravel drop area using a 6" diameter hose to eliminate dust. Flow rate is calibrated at 235 lbs per minute for a five-bag mix in a two minute cycle.
- All of the materials are loaded into the barrel through a water halo to be mixed in transit.
- The trailer then is pulled to the job-site.

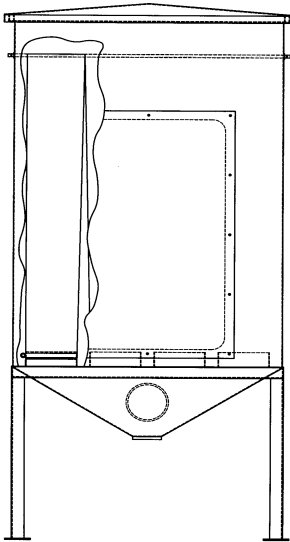


Air Quality Impact

The powdered cement that is used to produce concrete must be contained and controlled in order to maintain air quality.



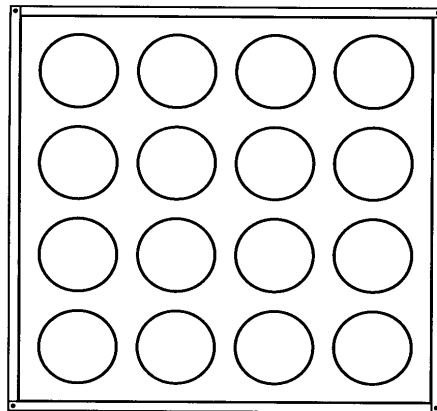
The material dispenser and silo have been design to reduce the “fugitive dust” that can escape during the silo filling process and while blending the materials.



Cart-Away concrete systems use an AQMD approved silo and a ground mounted bag house to control the cement dust. The cement is moved from the pneumatic delivery truck via a hose to the silo’s enclosed fill tube. Cement flows into and fills the silo using air pressure. All excess cement dust is contained in an overflow tube that moves this dust to the bag house next to the silo. The bag house is completely enclosed and filters the air using eight filter bags from sixteen intake ports. These filters trap particles down to 1 micron and are easily cleaned and maintained. The convenient ground mount design allows the operator to inspect and monitor the filtering process.

Cart-Away Bag House Specifications:

Model:	CBH
Bag area	150.5 sq.ft.
Bags	8ea. 8” x 108”
Max. flow rate	400 C.F.M.
Air to Cloth Ratio	2.65
Vent Velocity	400 C.F.M – 24ft / sec.
Bag Fabric	9.7 oz. Cotton Satine
Burst	268 PSI
Permeability	10 – 20 C.F.M.
Efficiency	99% Particle retention down to 1 Micron.
Total Solid Particulate	Less than 1 lb. per fill cycle.

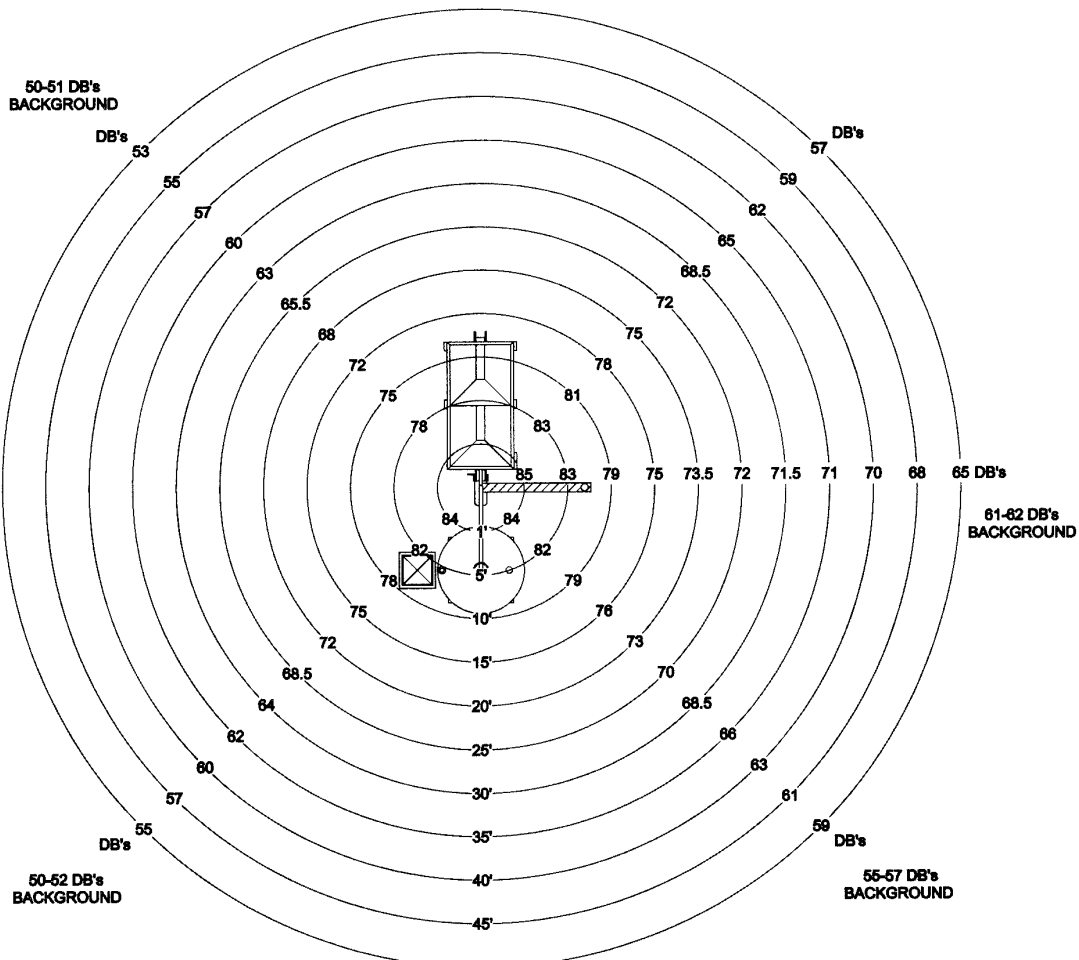


Fill Cycle 52,000 lbs.
 Specifications for Max. 10 PSI filter.

Sound levels = Restaurant Conversation..



The sound measurement of a concrete dispenser is similar to those found in a busy restaurant. These levels last approximately four minutes every time the dispenser is used. Since the average dispenser services five to eight customers a day, these sound levels amount to only thirty minutes a day.



Noise Sources and Their Effects

Noise Source	Decibel Level	comment
Jet take-off (at 25 meters)	150	Eardrum rupture
Aircraft carrier deck	140	
Military jet aircraft take-off from aircraft carrier with afterburner at 50 ft (130 dB).	130	
Thunderclap, chain saw. Oxygen torch (121 dB).	120	32 times as loud as 70 dB. Painfully loud
Steel mill, auto horn at 1 meter. Turbo-fan aircraft at takeoff power at 200 ft (118 dB). Riveting machine (110 dB); live rock music (108 - 114 dB).	110	16 times as loud as 70 dB. Avg human pain threshold
Jet take-off (at 305 meters), use of outboard motor, power lawn mower, motorcycle, farm tractor, jackhammer, garbage truck. Boeing 707 or DC-8 aircraft at one nautical mile (6080 ft) before landing (106 dB); jet flyover at 1000 feet (103 dB); Bell J-2A helicopter at 100 ft (100 dB).	100	8 times as loud as 70 dB. Serious damage possible in 8 hr exposure
Boeing 737 or DC-9 aircraft at one nautical mile (6080 ft) before landing (97 dB); power mower (96 dB); motorcycle at 25 ft (90 dB). Newspaper press (97 dB).	90	4 times as loud as 70 dB. Likely damage 8 hr exp
Garbage disposal, dishwasher, average factory, freight train (at 15 meters). Car wash at 20 ft (89 dB); propeller plane flyover at 1000 ft (88 dB); diesel truck 40 mph at 50 ft (84 dB); diesel train at 45 mph at 100 ft (83 dB). Food blender (88 dB); milling machine (85 dB); garbage disposal (80 dB).	80	2 times as loud as 70 dB. Possible damage
Passenger car at 65 mph at 25 ft (77 dB); freeway at 50 ft from pavement edge 10 a.m. (76 dB). Living room music (76 dB); radio or TV-audio, vacuum cleaner (70 dB).	70	Arbitrary base of comparison. Upper 70s are annoyingly loud to some people.
Conversation in restaurant, office, background music, Air conditioning unit at 100 ft	60	Half as loud as 70 dB. Fairly quiet
Quiet suburb, conversation at home. Large electrical transformers at 100 ft	50	One-fourth as loud as 70 dB.
Library, bird calls (44 dB); lowest limit of urban ambient sound	40	One-eighth as loud as 70 dB.
Quiet rural area	30	One-sixteenth as loud as 70 dB. Very Quiet
Whisper, rustling leaves	20	
Breathing	10	Barely audible

[modified from <http://www.wenet.net/~hpb/dblevels.html>] on 2/2000. SOURCES: Temple University Department of Civil/Environmental Engineering (www.temple.edu/departments/CETP/environ10.html), and *Federal Agency Review of Selected Airport Noise Analysis Issues*, Federal Interagency Committee on Noise (August 1992). Source of the information is attributed to *Outdoor Noise and the Metropolitan Environment*, M.C. Branch et al., Department of City Planning, City of Los Angeles, 1970.





COUNTY OF KINGS BOARD OF SUPERVISORS

GOVERNMENT CENTER HANFORD, CALIFORNIA 93230 (559) 852-2362
Catherine Venturella, Clerk of the Board of Supervisors

AGENDA ITEM June 25, 2024

SUBMITTED BY: Department of Finance – Erik Urena/Rob Knudson
SUBJECT: ESTABLISH BOOKING FEE RATE FOR FISCAL YEAR 2024-2025
SUMMARY:

Overview:

Pursuant to Government Code (GC) Section 29550, each year, it is necessary to reset jail booking fees by ordinance. Booking fees are calculated by the County Department of Finance and established by the Board of Supervisors. With the adoption of Government Code Sections 29551 & 29552, counties now receive funding directly from the State in lieu of charging booking fees to outside agencies. However, there are still situations where the County can recover actual booking costs. Therefore, it is necessary to establish a current rate each year. The calculated fee recommended for fiscal year (FY) 2024-25 is \$185 per booking.

Recommendation:

- a. Conduct a Public Hearing to consider an ordinance establishing the booking fee rate for Fiscal Year 2024-25;
- b. Introduce the ordinance and waive the first reading.

Fiscal Impact:

The County will be receiving its full allocation of \$120,000 from the State, which is the same as the FY 2023-24 allocation. This allocation is included in the FY 2024-25 Recommended Budget in Budget Unit 223000. Since this is the County’s full statutory allocation, cities will not be charged a fee.

BACKGROUND:

Booking fees are intended to permit a county to recoup its actual costs associated with the booking of persons arrested by peace officers and brought to the County jail for booking or detention. Since 1999, there have been numerous changes to the way the County is reimbursed for these costs and how it is allowed to bill outside agencies.

(Cont’d)

BOARD ACTION :

APPROVED AS RECOMMENDED: _____ OTHER: _____

I hereby certify that the above order was passed and adopted
on _____, 2024

CATHERINE VENTURELLA, Clerk to the Board

By _____, Deputy.

Agenda Item

ESTABLISH BOOKING FEE RATE FOR FISCAL YEAR 2024-25

June 25, 2024

Page 2 of 2

Frequently, the State augments its methodology of reimbursing counties for booking costs. In 2011, the new realignment structure implemented by the Governor put more stability into their reimbursement of booking fees. The County's full statutory allocation of about \$120,000 is now included in the annual budget. Receiving the full allocation restricts the County from billing any booking fees to cities. If the County does not receive an allocation from the State, then the booking fee authority reverts to the option under Government Code Section 29550 of charging cities one-half of the current rate. If the County receives a partial allocation, it will continue the existing structure and charge the fiscal year 2005-06 adjusted rate in proportion to the level of under-appropriation. As a result, if the County only receives 40 percent of the allocation, it would be able to charge 40% of the FY 2005-06 rate. Government Code Sections 29551 & 29552 has dictated FY 2005-06 as the base year.

Despite the way the County receives funding for booking costs, the Department of Finance must still calculate the actual booking fee rate each year, conduct a public hearing, and have the Board adopt an ordinance establishing this fee for the next fiscal year. The actual rate is still needed in case the State eliminates the funding.

The proposed booking fee for FY 2024-25 is calculated at \$185. This is a 13.5% increase from the previous year fee of \$163. The net increase is mainly due to increasing employee salary and benefit costs, as well as increased building maintenance and utility costs. Total bookings have also decreased significantly, which drives up the rate.

The ordinance has been reviewed and approved by County Counsel as to form.

ORDINANCE NO.

AN ORDINANCE RELATING TO
JAIL PROCESSING FEES

The Board of Supervisors of the County of Kings ordains as follows:

SECTION 1. This ordinance is adopted pursuant to Kings County Ordinance section 22-120, et seq. and Government Code section 29550.

SECTION 2. The following fees shall be charged by the Kings County Sheriff for processing persons brought to the Kings County Jail after arrest and detention on and after July 1, 2024.

Per processing	\$185.00
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SECTION 3. This Ordinance shall take effect thirty (30) days after its adoption and before the expiration of fifteen (15) days after its passage, shall be published with the names of the members of the Board of Supervisors voting for and against the same in the Hanford Sentinel, a newspaper published in the County of Kings.

The foregoing ordinance was introduced at a meeting of this Board of Supervisors of the County of Kings held on June 25, 2024, and adopted at a meeting held on July 2, 2024, by the following vote:

AYES: Supervisors
NOES: Supervisors
ABSENT: Supervisors

Chairperson of the Board of Supervisors
County of Kings, State of California

WITNESS my hand and seal of said Board of Supervisors this 2nd day of July, 2024.

Clerk of said Board of Supervisors