

# 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 August 4, 2014

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 the (nature of the proposed action) 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
2. SUMMARY OF THE AGENDA - Staff
3. 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.

4. APPROVAL OF MINUTES - Meeting of June 2, 2014.

### II. OLD BUSINESS None

### III. NEW BUSINESS

1. **CONDITIONAL USE PERMIT NO. 14-02 (CHAMPIONS RECOVERY - WEISENHAUS)** – A proposal to establish a 49-bed outpatient substance abuse treatment facility within an existing building located at 11517 15<sup>th</sup> Ave, Lemoore, Assessor's Parcel Number 017-310-047.
  - A. Staff Report
  - B. Public Hearing
  - C. Decision: Roll Call Vote

2. **KINGS COUNTY DEVELOPMENT CODE UPDATE** – Informational item. An update on the progress of the new Development Code by the Community Development Agency.

A. Discussion

#### **IV. MISCELLANEOUS**

1. **FUTURE MEETINGS** - The next regular meeting of the Planning Commission is scheduled for Monday, September 8, 2014.
2. **CORRESPONDENCE**
3. **STAFF COMMENTS**
4. **COMMISSION COMMENTS**

#### **V. ADJOURNMENT**

**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 – Bob Bajwa

District 3 Commissioner – R.G. Trapnell\*

District 4 Commissioner – Jim Gregory\*\*

District 5 Commissioner - Louise Silacci

\*Chairman

\*\*Vice-Chairman

**June 2, 2014**

**CALL TO ORDER:** The meeting of the Kings County Planning Commission was called to order by Chairman Trapnell, on June 2, 2014, at 7:00 p.m. in the Board of Supervisors Chambers, Administration Building, Kings County Government Center, Hanford, California. The Pledge of Allegiance was recited.

**COMMISSIONERS PRESENT:** Riley Jones, Louise Silacci, R.G. Trapnell, Bob Bajwa, Jim Gregory

**COMMISSIONERS ABSENT:** None

**STAFF PRESENT:** Greg Gatzka – Director, Erik Kaeding – County Counsel, Chuck Kinney – Deputy Director – Planning, Terri Yarbrough – Executive Secretary, Sandy Roper – Principle Planner

**VISITORS PRESENT:** Beth Hoffman, Bert Wilgenburg, Willy Arts

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

**UNSCHEDULED**

**APPEARANCES:** No one spoke during this portion of the meeting.

**APPROVAL OF MINUTES:** A motion was made and seconded (Jones/Silacci) to approve the minutes of the March 3, 2014 meeting. Motion carried unanimously with Gregory abstaining.

**OLD BUSINESS - None**

**NEW BUSINESS:**

**1. Conditional Use Permit No. 13-2 (Gales 3 MW Solar Project)**

Mr. Roper provided an overview of a proposal to establish a 3 Megawatt (MW) commercial photovoltaic solar energy generating facility located at 7749 7<sup>th</sup> Avenue, Hanford, Assessor's Parcel Number 014-090-033. He reported that the project site is located within the General Agriculture (AG-20) zoning district, is consistent with the Kings County General Plan, and is subject to a Farm Land Security contract. He also reported that one comment letter was received from the California Department of Fish and Wildlife prior to the close of the comment period. The comments resulted in minor changes to the Initial Study/Mitigated Negative Declaration (IS/MND). The comments did not identify a new significant effect, nor did they result in a finding that the proposed mitigation measures IS/MND will not reduce potential effects to a less than significant level. Instead, the minor changes serve merely to clarify, amplify and make insignificant modifications to the IS/MND. Accordingly, pursuant to CEQA Guidelines Section 15073.5, recirculation of the IS/MND is not required. Mr. Roper stated that the address was listed incorrectly on page one of the resolution. The address is 7749 7<sup>th</sup> Avenue rather than 28990 Hwy 41, Kettleman City.

Chairman Trapnell opened the public hearing and asked if there was anyone wishing to speak in favor of the project. Beth Hoffman, representing the applicant, spoke in favor of the project and thanked the Commission for considering the project. Commissioner Gregory expressed concern that this project is one of the first to be located on productive soil and felt there will be an impact to agriculture. Beth responded that they searched for less productive land but

there wasn't any available. Seeing nobody else wanting to speak in favor of the project, he then asked if there was anyone wanting to speak in opposition to the project. Mr. Willy Arts spoke against the project and expressed concern that adjacent property values would be devalued. Commissioner Trapnell asked if he had anything to support that statement, which he did not. Mr. Burt Wilgenburg also spoke against the project and stated that he had seven neighbors who signed statements that they were not in favor of placing solar panels on prime farm land. He was concerned that this land traditionally has been used for feed for the dairies which is becoming scarce. He asked if there was anyone else wishing to speak against the project. Seeing none, he asked if the applicant had a rebuttal. Beth Hoffman stated they were considering growing grapes or blueberries which will be more visually screening so that might help address the concern of property values. She also stated that they are required to show a viable farming plan as a condition of the permit. Commissioner Jones asked about the crops on the adjacent parcels. Commissioner Gregory asked about dust control and if adequate space was being allowed to turn at the end of the rows. He also inquired about the frequency of washing the panels. Chairman Trapnell then closed the Public Hearing.

Commissioner Silacci made a motion not to approve resolution 14-06 and stated that she was against giving up any farm land. Motion died for a lack of a second. A motion was made and seconded (Jones/Gregory) to adopt Planning Commission Resolution No. 14-06 approving the proposal to establish a 3 Megawatt (MW) commercial photovoltaic solar energy generating facility, as amended to correct the address on the first page of the resolution. Motion carried with four voting yes and Silacci voting no.

- 2. Election of Officers** – Mr. Gatzka asked for nominations for Chair and Vice-Chair. Commissioner Silacci nominated Commissioner Gregory for Chairman. A motion was made and seconded (Trapnell/Jones) to close he nominations and cast a unanimous ballot. Motion carried unanimously. Commissioner Bajwa nominated Commissioner Jones for Vice Chairman. A motion was made and seconded (Gregory/Trapnell) to close the nominations and cast a unanimous ballot. Motion carried unanimously.

## MISCELLANEOUS

- 1. FUTURE MEETINGS:** The next regular meeting of the Planning Commission is scheduled for Monday, July 7, 2014.
- 2. CORRESPONDENCE:** Two pieces of correspondence were received. One was a community flier from DTSC regarding Chemical Waste Management and the other was a letter from the California High Speed Rail announcing that the project was approved and the east alignment had been selected.
- 3. STAFF COMMENTS:** Greg Gatzka announced that Commissioner Silacci's term had ended and she was not seeking reappointment. He recognized Commissioner Silacci for over 17 years of service on the Planning Commission and presented her with a plaque.
- 4. COMMISSION COMMENTS:** None

**ADJOURNMENT** – The meeting was adjourned at 8:02 p.m.

Respectfully Submitted,

**KINGS COUNTY PLANNING COMMISSION**

  
**Gregory R. Gatzka, Commission Secretary**

# KINGS COUNTY PLANNING COMMISSION STAFF REPORT

## Conditional Use Permit No. 14-02 Zoning Ordinance No. 269.69 August 4, 2014

**APPLICANT:** Sue Weisenhaus, 700 N. Irwin St, Hanford, CA 93230

**PROPERTY OWNER:** Adelaide Castrence, 5308 La Mirada Way, Stockton, CA 95212

**LOCATION:** 11517 15<sup>th</sup> Avenue, Lemoore

**GENERAL PLAN  
DESIGNATION:** Limited Agriculture (AL-10)

**ZONE DISTRICT  
CLASSIFICATION:** Limited Agricultural (AL-10)

**CONDITIONAL USE  
PROPOSED:** The applicant proposes to establish a 49-bed outpatient substance abuse treatment facility within the existing building and an on-site Kings County Probation Department office.

### DISCUSSION:

The applicant is proposing to establish a 49-bed outpatient substance abuse treatment facility within an existing vacant residential care facility. The applicant, Sue Weisenhaus, is the Executive Director of Champions Recovery Alternative Programs, Inc. in Hanford. In 2013, Champions Recovery opened Samuel's House in Hanford which is a 12-bed men's residential program. Champions Recovery is proposing to expand Samuel's House at the 15<sup>th</sup> Avenue location in Lemoore.

The project site contains five (5) existing structures. Building No. 1 is a 27 bedroom, single story structure that will be utilized to house the program residents. Building No. 1 has nine (9) bathrooms, an activity room, a living room, a kitchen/dining area and an uncovered patio area. Building No. 1 will have a capacity of 49 residents. Building No. 2 is a two story, four (4) bedroom home that is being rented separately by the land owner and is not part of Champions Recovery's application. Building No. 3 is a one story, three (3) bedroom double wide mobile home that is currently vacant and will not be used for residential purposes and is intended to be used as future office space. Building No. 4 is a metal two story building that houses a water filtration system. Building No. 5 is a metal single story building that houses part of the agricultural operation also located on the site.

The proposed facility will be staffed 24-hours per day and a probation officer on-site. There will be at least two staff members each 8 hour shift in the evenings and weekends. The majority of the residents will be court-ordered and supervised by the Kings County Probation Department. The applicant has stated that

there will be 24-hour surveillance system to ensure safety as well as a installing a fence around the facility for additional safety and privacy.

The existing facility has served as either an abuse facility or elderly care facility over the years. The last approval was in 2007 for a residential care facility. The specific approvals can be found in the Parcel Zoning Permit History section.

**PARCEL ZONING PERMIT HISTORY:**

1. Administrative Approval No. 735, a proposal to allow as mobile home as farm employee housing, was approved on January 16, 1973.
2. Administrative Approval No. 1158, a proposal to renew a permit for a mobile home as farm employee housing, was approved on February 20, 1975.
3. Administrative Approval No. 1453, a proposal to renew a permit for a mobile home as farm employee housing, was approved on February 10, 1977.
4. Administrative Approval No. 1937, a proposal to use a mobile home as a residence for the assistant manager of Smith Country Home, was approved on December 9, 1980.
5. Conditional Use Permit No. 1373, a proposal to increase the existing residential care home from 19 to 25 people, was approved on December 7, 1981.
6. Administrative Approval No. 2069, a proposal to increase the number of residents of the residential care home from 25 to 39, was approved on January 9, 1984.
7. Administrative Approval No. 2075, a proposal to construct an addition to the residential care home to allow for 10 additional residents, was approved on February 21, 1984.
8. Administrative Approval No. 2249, a proposal to allow for a mobile home as a residence for transitional living for up to 4 residents and construction of an addition to the existing residential car home, was approved on August 23, 1988.
9. Conditional Use Permit No. 05-11, a proposal to establish an addiction recovery facility for men up to 7 residents, was approved on March 6, 2006.
10. Conditional Use Permit No. 07-05, a proposal to establish an elderly residential care facility to house 49 elderly residents, was approved on May 7, 2007.

**CURRENT USE OF THE SITE:**

An existing vacant residential care facility.

**LAND USE**

**SURROUNDING SITE:**

Agricultural residences and agricultural field crops are located to the North, South, East, and West of the project site. The unincorporated community of Armona is located approximately one-half mile east of the project site. State Route 198 is located south of the project site.

**ENVIRONMENTAL REVIEW:**

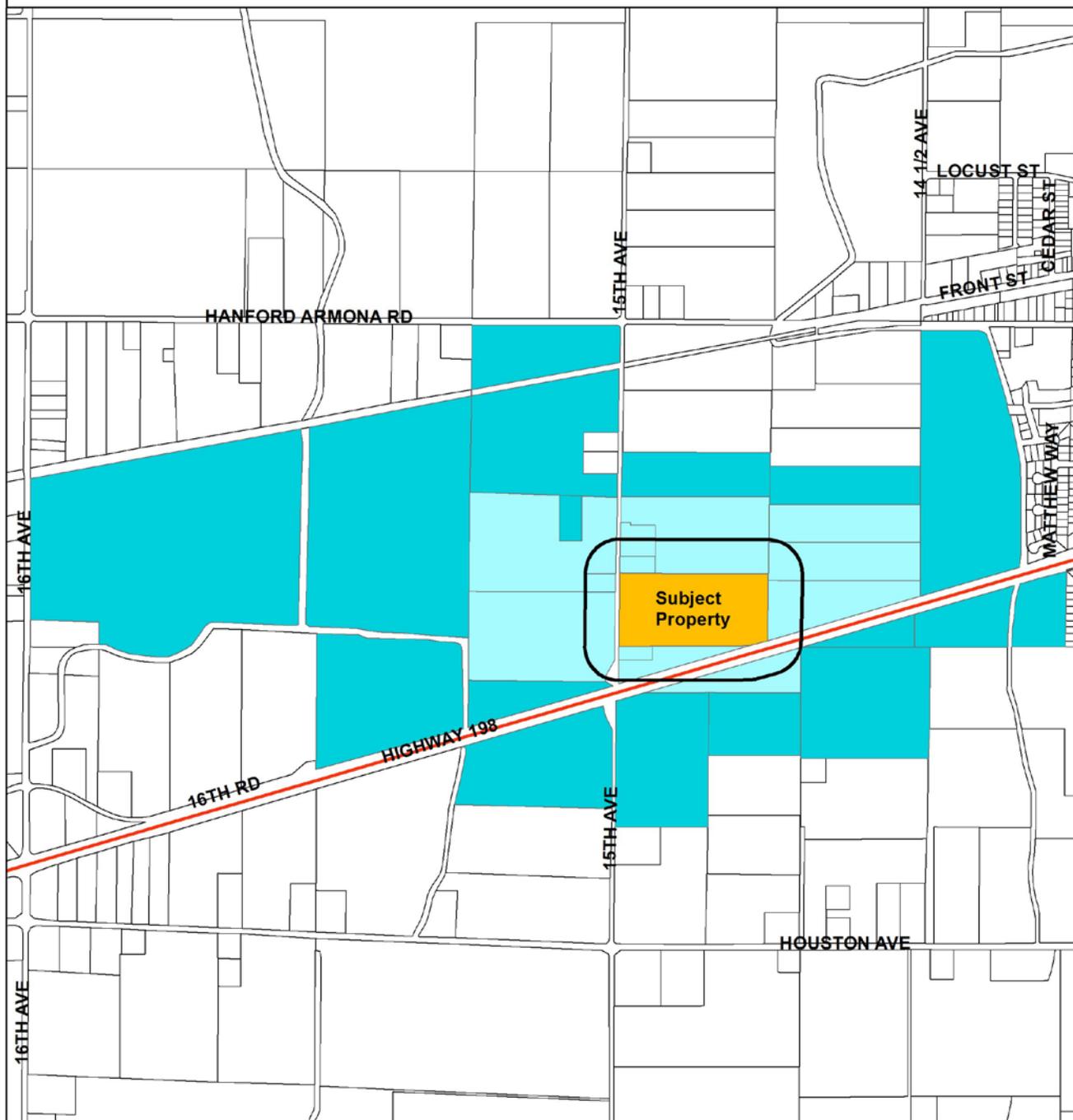
The proposed project is Categorically Exempt from environmental review pursuant to Section 15301 of the Guidelines for Environmental Quality Act (CEQA Guidelines). Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or other minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features,

involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

**PROJECT REVIEW:**

June 30, 2014	Application submitted
July 1, 2014	Application certified complete
August 4, 2014	Planning Commission hearing

# CUP 14-02 Site and Notification Map



Map prepared by  
**Dan Kassik**  
Kings County Community Development Agency  
July 2, 2014  
1400 W. Lacey Blvd., Hanford, CA 93230

### Legend

- Subject Property
- 300-foot Radius
- Next Adjacent Parcels

# CUP 14-02 Existing Site Map



Map prepared by  
**Dan Kassik**  
Kings County Community Development Agency  
July 2, 2014  
1400 W. Lacey Blvd., Hanford, CA 93230

### Legend

-  Subject Property
-  Highways

- STAFF ANALYSIS:** In order to approve this permit, the Commission is first required to find that:
- (A) The use conforms with objectives of the ordinance and policies of the General Plan.
  - (B) The use should not be detrimental to public health and safety, nor materially injurious to properties in the vicinity.
  - (C) The use will comply with applicable provisions of the ordinance.

With regard to these required findings, staff comments that:

1. This proposal conforms with the objectives and policies of the Kings County General Plan, specifically:
  - A. Figure LU-11, of the 2035 Kings County General Plan Land Use Element, designates this site as Limited Agriculture (AL-10).
  - B. Page LU-13, Section III.A.1. of the “Land Use Element” states that the Limited Agriculture designation is intended primarily for application around cities and community districts to serve as a transitional buffer between intensive agricultural uses and urban land uses. Intensive agricultural uses are allowed in General Agriculture designated areas, and may include large animal concentrations. The Limited Agriculture designation allows less intensive agricultural practices and operations that are considered more compatible with urban land uses.
  - 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.
2. The use should not be detrimental to public health and safety, nor materially injurious to properties in the vicinity. The proposed project is Categorically Exempt from environmental review pursuant to Section 15301 of the Guidelines for Environmental Quality Act (CEQA Guidelines). Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or other minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency’s determination.

3. The use complies with the applicable provisions of the ordinance, specifically: The proposed project, as recommended for approval, is consistent with the *Kings County Zoning Ordinance*.
  - A. Article 4, Section 404.D.4 of the Limited Agricultural (AL-10) District lists “Community facilities and institutions including churches, monasteries, convents, and other religious institutions; philanthropic and charitable institutions; health facilities; private, non-commercial clubs and lodges; day care uses exceeding fourteen (14) individuals; community care facilities, supportive housing for the target population, and transitional housing which serve seven (7) or more persons as allowed by the Health and Safety Code” as conditional uses subject to Kings County Planning Commission approval.

**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 06031C0190C, 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. ENTERPRISE ZONE FINDINGS:**

- A. The project site is located within the Kings County Enterprise Zone.

**4. AIRPORT COMPATIBILITY ZONE FINDINGS:**

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

**5. SEPTIC SYSTEM FINDINGS:**

- A. The project site is not located within an area requiring engineering for any new septic systems that are installed.

**RECOMMENDATIONS:**

It is recommended that the Commission approve Conditional Use Permit No. 14-02 as described above and adopt Resolution No. 14-07. Approval of this Resolution will:

1. Find that the proposed project is Categorically Exempt from environmental review pursuant to Section 15301 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 Zoning Ordinance*.
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.

A Conditional Use Permit shall lapse and shall become null and void one (1) year following the date on which 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 of the site which was subject of the Conditional Use Permit application. A 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.

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 Dan Kassik of the Kings County Community Development Agency – Planning Division at (559) 852-2655 regarding the following requirements:

1. All proposals of the applicant shall be conditions of approval if not mentioned herein.
2. 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 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 *Zoning Ordinance No. 269*, with particular reference to the Limited Agricultural (AL-10) Zone District standards contained in Article 4 and the standards contained in Article 19.
4. Pursuant to Section 1606.C.1 of the Kings County Zoning Ordinance unless otherwise stated, the following signs are allowed as permitted use and do not require a sign permit, site plan review or conditional use permit. All 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.

Signs shall be permitted only as follows:

- A. Name plates or signs, not directly illuminated, with an aggregate area of not more than forty (40) square feet pertaining to a permitted use, permitted use with site plan review or conditional use conducted on the site.
- B. Signs exceeding forty (40) square feet in structural area and up to one-hundred-fifty (150) square feet in structural area which are incidental and pertaining to a permitted or conditional use may be permitted subject to a site plan review. Such signs may be located on the same parcel or an adjacent parcel used in conjunction with the permitted or conditional use. Signs exceeding forty (40) square feet in structural area may be illuminated and shall be thirty (30) feet from property lines adjacent to a road.
- C. One non illuminated on-site sign real estate sign or subdivision not exceeding thirty-two (32) square feet in structural area with copy on both sides pertaining to the sale, lease, rental or display of a structure or land per Section 1606.B.2.a.

- D. Directional or information (other than advertising) signs not exceeding two hundred and forty (240) square feet in area located adjacent to a state highway or a county road within an area limited by points not closer than one-fourth (1/4) mile or further than three-fourths (3/4) mile from a frontage road turnoff, listing commercial establishments accessible via the frontage road, and further provided that not more than four (4) such signs shall be permitted on each side of the highway or county road.
  - E. Signs not exceeding two hundred forty (240) square feet in area located adjacent to a state highway or county road that is classified as an arterial or collector road (including such designations as urban or rural, major or minor) giving direction to or information about Kings County cities, communities, or rural service centers which are accessible by such state highways or county roads or direct routes consisting of combinations thereof, provided that such signs shall be limited to four (4) per city, community or rural service center regardless of the sign's location in this district, and further provided that such signs shall not contain information pertaining to a subdivision of land or private development, commercial establishments or quasi-public developments.
  - F. Non-illuminated temporary construction signs in accordance with Section 1606.B.2.c.
  - G. Political and Campaign Signs in accordance with Section 1606.B.3.
  - H. Placing a sign on property which is restricted by contract under the *California Land Conservation "Williamson" Act of 1965* shall be prohibited, except for temporary signs (pursuant to Section 1606.B.2.a, c, and d), political and campaign signs (pursuant to Section 1606.B.4), and signs incidental to a permitted use, permitted use with site plan review, or conditional use which are consistent with the *Uniform Rules for Agricultural Preserves in Kings County*.
5. A minimum of twenty-two (22) off-street parking spaces, including one (1) handicapped parking space, shall be provided/maintained and that such parking shall be installed in accordance with the *Kings County Improvement Standards*.
6. All parking areas, aisles, and driveways shall be surfaced and maintained so as to provide a durable, dustless surface. Section 303.G. and Drawing 3036 of the *Kings County Improvement Standards* requires two (2) inches of Type "B" Asphalt Concrete over six (6) inches of R-70 Native @ 95% compaction under the "Heavy Use (Alternative Design)".
7. The minimum yard requirements from property line to a structure shall be as follows:
- A. The minimum front yard shall be not less than fifty (50) feet except along those streets and highways where a greater setback is required by other ordinances of the county including but not limited the Kings County Improvement Standards, and further provided that the distance from the center line of a street to the rear of the required front yard shall not be less than eighty (80) feet.
  - B. The minimum rear yard shall be ten (10) feet.
  - C. The minimum side yards shall be ten (10) feet on interior sites except along those streets and highways where a greater setback is required by other ordinances of the county.
  - D. If greater minimum distance between structures than those listed in the *Kings County Zoning Ordinance* are required by the fire code regulations for safety and fire protection, such greater separation requirements shall be imposed. This includes distances from structures on adjacent properties. Construction methods using higher fire ratings may be substituted to satisfy all or part of such higher fire-related separation requirements.

8. The minimum distance between structures shall be ten (10) feet.
9. Exterior lighting shall be hooded so as to be directed only on site.
10. 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.
11. All open and unlandscaped portions of the lot shall be maintained in good condition, free from weeds, dust, trash and debris.
12. 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.
13. 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.
14. 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.
15. Sales or use 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.
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 Kings County Community Development Agency prior to the permit’s expiration date. It is the responsibility of the applicant to file an extension of time prior to the permit’s expiration date. No further notice will be provided by the Community Development Agency 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.

**OTHER STANDARDS AND REGULATIONS:**

In addition to the above Zoning Ordinance 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 Zoning Ordinance 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. The applicant shall contact the Building Division of the Kings County Community Development Agency, concerning obtaining a compliance inspection to determine the adequacy of the structure for the intended use. After conducting the compliance inspection, the Building Division of the Kings County Community Development Agency shall provide a list of any corrections that need to be made to the building. Any corrections required by the Building Division shall be made prior to the issuance of the certificate of occupancy for the structure.
3. 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.
4. A minimum of (3) sets of plans and calculations signed by an architect or engineer licensed to practice in the State of California shall be required for all structures.
5. The applicant is responsible for contacting the Building Division to request a final inspection of the structures prior to occupying the structures and prior to startup of the operation. No building or structure shall be used or occupied until the Building Division has issued a Certificate of Occupancy.
6. All drive approaches and durable dustless surfaces shall be installed prior to the final inspection and maintained as per County Standards.
7. All special inspection reports shall be provided to the Building Division prior to requesting a final inspection.
8. The site, as well as the buildings, shall be made accessible and usable by the disabled according to the *California Building Code*.

9. 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.
10. The facility shall meet the requirements of the State of California Model Water Efficient Landscape Ordinance. If landscaping is proposed then landscape and irrigation plans shall be provided to the Community Development Agency for review and approval prior to building permit issuance.
11. All construction shall conform to the 2013 California Building Standards Code which consist 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.

**KINGS COUNTY FIRE DEPARTMENT** Contact Rick Smith of the Kings County Fire Department at (559) 852-2881 regarding the following requirements:

1. A sufficient size water storage tank may be required on the site. Plans will need to be submitted to the Fire Department to determine if the existing storage tank is adequate.
2. The tank will need to be equipped with a pressure system and float valve device to keep the tank full at all times.
3. The tank is to have a minimum 4 ½ inch line installed in a manner to permit fire apparatus to be hooked up and draft water from the tank. Hook up for fire apparatus to be in an area easily accessible all year. Outlets for the fire hook up to be a 4 1/2 inch outlet with national standard threads with male outlet with cap to keep clean of trash and a butterfly-type valve.
4. A minimum 20-foot all weather access be provided.
5. A 2A:10BC fire extinguisher is required to be located in plain sight not more than 75 feet from any point in the structure. The location of fire extinguishers must be easily accessible, be free from blocking by storage and equipment or both, be near entrances or exit doors and be rapidly visible. All extinguishers shall be mounted to walls or columns with securely fastened hangers so that the weight of the extinguisher is adequately supported.
6. Employees should be familiar with the use of fire safety equipment.
7. A set of building plans must be reviewed by the Kings County Fire Department to make an adequate determination.
8. The plot plan is inadequate to make a determination and the applicant should meet with the Kings County Fire Department for further information
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10. Plans must comply with the California Fire Code and all regulations of the Kings County Fire Department.
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3. Applicant shall secure an encroachment permit for any work in County right-of-way.
4. Applicant shall provide asphalt concrete drive approach(es).
5. Additional right-of-way of 5 feet by 30 feet along the subject property shall be dedicated.
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7. The drive approach at the south end of the property shall be reconstructed to County standards.

**KINGS COUNTY HEALTH DEPARTMENT** Contact Lee Johnson of the Kings County Department of Environmental Health Services at (559) 852-2631 regarding the following requirements:

1. A public drinking water permit is required from facilities that meet the definition of a small public water systems as per *Section 116275 of the California Safe Drinking Water Act, which is contained in Part 12, Chapter 4 of the California Health and Safety Code*. Facilities that serve 5 or more residential units or provide water to 25 or more people for 60 or more days per year fall under this requirement. A completed and approved application package is required prior to operating a public water system.
2. The on-site septic system must be maintained fully functional and operational at all times.

**CALIFORNIA STATE BOARD OF EQUALIZATION** (For general information, please call the Board of Equalization at 1-800-400-7115).

1. Sales or use 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.

**PREPARATION:**

Prepared by the Kings County Community Development Agency (Dan Kassik) on July 10, 2014. 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.

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

**IN THE MATTER OF CONDITIONAL USE )  
PERMIT NO. 14-02 (Champions Recovery) )  
\_\_\_\_\_ )**

**RESOLUTION NO. 14-07**

**RE: 11517 15<sup>th</sup> Avenue, Lemoore**

**WHEREAS**, on June 30, 2014, Sue Weisenhaus filed Conditional Use Permit No. 14-02; to establish a 49-bed outpatient substance abuse treatment facility within the existing building; and

**WHEREAS**, the application was determined to be complete on July 1, 2014; and

**WHEREAS**, on July 3, 2014, the Kings County Community Development Agency recommended that the proposal is Categorically Exempt from environmental review pursuant to Section 15301, Class 1, of the *California Environmental Quality Act Guidelines (CEQA Guidelines)*; and

**WHEREAS**, on July 25, 2014, the Kings County Planning Department staff notified the applicant of the proposed recommendation on this project; and

**WHEREAS**, on August 4, 2014, 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:

1. The proposed project, as recommended for approval, is consistent with the policies of the Kings County General Plan, specifically:
  - A. Figure LU-11, of the 2035 Kings County General Plan Land Use Element, designates this site as Limited Agriculture (AL-10).
  - B. Page LU-13, Section III.A.1. of the “Land Use Element” states that the Limited Agriculture designation is intended primarily for application around cities and community districts to serve as a transitional buffer between intensive agricultural uses and urban land uses. Intensive agricultural uses are allowed in General Agriculture designated areas, and may include large animal concentrations. The Limited Agriculture designation allows less intensive agricultural practices and operations that are considered more compatible with urban land uses.
  - 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.

2. The proposed project, as recommended for approval, is consistent with the *Kings County Zoning Ordinance*.
  - A. Article 4, Section 404.D.4 of the Limited Agricultural (AL-10) District lists “Community facilities and institutions including churches, monasteries, convents, and other religious institutions; philanthropic and charitable institutions; health facilities; private, non-commercial clubs and lodges; day care uses exceeding fourteen (14) individuals; community care facilities, supportive housing for the target population, and transitional housing which serve seven (7) or more persons as allowed by the Health and Safety Code” as conditional uses subject to Kings County Planning Commission approval.
3. The proposed project is Categorically Exempt from environmental review pursuant to Section 15301, Class 1, of the *California Environmental Quality Act Guidelines (CEQA Guidelines)*. Class 1 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.
4. The project site is not located in an area that requires engineered septic systems.
5. The project site is not located within an established Agricultural Preserve.
6. The site is within Other Areas Zone X as shown on the National Flood Insurance Program, Flood Insurance Rate Map (FIRM), Map Number 06031C0190C, 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.
7. The project site is located within the Kings County Enterprise Zone.
8. 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. 14-02, as proposed, subject to the conditions and exceptions as follows:

1. All proposals of the applicant shall be conditions of approval if not mentioned herein.
2. 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 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 *Zoning Ordinance No. 269*, with particular reference to the Limited Agricultural (AL-10) Zone District standards contained in Article 4 and

the standards contained in Article 19.

4. Pursuant to Section 1606.C.1 of the Kings County Zoning Ordinance unless otherwise stated, the following signs are allowed as permitted use and do not require a sign permit, site plan review or conditional use permit. All 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.

Signs shall be permitted only as follows:

- A. Name plates or signs, not directly illuminated, with an aggregate area of not more than forty (40) square feet pertaining to a permitted use, permitted use with site plan review or conditional use conducted on the site.
- B. Signs exceeding forty (40) square feet in structural area and up to one-hundred-fifty (150) square feet in structural area which are incidental and pertaining to a permitted or conditional use may be permitted subject to a site plan review. Such signs may be located on the same parcel or an adjacent parcel used in conjunction with the permitted or conditional use. Signs exceeding forty (40) square feet in structural area may be illuminated and shall be thirty (30) feet from property lines adjacent to a road.
- C. One non illuminated on-site sign real estate sign or subdivision not exceeding thirty-two (32) square feet in structural area with copy on both sides pertaining to the sale, lease, rental or display of a structure or land per Section 1606.B.2.a.
- D. Directional or information (other than advertising) signs not exceeding two hundred and forty (240) square feet in area located adjacent to a state highway or a county road within an area limited by points not closer than one-fourth ( $\frac{1}{4}$ ) mile or further than three-fourths ( $\frac{3}{4}$ ) mile from a frontage road turnoff, listing commercial establishments accessible via the frontage road, and further provided that not more than four (4) such signs shall be permitted on each side of the highway or county road.
- E. Signs not exceeding two hundred forty (240) square feet in area located adjacent to a state highway or county road that is classified as an arterial or collector road (including such designations as urban or rural, major or minor) giving direction to or information about Kings County cities, communities, or rural service centers which are accessible by such state highways or county roads or direct routes consisting of combinations thereof, provided that such signs shall be limited to four (4) per city, community or rural service center regardless of the sign's location in this district, and further provided that such signs shall not contain information pertaining to a subdivision of land or private development, commercial establishments or quasi-public developments.
- F. Non-illuminated temporary construction signs in accordance with Section 1606.B.2.c.
- G. Political and Campaign Signs in accordance with Section 1606.B.3.
- H. Placing a sign on property which is restricted by contract under the *California Land Conservation "Williamson" Act of 1965* shall be prohibited, except for temporary signs (pursuant to Section 1606.B.2.a, c, and d), political and campaign signs (pursuant to Section 1606.B.4), and signs incidental to a permitted use, permitted use with site plan review, or conditional use which are consistent with the *Uniform Rules for Agricultural Preserves in Kings County*.

5. A minimum of twenty-two (22) off-street parking spaces, including one (1) handicapped parking space, shall be provided/maintained and that such parking shall be installed in accordance with the *Kings County Improvement Standards*.
6. All parking areas, aisles, and driveways shall be surfaced and maintained so as to provide a durable, dustless surface. Section 303.G. and Drawing 3036 of the *Kings County Improvement Standards* requires two (2) inches of Type “B” Asphalt Concrete over six (6) inches of R-70 Native @ 95% compaction under the “Heavy Use (Alternative Design)”.
7. The minimum yard requirements from property line to a structure shall be as follows:
  - A. The minimum front yard shall be not less than fifty (50) feet except along those streets and highways where a greater setback is required by other ordinances of the county including but not limited the *Kings County Improvement Standards*, and further provided that the distance from the center line of a street to the rear of the required front yard shall not be less than eighty (80) feet.
  - B. The minimum rear yard shall be ten (10) feet.
  - C. The minimum side yards shall be ten (10) feet on interior sites except along those streets and highways where a greater setback is required by other ordinances of the county.
  - D. If greater minimum distance between structures than those listed in the *Kings County Zoning Ordinance* are required by the fire code regulations for safety and fire protection, such greater separation requirements shall be imposed. This includes distances from structures on adjacent properties. Construction methods using higher fire ratings may be substituted to satisfy all or part of such higher fire-related separation requirements.
8. The minimum distance between structures shall be ten (10) feet.
9. Exterior lighting shall be hooded so as to be directed only on site.
10. 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.
11. All open and unlandscaped portions of the lot shall be maintained in good condition, free from weeds, dust, trash and debris.
12. 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.
13. 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.
14. 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.

15. Sales or use 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.
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 Kings County Community Development Agency prior to the permit's expiration date. It is the responsibility of the applicant to file an extension of time prior to the permit's expiration date. No further notice will be provided by the Community Development Agency 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.

For additional information regarding the above conditions contact Dan Kassik of the Kings County Community Development Agency at (559) 852-2655.

**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 Zoning Ordinance 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. The applicant shall contact the Building Division of the Kings County Community Development Agency, concerning obtaining a compliance inspection to determine the adequacy of the structure for the intended use. After conducting the compliance inspection, the Building Division of the

Kings County Community Development Agency shall provide a list of any corrections that need to be made to the building. Any corrections required by the Building Division shall be made prior to the issuance of the certificate of occupancy for the structure.

3. 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.
4. A minimum of (3) sets of plans and calculations signed by an architect or engineer licensed to practice in the State of California shall be required for all structures.
5. The applicant is responsible for contacting the Building Division to request a final inspection of the structures prior to occupying the structures and prior to startup of the operation. No building or structure shall be used or occupied until the Building Division has issued a Certificate of Occupancy.
6. All drive approaches and durable dustless surfaces shall be installed prior to the final inspection and maintained as per County Standards.
7. All special inspection reports shall be provided to the Building Division prior to requesting a final inspection.
8. The site, as well as the buildings, shall be made accessible and usable by the disabled according to the *California Building Code*.
9. 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.
10. The facility shall meet the requirements of the State of California Model Water Efficient Landscape Ordinance. If landscaping is proposed then landscape and irrigation plans shall be provided to the Community Development Agency for review and approval prior to building permit issuance.
11. All construction shall conform to the 2013 California Building Standards Code which consist 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.

**KINGS COUNTY FIRE DEPARTMENT** Contact Rick Smith of the Kings County Fire Department at (559) 852-2881 regarding the following requirements

1. A sufficient size water storage tank may be required on the site. Plans will need to be submitted to the Fire Department to determine if the existing storage tank is adequate.
2. The tank will need to be equipped with a pressure system and float valve device to keep the tank full at all times.

3. The tank is to have a minimum 4 ½ inch line installed in a manner to permit fire apparatus to be hooked up and draft water from the tank. Hook up for fire apparatus to be in an area easily accessible all year. Outlets for the fire hook up to be a 4 1/2 inch outlet with national standard threads with male outlet with cap to keep clean of trash and a butterfly-type valve.
4. A minimum 20-foot all weather access be provided.
5. A 2A:10BC fire extinguisher is required to be located in plain sight not more than 75 feet from any point in the structure. The location of fire extinguishers must be easily accessible, be free from blocking by storage and equipment or both, be near entrances or exit doors and be rapidly visible. All extinguishers shall be mounted to walls or columns with securely fastened hangers so that the weight of the extinguisher is adequately supported.
6. Employees should be familiar with the use of fire safety equipment.
7. A set of building plans must be reviewed by the Kings County Fire Department to make an adequate determination.
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The foregoing Resolution was adopted on a motion by Commissioner \_\_\_\_\_ and seconded by Commissioner \_\_\_\_\_, at a regular meeting held on August 4, 2014, by the following vote:

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

**KINGS COUNTY PLANNING COMMISSION**

\_\_\_\_\_  
 Jim Gregory, Chairperson

WITNESS, my hand this \_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
 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 Health Department – Division of Environmental Health Services