

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) 582-3211, ext. 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 January 3, 2011

This meeting will be held in the Board of Supervisors Chambers, Administration Building, Kings County Government Center, 1400 W. Lacey Boulevard, Hanford, California. The agenda packet materials for this meeting are available for review by visiting the Kings County Community Development Agency's website. To access the packet, click on the link showing this meetings date under the "Staff Report" section.

<http://www.countyofkings.com/planning/meetings.html>

I. CALL TO ORDER - Kings County Planning Commission Meeting

1. 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 – Regular Meeting of December 6, 2010.

II. OLD BUSINESS - None

III. NEW BUSINESS

1. **Conditional Use Permit No. 10-07 (Waddington)** –The applicant proposes to establish a tattoo shop within an existing structure located at 10721 14th Avenue, Armona, Assessor's Parcel Number 018-077-017.
 - A. Staff Report
 - B. Discussion
 - C. Decision

IV. MISCELLANEOUS

1. **FUTURE MEETINGS** - The next meeting of the Planning Commission is scheduled for Monday, February 7, 2011.
2. **CORRESPONDENCE**
3. **STAFF COMMENTS:**
 - A. 2011 Planning Commission Calendar
4. **COMMISSION COMMENTS**

V. ADJOURNMENT

**KINGS COUNTY PLANNING COMMISSION
MINUTES**

District 1 Commissioner – Riley Jones

District 2 Commissioner – Mark Cartwright

District 3 Commissioner – R.G. Trapnell

District 4 Commissioner – Jim Gregory

District 5 Commissioner – Louise Draxler

December 6, 2010

CALL TO ORDER: The meeting of the Kings County Planning Commission was called to order by Chairman Cartwright, on December 6, 2010, at 7:01 p.m. in the Board of Supervisors Chambers, Administration Building, Kings County Government Center, Hanford, California. The Pledge of Allegiance was recited.

COMMISSIONERS PRESENT: Mark Cartwright, R.G. Trapnell, Jim Gregory

COMMISSIONERS ABSENT: Louise Draxler, Riley Jones

STAFF PRESENT: Greg Gatzka, Johanna Hartley, Chuck Kinney, Sandy Roper, Jeremy Kinney, Terri Yarbrough

VISITORS PRESENT: Jim Kochar, Lisa Kochar, Lynette Baker, Jim Hansen, Wendy Haydon, John Oliveira, Jan Kahn, Doug Wheeler, Peter Lai

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 (Trapnell/Gregory) to approve the minutes of the September 13, 2010 meeting as presented. Motion carried unanimously.

OLD BUSINESS

None

NEW BUSINESS

Tentative Tract No. 904 (Baker/Kochar) – Mr. Roper provided an overview of a proposed lot line adjustment and a land division for the purpose of retaining a farm home and two transfers of title to two daughters. The lot line adjustment will adjust the boundaries between two (2) existing parcels that are currently 2.0 acres (APN: 028-202-026) and 46.90 acres (APN: 028-202-027) in size. As a result of the adjustment the 2.0 acre parcel will increase to 2.50 acres in size and the 46.90 acre parcel will decrease to 46.40 acres in size. The land division will then divide the 46.40 parcel into five (5) parcels (1.249 acres, 1.918 acres, 2.5 acres, 20.365 acres and 20.365 acres) for the purpose of retaining a farm home on the 1.249 acre parcel and transferring title of the 1.918 acre parcel and the 2.50 acre parcel to two daughters. The project site is located at 9149 Kent Avenue, Hanford, CA. The project is not subject to a *Williamson Act* Contract, is located within an AG-40 zone district, and is consistent with the zoning ordinance and general plan. A mitigated negative declaration was completed and any potential impacts were mitigated to less than significant.

Chairman Cartwright opened the public hearing and asked if there was any testimony in favor of the project. Mr. Jim Hansen requested that the easement to access Parcel No. 6 be shifted to the existing driveway and that the conditions be completed before any building permits are issued. Chairman Cartwright asked if there was anyone else wanting to give testimony, seeing none he closed the public hearing.

A motion was made and seconded (Gregory/Trapnell) to adopt Resolution 10-01 approving the proposed Tentative Tract No. 904 with the following change, strike last sentence of condition number 7 and add condition number 8 which reads “requiring road to be constructed prior to the issuance of building permits for the dwelling on parcel number 6”. Motion carried with three in favor and Draxler and Jones absent.

Conditional Use Permit No. 10-05 (GWF Solar, LLC) – Mr. Jeremy Kinney provided an overview of a proposal to construct a 125 megawatt photovoltaic solar facility, located on the east side of 25th Avenue, south of State Route 198 and west of the Avenal Cutoff Road, Lemoore, CA (Assessor’s Parcel Numbers 024-190-023, 44, 59, 63, 66, 68, 71, 024-210-003, 16, 17, 024-231-008, 024-232-004, 024-241-001, 024-242-001, and 026-020-015). He reported that the construction would be in three phases with an estimated completion date of June 2015. He also reported that the applicant intends to continue some type of agricultural activity on the site. The entire site is under a Farm Land Security Zone Contract and the applicant has chosen to cancel the contract and has taken the first step to cancellation by filing a notice of non renewal. Mr. Jeremy Kinney stated that Kings County did not require the cancellation of the Farm Land Security Zone Contract and provided an overview of changes that had been made to Resolution No. 10-08.

Chairman Cartwright opened the public hearing and asked if there was any testimony in favor of the project. Mr. Doug Wheeler, President of GWF, provided a presentation summarizing the project. Chairman Cartwright asked if there was anyone else wanting to give testimony regarding the project. Seeing none he closed the public hearing. There were concerns expressed regarding labor agreements and water for cleaning the panels. These concerns were addressed by Mr. Wheeler. Commissioner Gregory asked what was being done to insure there will be water available for farming once the land reverts back to farming. Mr. Wheeler explained the water entitlement goes with the property. Mr. Wheeler thanked staff for a complete review of the project.

Mr. Gatzka clarified that the applicant is requesting to cancel the Farmland Security Zone Contract. He asked that a minor change be added to the resolution to clearly indicate that the proposed cancellation is at the request of the applicant. Mr. Gatzka recommended that the following sentence be added at the end of item 8 of the resolution. “At the request of the applicant the following condition has been added to this CUP permit.”

A motion was made and seconded (Trapnell/Gregory) to adopt resolution 10-08 as amended which approved the proposal to construct a 125 megawatt photovoltaic solar facility located on the east side of 25th Avenue, south of State Route 198 and west of the Avenal Cutoff Road, Lemoore, CA. Motion carried with three in favor and Draxler and Jones absent.

MISCELLANEOUS

1. FUTURE MEETINGS

The next regular meeting of the Planning Commission is scheduled for Monday, January 3, 2011.

2. CORRESPONDENCE: None

3. STAFF COMMENTS: Mr. Gatzka announced that the 2011 meeting calendar will be available at the next meeting.

4. COMMISSION COMMENTS: Commissioner Gregory requested a Study Session for the February 7, 2011 Planning Commission meeting to discuss mitigation for loss of agricultural land for projects that removes land from production.

ADJOURNMENT – The meeting was adjourned at 8:15 p.m.

Respectfully Submitted,

KINGS COUNTY PLANNING COMMISSION

A handwritten signature in black ink, appearing to read 'Gregory R. Gatzka', written over a horizontal line.

Gregory R. Gatzka, Commission Secretary

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KINGS COUNTY PLANNING COMMISSION STAFF REPORT

Conditional Use Permit No. 10-07 Zoning Ordinance No. 269 January 3, 2011

APPLICANT: Michael Waddington, 1293 Levich Street, Hanford, CA 93230

PROPERTY OWNER: Hotz Survivor's Trust, C/O Maureen K. Hotz, 13830 Hackett Street, Hanford, CA 93230

LOCATION: 10721 14th Avenue, Armona (APN: 018-077-017)

GENERAL PLAN DESIGNATION: Downtown Mixed Use (DMU)

ZONE DISTRICT CLASSIFICATION: Central Commercial (CC)

CONDITIONAL USE PROPOSED: The applicant proposes to establish a tattoo shop as an adaptive re-use within an existing structure.

PARCEL ZONING HISTORY:

- On March 30, 1982, the Kings County Zoning Administrator approved Site Plan Review No. 82-04 establishing commercial offices and a beauty shop at 10721 14th Avenue, Armona (APN: 018-077-014).
- On April 4, 1987, the Kings County Zoning Administrator approved Site Plan Review No. 08-06 establishing a mini-storage building at 10725 14th Avenue, Armona (APN: 018-077-017). The mini-storage business continues to operate on the site.
- On November 3, 1987, the Kings County Zoning Administrator approved Site Plan Review No. 86-20 establishing a cabinet shop at 10739 14th Avenue, Armona (APN: 018-077-017). The cabinet shop continues to operate on the site.
- On December 22, 2003, the Kings County Zoning Administrator approved Site Plan Review No. 03-57 establishing a tattoo and body piercing business at 10721 14th Avenue, Armona (APN: 018-077-017). The previous tattoo and body piercing business ceased operating at the site.
- On October 4, 2006, the Kings County Zoning Administrator approved Site Plan Review No. 06-50 establishing a catering shop at 10721 14th Avenue, Armona (APN: 018-077-017). The catering shop has ceased operating at the site.

DISCUSSION:

The applicant proposes to establish a tattoo shop as an adaptive re-use within an existing structure. No physical change to the environment will result from the proposed project. The application does not include body modification, body piercing, branding or anything of that nature. The business will operate Tuesday through Sunday from 12:00 p.m. to 10:00 p.m. The applicant has been tattooing for eight years, he is registered with the Kings County Health Department, is up to date on his CPR training and his Bloodborne Pathogens certificate. The applicant has trained in sanitation to protect the health of his clients.

The shop will be kept clean and hygienic. All Health and Safety codes will be enforced and posted. All sterilization will be done by means of an autoclave. The applicant has been trained in the use of an autoclave. Instructions will be posted next to the autoclave. The autoclave will be checked once a month and up to date records will be kept. Every time an item is sterilized, it will be logged with a lot number so that it can be identified at a later date if necessary. The client treatment area will be separate from the area that cleaning and sterilization will be taking place.

Accurate records of every client will be kept. Those records will include name, address, and the date treatment was given. Work that is done will be documented and age verification records will be kept for all clients. No one under the age of eighteen will be permitted to obtain a tattoo. A copy of Id's will be kept on record for all clients. Records will be kept for three years.

The applicant has stated that he will provide a safe work environment for himself, clients, and any other persons that enter his shop. He has stated that he will provide a clean shop that is suitably designed, with staff training and properly maintained equipment in order to provide infection control. The applicant will also offer an ink test free of charge to determine whether or not a client is allergic to tattoo ink. The applicant plans to run a respectable and professional shop that the community can be proud of.

CURRENT USE OF SITE: Commercial offices, a beauty shop and mini-storage.

LAND USE

SURROUNDING SITE: Raven's Deli, Texaco Star Mart, Fast & Friendly Market, Club Armona, Valley Family Health Center, Napa Auto Parts, automotive repair businesses, beauty shops, recycling business, restaurants, other commercial businesses, and residential uses.

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:

November 4, 2010	Application submitted
November 11, 2010	Additional information concerning the project description submitted by the applicant
November 15, 2010	Application certified complete
January 3, 2010	Planning Commission hearing

STAFF ANALYSIS:

In order to approve this permit, the Commission is first required to find that:

1. The use conforms with objectives of the ordinance and policies of the General Plan.
2. The use should not be detrimental to public health and safety, nor materially injurious to properties in the vicinity.
3. 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 of the ordinance and policies of the Kings County General Plan, specifically:
 - A. The proposed project, as recommended for approval, is consistent with the policies of the Kings County General Plan, specifically: The applicable general plan policies are found in the *2035 Kings County General Plan*. The Armona Community Plan Land Use Map designates this site as Downtown Mixed Use (DMU).
 - B. Page LU-4, Section I.D of the “Land Use Element” of the *2035 Kings County General Plan*, states that “Community Districts” represent the four unincorporated communities of Armona, Home Garden, Kettleman City and Stratford which provide limited municipal type services through special districts such as a Community Services District or Public Utilities District. These Community District areas represent the greatest potential for future urban growth within the County and are the focus of detailed Community Plans.
 - C. Page LU-15, Section III.A.3 of the “Land Use Element” of the *2035 Kings County General Plan*, states that Several classes of commercial designations are designed to provide opportunities for various types of retail stores, offices, service establishments and wholesale businesses in locations throughout the County that are conveniently accessible to the public and local patrons. Commercial uses can be mutually beneficial to other land uses when located within communities and other unincorporated urban areas where patrons reside. Commercial designations are implemented by the zoning ordinance, which allows varying degrees of use intensity. Standards for development are contained in the zoning and subdivision ordinances and the County Improvement Standards.

- D. Page LU-15, Section III.A.4 of the “Land Use Element” of the *2035 Kings County General Plan*, states that the Mixed Use Designations are intended for application in unincorporated community downtowns or community core areas, and integrate a mixture of commercial, residential, and office type uses that are often segregated into separate land use areas. Three Mixed Use designations are designed for implementation within the County’s Community Districts. Restrictions for these designations can be found in the Kings County Zoning Ordinance.
- E. Page LU-15, Section III.A.4 of the “Land Use Element” of the *2035 Kings County General Plan*, states that the Downtown Mixed Use designation allows a variety of compatible and integrated land uses to share common structures in a manner that establishes a downtown atmosphere of uses and activity. Downtown Mixed Use is established in definable downtown core areas of the Community Districts and ties to design standards that build upon a community’s desired downtown theme. This designation is intended to provide flexibility in design and use for contiguous parcels having multiple owners, and enhance the character of a community area.
- F. Page LU-40, Section IV.D. of the “Land Use Element” of the *2035 Kings County General Plan*, states that the County’s four unincorporated communities of Armona, Home Garden, Kettleman City, and Stratford comprise the four separate Community District areas. These communities are the only areas served by either a community services district or public utilities district that provide municipal water and wastewater services. A diversity of urban type land uses are already accommodated within these communities and include residential, commercial, industrial, open space, and public. Community Districts therefore hold the most potential for accommodating urban growth within the unincorporated territory of the County. Development in these rural communities must be in done in accordance with County zoning, building, and subdivision ordinances and County Improvement Standards.
- G. Page LU-41, LU Policy D1.2.2 of the “Land Use Element” of the *2035 Kings County General Plan*, prioritizes infill development of vacant and underutilized parcels within the existing special district boundaries where water and sewer service are available to reduce outward growth pressure and costly expansion of district facilities.
- H. Page LU-41, LU Policy D1.3.2 of the “Land Use Element” of the *2035 Kings County General Plan*, requires all new development to comply with County General Plan and Community Plan policies, and subdivision, zoning, and building regulations.
- I. Page LU-41, LU Policy D1.3.2 of the “Land Use Element” of the *2035 Kings County General Plan*, requires preservation of the existing nighttime environment by limiting the illumination of areas surrounding new development. New lighting that is part of residential, commercial, industrial, or recreational development shall be oriented away from sensitive uses, and should be hooded, shielded, and located to direct light pools downward and prevent glare.

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 13, Section 1303.D.8 of the Central Commercial (CC) District lists tattoo establishments as a conditional use 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 06031C0180C, 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 not located within the Kings County Enterprise Zone.
4. AIRPORT COMPATIBILITY ZONE FINDINGS:
 - A. The project site is not located within an Airport Compatibility Zone.

RECOMMENDATIONS:

It is recommended that the Commission approve Conditional Use Permit No. 10-07 as described above and adopt Resolution No. 11-01. 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 *Kings County General Plan* and the *Kings County Zoning Ordinance*.
3. Approve the project with specified conditions of approval.

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 Sandy Roper at the Kings County Community Development Agency - Planning Division at (559) 582-3211, Extension 2685, regarding the following requirements:

1. All proposals of the applicant shall be conditions of approval if not mentioned herein.
2. No one under the age of eighteen will be permitted to obtain a tattoo.
3. 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.
4. The development shall comply with all regulations of *Zoning Ordinance No. 269*, with particular reference to the Central Commercial (CC) Zone District standards contained in Article 13 and the standards contained in Article 19.
5. Pursuant to Section 1606.C.11 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.

Except as provided by Section 1307.D.8, illuminated or non-illuminated signs pertaining to a use conducted on the site shall be permitted only as follows:

- | | | | |
|----|-----------------|-----------------------------|------------------------------|
| A. | | <u>Maximum permitted</u> | <u>Maximum permitted</u> |
| | <u>District</u> | <u>aggregate structural</u> | <u>aggregate copy</u> |
| | | <u>area per use</u> | <u>area per use</u> |
| | CC | 12.5 feet by 25 feet | 240 square feet on each side |
- B. Illuminated or non-illuminated directional signs for off-street parking and off-street loading facilities, not exceeding six (6) square feet for each sign, in all commercial districts.
 - C. One non-illuminated real estate sign pertaining to the sale, lease, rental or display of a structure or land not exceeding ten (10) square feet in a CN or CC District or twenty (20) square feet in all other commercial districts per Section 1606.B.2.a.
 - D. No sign other than a directional sign shall project more than twenty-four (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 twelve (12) inches into a public right-of-way. No outdoor advertising structure shall project into a public right-of-way.
 - E. No sign or permitted by this Section shall be placed within thirty (30) feet of a street intersection (intersecting curb lines) unless placed on a pole at least twelve (12) feet above the ground or unless placed at a maximum height of three (3) feet above ground.
 - F. No sign which faces and is located directly across the street from property situated in an R or RM District, shall be directly illuminated or flashing.
 - G. 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.

- H. Signs may have copy on both sides of the structure, provided that the copy area on each side does not exceed the maximum area specified above in Section 1319.A.1. and Section 1606.C.11.a above for the zone district that the site is located in.
 - I. Non-illuminated temporary construction signs in accordance with Section 1606.B.2.c.
 - J. Political and Campaign Signs in accordance with Section 1606.B.3.
 - K. An open-air barbeque facility is allowed a maximum of two signs designed and placed as follows:
 - a. The signs can be either: one “A” frame sign 3.0 feet tall by 2.0 feet wide or less in size, lettered on both sides and placed on or adjacent to the Open-Air barbeque facility site. The “A” frame sign is not to be placed in a landscape area, sidewalk or used as an off site directional sign/advertisement; OR
 - b. Two single faced signs not exceeding a combined total of 6.0 square feet or less in size attached to the mobile food preparation unit’s walls or sides. The sign shall not project above the height of the wall or sides of the mobile food preparation unit.
 - c. If the mobile food preparation unit is removed at the end of the business day the sign is to be removed also.
 - d. No banners, decorative streamers or signs constructed out of other objects (such as tires) are permitted.
 - L. Murals
 - M. Electronic message display signs, animated signs, window signs and menu signs.
 - N. Fixed balloon type signs.
 - O. Temporary Advertising/Promotional Signs per Section 1606.B.2.b.
 - P. Temporary Special Event Signs per Section 1606.B.2.a.
 - Q. Window signs shall cover no more than 15% of a single window’s surface area.
 - R. All signs shall comply with yard requirements of the districts in which they are located.
6. Exterior lighting shall be hooded so as to be directed only on site.
7. Three (3) off-street parking spaces shall be provided as shown on the approved site plan and that such parking be maintained in accordance with *Kings County Improvement Standards* and the approved site plan. . (Note: Handicapped parking requirements are listed below in Building Division Requirement No. 6.)
8. Pursuant to Section 303.G of the *Kings County Improvement Standards* 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)”.
9. Parking spaces for the physically handicapped shall be located so as to minimize the travel distance to the use's primary entrances for handicapped access. Required off street parking spaces for the physically handicapped, and standards for those spaces, shall meet state standards. See Building Division Requirement No. 6 below.
10. All open and unlandscaped portions of the lot shall be maintained in good condition, free from weeds, dust, trash and debris.

11. 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.
12. 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.
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 permit shall become effective upon the expiration of eight (8) days following the date on which the permit was granted, unless either an appeal is filed or the Board of Supervisors initiates proceedings to review the decision of the Planning Commission.
18. A 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. 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.

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) 582-3211, Extension 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. 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.
5. The development shall comply with all applicable *Americans with Disability's Act (ADA)* requirements as provided in Chapter 11B of the *California Building Code*.
6. Pursuant to Section 1129B of the *California Building Code* one (1) van accessible parking space, allowing room for individuals in wheelchairs, on braces or crutches to get in and out of an automobile onto a level surface, suitable for wheeling and walking shall be provided.
7. Pursuant to Section 1115B of the *California Building Code* an accessible restroom shall be provided. The existing accessible restroom will be inspected during the compliance inspection to verify compliance with accessibility requirements.
8. All construction shall conform to the current adopted California Building Code, California Electrical Code, California Mechanical Code, California Plumbing Code, and California Energy Code.

KINGS COUNTY FIRE DEPARTMENT: Contact Mike Virden of the Kings County Fire Department at (559) 582-3211, Extension 2884 for the following requirements:

1. A 2A-10BC fire extinguisher is required to be located in plain sight not more than 75 feet from any point within the structure. The location of the fire extinguisher must be easily accessible and the extinguisher shall be mounted with fastened hangers so that the weight of the extinguisher is adequately supported.
2. Employees should be familiar with the use of fire safety equipment.
3. Exit signs shall have the word "EXIT" on the sign in block capital letters not less than 6 inches in height with a stroke of not less than $\frac{3}{4}$ inch. The letters shall have a contrasting color to the background of the sign. Exit signs shall be placed above all exit doors and shall be illuminated at all times. Exit signs may be self-illuminating, internally illuminated or externally illuminated.

KINGS COUNTY HEALTH DEPARTMENT Contact Lee Johnson at the Kings County Health Department, Division of Environmental Health Services (KCHDEHS) at (559) 582-3211, Extension 2631, regarding the following requirements:

1. The operation has already registered as a tattooist with the KCHDEHS. Any additional tattoo staff must also register with KCHDEHS and pay a \$25 one time fee.
2. The facility must be inspected by the KCHDEHS annually, at a cost of \$105 per inspection.
3. Pending adoption of other laws and regulations, the facility should comply with all standards provided in "Standards of Practice for Tattooing, Body Piercing, and Permanent Cosmetics" available on the KCHDEHS website at www.countyofkings.com/health/ehs/tattooing.htm
4. The operator must ensure that the business facility is maintained in a sanitary condition and reusable operational equipment is sterilized prior to use. Any biohazardous wastes generated are to be stored and managed in accordance with the State's Medical Waste Management Act. A copy of the act can be obtained from the Department or via download from the Department's website: <http://www.countyofkings.com/health/ehs/>. A guidance document entitled "*A guidance document for tattooing, body piercing, and permanent cosmetics*" is also available from the Department for implementation. The facility operator and employees are to undergo blood borne pathogen training.

ARMONA COMMUNITY SERVICES DISTRICT Contact the Armona Community Services District's Engineer, Matthew Kemp, at (559) 449-2700 for the following requirements:

1. It is our understanding that the subject property already has a service connection to the District's water and sewer systems. Based on the proposed fixture units and existing active service, the District has determined that a will serve letter is not required for the proposed project.
2. If the fixture count and type is modified a revised site layout shall be submitted to the District so water demand can be evaluated. If it is determined that a will serve letter is required, the applicant must make a request to the District for additional service and conditions of approval will be provided at that time.
3. The applicant shall submit additional information about any equipment (e.g. sterilization equipment) that will be directly connected to the water supply plumbing in the proposed tattoo

shop so that a determination can be made on backflow prevention requirements. If any equipment is connected directly to the water supply, a point-of-use reduced pressure principle backflow prevention device will be required.

4. The applicant will be required to submit a new Nonresidential Waste Discharge Permit application to the District, and pay all fees.

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

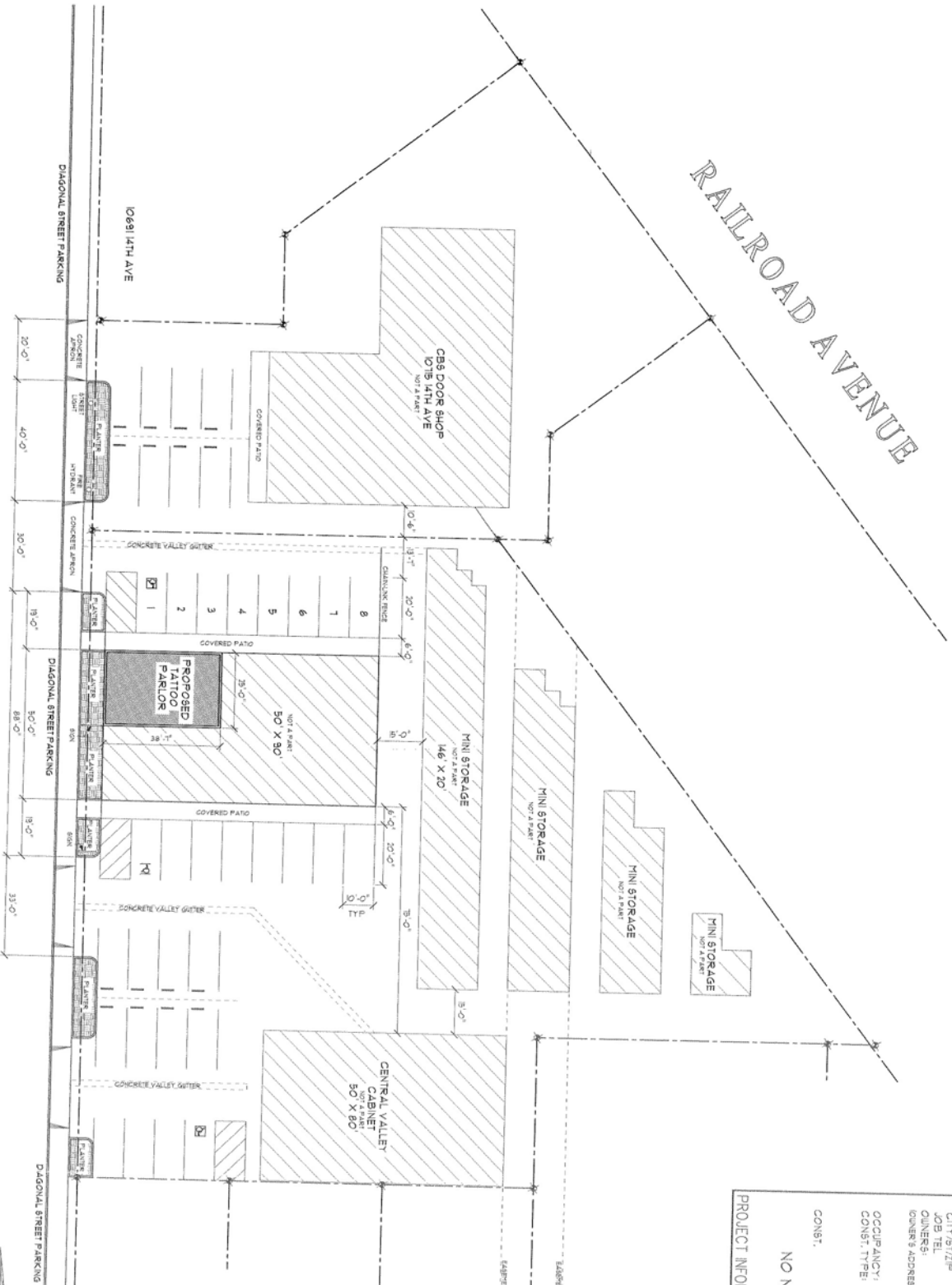
1. Sales or use tax may apply to business activities on the site. The applicant may seek written advice regarding the application of tax to your particular business by writing to the nearest State Board of Equalization office.

PREPARATION:

Prepared by the Kings County Community Development Agency (Sandy Roper) on December 20, 2010. Copies are available for review at the Kings County Community Development Department, Government Center, Hanford, California, or at the Kings County Clerk's Office, Government Center, Hanford, California.

RAILROAD AVENUE

10721 14TH AVENUE APN: 018-077-017



PROJECT INFORMATION

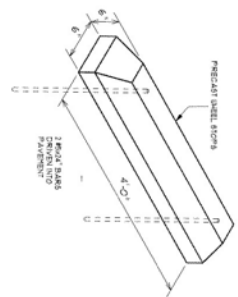
PROJECT:	TATTOO PARLOR
APN:	018-077-017
ADDRESS:	10721 14TH AVENUE
CITY:	ARROYO, CA
ZIP:	9581
OWNER:	HAUKEN NOTZ
OWNER'S ADDRESS:	10721 14TH AVENUE HANFORD CA 93230 (559)
OCCUPANCY:	A-3
CONST. TYPE:	VM
CONST.:	SINGLE - STOREY

NO NEW CONSTRUCTION

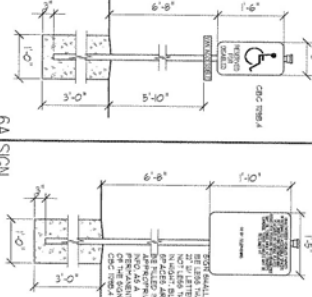


<p>DATE: OCT 28, 2010</p> <p>SCALE: AS SHOWN</p> <p>DRAWN BY: E. R. PANZERA</p> <p>CHECKED BY: E. R. PANZERA</p> <p>PROJECT NUMBER: 584-3300</p> <p>SITE</p>	<p>MAILING ADDRESS: P.O. BOX 561 HANFORD CA 93232</p> <p>PHYSICAL ADDRESS: 38 E. FOURTH STREET HANFORD CA 93230</p>	<p>THIS IS AN ORIGINAL UNREVISED WORK. IT MAY NOT BE REPLICATED, PUBLISHED, OR OTHERWISE USED WITHOUT WRITTEN CONSENT OF PATRICK PANZERA, © 2010</p>	<p>REVISIONS</p> <table border="1"> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> </table>						

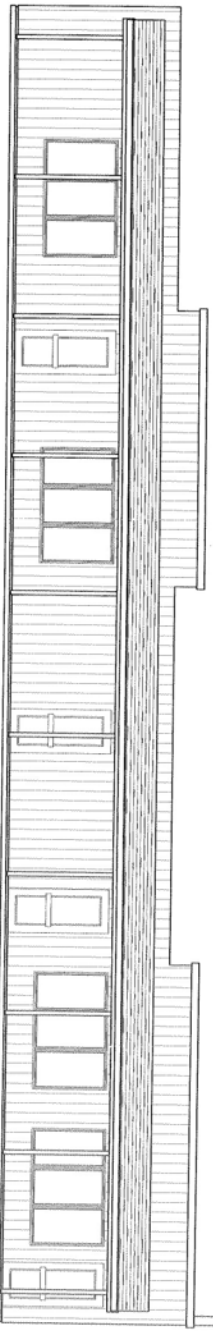
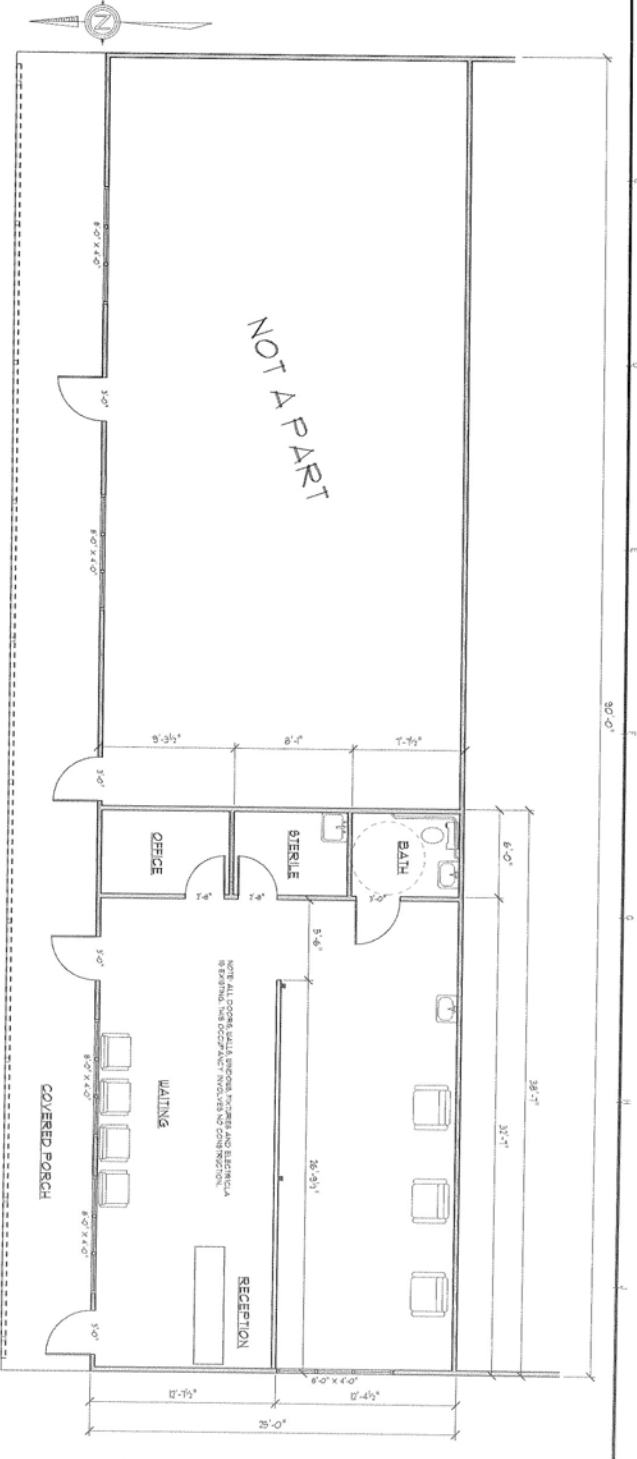
- GENERAL NOTES**
1. ALL WORK SHALL CONFORM TO THE 2001 EDITION OF THE CALIFORNIA BUILDING CODE, CALIFORNIA REGULATORY CODE, 2009 TITLE 24, CHAPTER 1 AND ALL STATE AND LOCAL CODES.
 2. THE CONTRACTOR SHALL CHECK ALL DRAWINGS AT THE JOB SITE FOR CONFLICTS AND DISCREPANCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR CORRECTING ANY DISCREPANCIES OR CONFLICTS BEFORE PROCEEDING WITH THE WORK. ANY CHANGES TO EXISTING PROPERTY SHALL BE APPROVED BY THE CONTRACTOR.
 3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FOR THE WORK.
 4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FOR THE WORK.
 5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FOR THE WORK.



WHEEL STOP

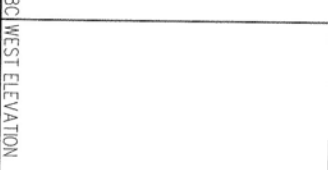
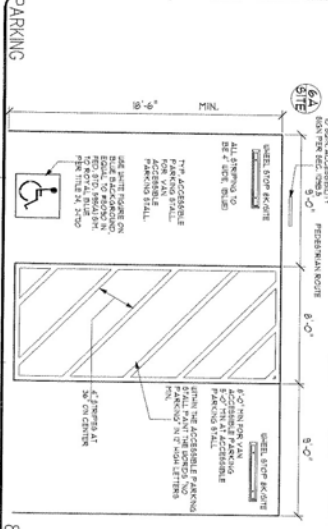


4B PROPOSED FLOOR PLAN

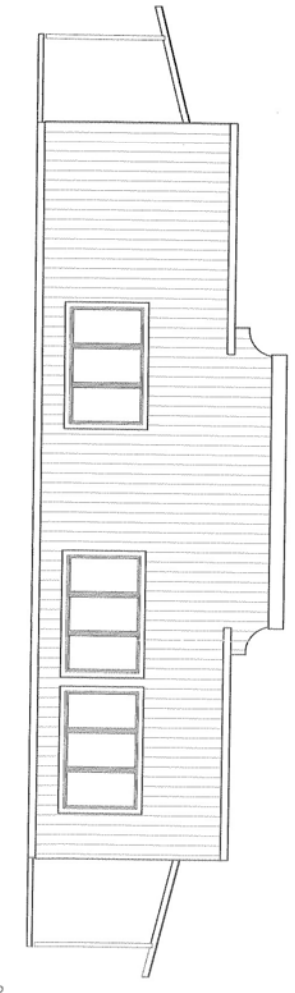


6A SIGN

6B NORTH ELEVATION



8C WEST ELEVATION



8K

REV'SIONS

Construction Designs
Patrick Panzer
(559) 584-3306

MAILING ADDRESS:
P.O. BOX 582
MANSFIELD CA 95020

PHYSICAL ADDRESS:
516 FOURTH STREET
MANSFIELD CA 95020

Patrick Panzer

THIS IS AN ORIGINAL UNPUBLISHED WORK AND MAY NOT BE DUPLICATED, REPRODUCED, OR OTHERWISE USED WITHOUT THE WRITTEN CONSENT OF PATRICK PANZER, © 2010

DATE: OCT 28, 2010

SCALE: 1/8" = 1'-0"

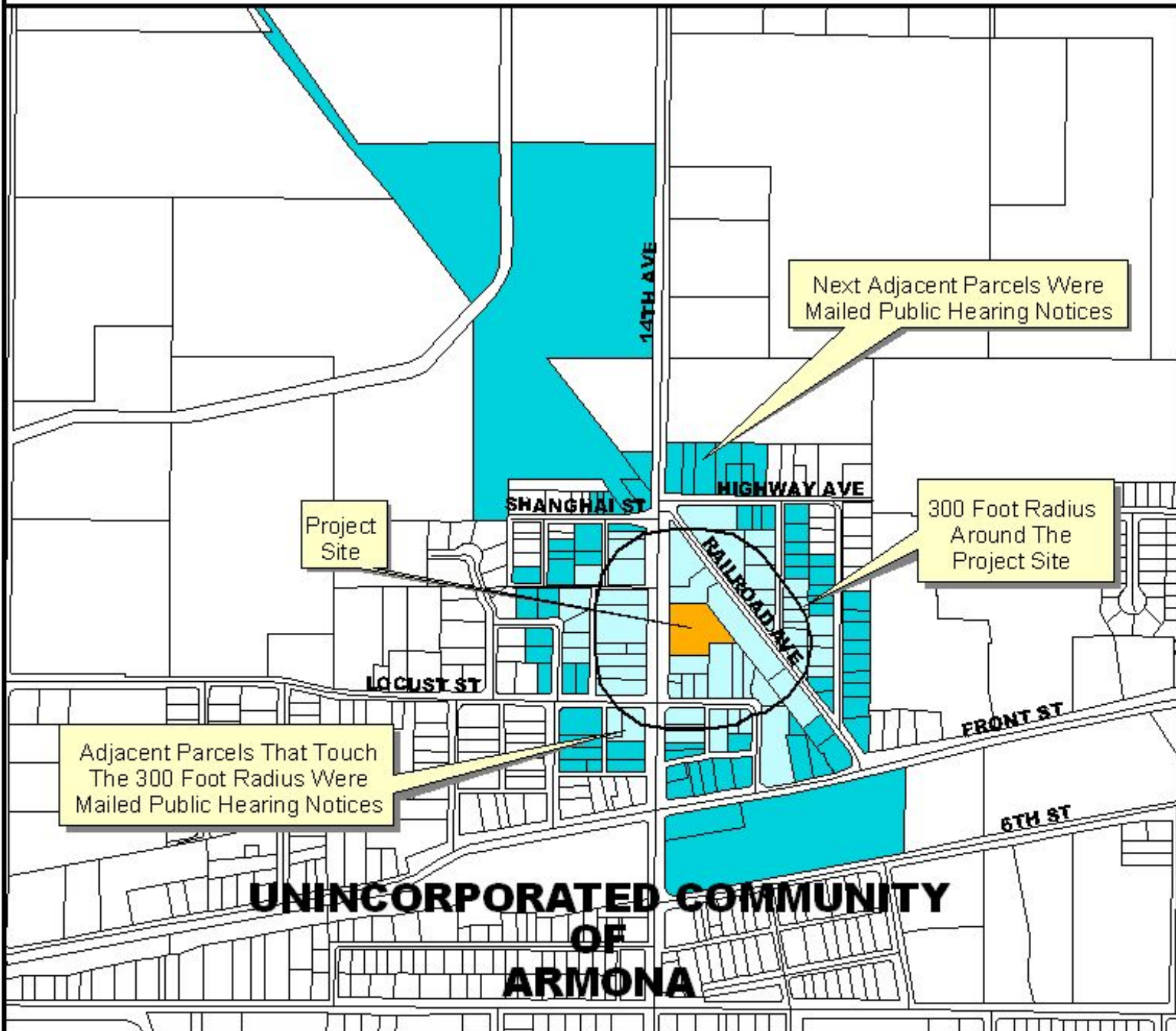
DESIGNER: P. Panzer

PROJECT NUMBER: 10-078

SHEET NUMBER: 8K

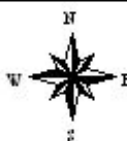
OR: 10-078

SITE LOCATION AND MAILING LIST MAP FOR CONDITIONAL USE PERMIT NO. 10-07



Map prepared by:
Sandy R. Roper
 December 13, 2010
Kings County Community Development Agency
 1400 W. Lacey Blvd., Hayward, CA 93230 (559) 582-3211 Ext. 2670

400 0 400 800 Feet



LEGEND

- Project Site
- Adjacent parcels that touch the 300 foot radius were mailed public hearing notices
- Next adjacent parcels that were mailed public hearing notices

Circulation:

- Minor Road
- Minor Arterial
- Interstate
- Freeway
- Expressway
- Collector
- Arterial
- Railroad

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

**IN THE MATTER OF CONDITIONAL USE)
PERMIT NO. 10-07 (Waddington))
_____)**

RESOLUTION NO. 11-01

RE: 10721 14th Avenue, Armona

WHEREAS, on November 4, 2010, Michael Waddington filed Conditional Use Permit No. 10-07; to establish a tattoo shop as an adaptive re-use within an existing structure; and

WHEREAS, on November 11, 2010, the applicant submitted additional information concerning the project description; and

WHEREAS, the application was determined to be complete on November 15, 2010; and

WHEREAS, the proposed project is Categorical Exempt from environmental review pursuant to Section 15301 of the Guidelines for Environmental Quality Act (CEQA Guidelines); and

WHEREAS, on December 22, 2010, the Kings County Planning Department staff notified the applicant of the proposed recommendation on this project; and

WHEREAS, on January 3, 2011, 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. There is no evidence in the record that indicates that the project has potential for adverse effect on wildlife, resources, or habitat for wildlife. The applicant proposes to establish a tattoo shop as an adaptive re-use within an existing structure. No physical change to the environment will result from the proposed project.
2. The proposed project will not have a potential for adverse effect on fish and wildlife resources or the habitat upon which wildlife depends based on evidence in the record that:
 - A. The project does not involve any riparian land, rivers, streams, watercourses, or wetlands under State and Federal jurisdiction.
 - B. The project does not disturb any plant life required to sustain habitat for fish or wildlife.
 - C. The project does not disturb any rare or unique plant life or ecological communities dependent on plant life.
 - D. The project does not threaten any listed or endangered plant or animals or the habitat in which they are believed to reside.

- E. The project does not disturb any plants or animals that are subject to special management in the Fish and Game Code, Public Resources Code, the Water Code or any regulations thereto.
 - F. The project does not disturb any marine or terrestrial species which are subject to the jurisdiction of the Department of Fish and Game and ecological communities in which they reside.
 - G. The project will not degrade any air or water resources which will individually or cumulatively result in a loss of biological diversity among plants and animals residing in the air or water.
3. This proposal conforms with the objectives of the ordinance and policies of the Kings County General Plan, specifically:
- A. The proposed project, as recommended for approval, is consistent with the policies of the Kings County General Plan, specifically: The applicable general plan policies are found in the *2035 Kings County General Plan*. The Armona Community Plan Land Use Map designates this site as Downtown Mixed Use (DMU).
 - B. Page LU-4, Section I.D of the “Land Use Element” of the *2035 Kings County General Plan*, states that “Community Districts” represent the four unincorporated communities of Armona, Home Garden, Kettleman City and Stratford which provide limited municipal type services through special districts such as a Community Services District or Public Utilities District. These Community District areas represent the greatest potential for future urban growth within the County and are the focus of detailed Community Plans.
 - C. Page LU-15, Section III.A.3 of the “Land Use Element” of the *2035 Kings County General Plan*, states that Several classes of commercial designations are designed to provide opportunities for various types of retail stores, offices, service establishments and wholesale businesses in locations throughout the County that are conveniently accessible to the public and local patrons. Commercial uses can be mutually beneficial to other land uses when located within communities and other unincorporated urban areas where patrons reside. Commercial designations are implemented by the zoning ordinance, which allows varying degrees of use intensity. Standards for development are contained in the zoning and subdivision ordinances and the County Improvement Standards.
 - D. Page LU-15, Section III.A.4 of the “Land Use Element” of the *2035 Kings County General Plan*, states that the Mixed Use Designations are intended for application in unincorporated community downtowns or community core areas, and integrate a mixture of commercial, residential, and office type uses that are often segregated into separate land use areas. Three Mixed Use designations are designed for implementation within the County’s Community Districts. Restrictions for these designations can be found in the Kings County Zoning Ordinance.

- E. Page LU-15, Section III.A.4 of the “Land Use Element” of the *2035 Kings County General Plan*, states that the Downtown Mixed Use designation allows a variety of compatible and integrated land uses to share common structures in a manner that establishes a downtown atmosphere of uses and activity. Downtown Mixed Use is established in definable downtown core areas of the Community Districts and ties to design standards that build upon a community’s desired downtown theme. This designation is intended to provide flexibility in design and use for contiguous parcels having multiple owners, and enhance the character of a community area.
 - F. Page LU-40, Section IV.D. of the “Land Use Element” of the *2035 Kings County General Plan*, states that the County’s four unincorporated communities of Armona, Home Garden, Kettleman City, and Stratford comprise the four separate Community District areas. These communities are the only areas served by either a community services cistrict or public utilities district that provide municipal water and wastewater services. A diversity of urban type land uses are already accommodated within these communities and include residential, commercial, industrial, open space, and public. Community Districts therefore hold the most potential for accommodating urban growth within the unincorporated territory of the County. Development in these rural communities must be in done in accordance with County zoning, building, and subdivision ordinances and County Improvement Standards.
 - G. Page LU-41, LU Policy D1.2.2 of the “Land Use Element” of the *2035 Kings County General Plan*, prioritizes infill development of vacant and underutilized parcels within the existing special district boundaries where water and sewer service are available to reduce outward growth pressure and costly expansion of district facilities.
 - H. Page LU-41, LU Policy D1.3.2 of the “Land Use Element” of the *2035 Kings County General Plan*, requires all new development to comply with County General Plan and Community Plan policies, and subdivision, zoning, and building regulations.
 - I. Page LU-41, LU Policy D1.3.2 of the “Land Use Element” of the *2035 Kings County General Plan*, requires preservation of the existing nighttime environment by limiting the illumination of areas surrounding new development. New lighting that is part of residential, commercial, industrial, or recreational development shall be oriented away from sensitive uses, and should be hooded, shielded, and located to direct light pools downward and prevent glare.
- 4. 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.
 - 5. 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 13, Section 1303.D.8 of the Central Commercial (CC) District lists tattoo establishments as a conditional use subject to Kings County Planning Commission approval.
6. LAND CONSERVATION (WILLIAMSON) ACT FINDINGS:
 - A. The project site is not located within an established agricultural preserve.
7. 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 06031C0180C, 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.
8. ENTERPRISE ZONE FINDINGS:
 - A. The project site is not located within the Kings County Enterprise Zone.
9. AIRPORT COMPATIBILITY ZONE FINDINGS:
 - A. The project site is not located within an Airport Compatibility Zone.

BE IT FURTHER RESOLVED, that based on the above findings, this Commission approves Conditional Use Permit No. 10-07, as proposed, subject to the conditions and exceptions as follows:

KINGS COUNTY COMMUNITY DEVELOPMENT AGENCY - PLANNING DIVISION Contact Sandy Roper at the Kings County Community Development Agency - Planning Division at (559) 582-3211, Extension 2685, regarding the following requirements:

1. All proposals of the applicant shall be conditions of approval if not mentioned herein.
2. No one under the age of eighteen will be permitted to obtain a tattoo.
3. 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.
4. The development shall comply with all regulations of *Zoning Ordinance No. 269*, with particular reference to the Central Commercial (CC) Zone District standards contained in Article 13 and the standards contained in Article 19.
5. Pursuant to Section 1606.C.11 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.

Except as provided by Section 1307.D.8, illuminated or non-illuminated signs pertaining to a use conducted on the site shall be permitted only as follows:

- | | | |
|-----------------|-----------------------------|------------------------------|
| A. | <u>Maximum permitted</u> | <u>Maximum permitted</u> |
| <u>District</u> | <u>aggregate structural</u> | <u>aggregate copy</u> |
| | <u>area per use</u> | <u>area per use</u> |
| CC | 12.5 feet by 25 feet | 240 square feet on each side |
- B. Illuminated or non-illuminated directional signs for off-street parking and off-street loading facilities, not exceeding six (6) square feet for each sign, in all commercial districts.
- C. One non-illuminated real estate sign pertaining to the sale, lease, rental or display of a structure or land not exceeding ten (10) square feet in a CN or CC District or twenty (20) square feet in all other commercial districts per Section 1606.B.2.a.
- D. No sign other than a directional sign shall project more than twenty-four (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 twelve (12) inches into a public right-of-way. No outdoor advertising structure shall project into a public right-of-way.
- E. No sign or permitted by this Section shall be placed within thirty (30) feet of a street intersection (intersecting curb lines) unless placed on a pole at least twelve (12) feet above the ground or unless placed at a maximum height of three (3) feet above ground.
- F. No sign which faces and is located directly across the street from property situated in an R or RM District, shall be directly illuminated or flashing.
- G. 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.
- H. Signs may have copy on both sides of the structure, provided that the copy area on each side does not exceed the maximum area specified above in Section 1319.A.1. and Section 1606.C.11.a above for the zone district that the site is located in.
- I. Non-illuminated temporary construction signs in accordance with Section 1606.B.2.c.
- J. Political and Campaign Signs in accordance with Section 1606.B.3.
- K. An open-air barbeque facility is allowed a maximum of two signs designed and placed as follows:
- a. The signs can be either: one “A” frame sign 3.0 feet tall by 2.0 feet wide or less in size, lettered on both sides and placed on or adjacent to the Open-Air barbeque facility site. The “A” frame sign is not be to placed in a landscape area, sidewalk or used as an off site directional sign/advertisement; OR
 - b. Two single faced signs not exceeding a combined total of 6.0 square feet or less in size attached to the mobile food preparation unit’s walls or sides. The sign shall not project above the height of the wall or sides of the mobile food preparation unit.
 - c. If the mobile food preparation unit is removed at the end of the business day the sign is to be removed also.
 - d. No banners, decorative streamers or signs constructed out of other objects (such as tires) are permitted.
- L. Murals
- M. Electronic message display signs, animated signs, window signs and menu signs.
- N. Fixed balloon type signs.
- O. Temporary Advertising/Promotional Signs per Section 1606.B.2.b.
- P. Temporary Special Event Signs per Section 1606.B.2.a.
- Q. Window signs shall cover no more than 15% of a single window’s surface area.

- R. All signs shall comply with yard requirements of the districts in which they are located.
6. Exterior lighting shall be hooded so as to be directed only on site.
 7. Three (3) off-street parking spaces shall be provided as shown on the approved site plan and that such parking be maintained in accordance with *Kings County Improvement Standards* and the approved site plan. . (Note: Handicapped parking requirements are listed below in Building Division Requirement No. 6.)
 8. Pursuant to Section 303.G of the *Kings County Improvement Standards* 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)”.
 9. Parking spaces for the physically handicapped shall be located so as to minimize the travel distance to the use's primary entrances for handicapped access. Required off street parking spaces for the physically handicapped, and standards for those spaces, shall meet state standards. See Building Division Requirement No. 6 below.
 10. All open and unlandscaped portions of the lot shall be maintained in good condition, free from weeds, dust, trash and debris.
 11. 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.
 12. 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.
 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 permit shall become effective upon the expiration of eight (8) days following the date on which the permit was granted, unless either an appeal is filed or the Board of Supervisors initiates proceedings to review the decision of the Planning Commission.
18. A 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. 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.

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 (see Planning Division Requirement No. 12 above) 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) 582-3211, Extension 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. 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.
5. The development shall comply with all applicable *Americans with Disability's Act (ADA)* requirements as provided in Chapter 11B of the *California Building Code*.
6. Pursuant to Section 1129B of the *California Building Code* one (1) van accessible parking space, allowing room for individuals in wheelchairs, on braces or crutches to get in and out of an automobile onto a level surface, suitable for wheeling and walking shall be provided.
7. Pursuant to Section 1115B of the *California Building Code* an accessible restroom shall be provided. The existing accessible restroom will be inspected during the compliance inspection to verify compliance with accessibility requirements.
8. All construction shall conform to the current adopted California Building Code, California Electrical Code, California Mechanical Code, California Plumbing Code, and California Energy Code.

KINGS COUNTY FIRE DEPARTMENT: Contact Mike Virden of the Kings County Fire Department at (559) 582-3211, Extension 2884 for the following requirements:

1. A 2A-10BC fire extinguisher is required to be located in plain sight not more than 75 feet from any point within the structure. The location of the fire extinguisher must be easily accessible and the extinguisher shall be mounted with fastened hangers so that the weight of the extinguisher is adequately supported.
2. Employees should be familiar with the use of fire safety equipment.
3. Exit signs shall have the word "EXIT" on the sign in block capital letters not less than 6 inches in height with a stroke of not less than $\frac{3}{4}$ inch. The letters shall have a contrasting color to the background of the sign. Exit signs shall be placed above all exit doors and shall be illuminated at all times. Exit signs may be self-illuminating, internally illuminated or externally illuminated.

KINGS COUNTY HEALTH DEPARTMENT Contact Lee Johnson at the Kings County Health Department, Division of Environmental Health Services (KCHDEHS) at (559) 582-3211, Extension 2631, regarding the following requirements:

1. The operation has already registered as a tattooist with the KCHDEHS. Any additional tattoo staff must also register with KCHDEHS and pay a \$25 one time fee.
2. The facility must be inspected by the KCHDEHS annually, at a cost of \$105 per inspection.
3. Pending adoption of other laws and regulations, the facility should comply with all standards provided in "Standards of Practice for Tattooing, Body Piercing, and Permanent Cosmetics" available on the KCHDEHS website at www.countyofkings.com/health/ehs/tattooing.htm

4. The operator must ensure that the business facility is maintained in a sanitary condition and reusable operational equipment is sterilized prior to use. Any biohazardous wastes generated are to be stored and managed in accordance with the State's Medical Waste Management Act. A copy of the act can be obtained from the Department or via download from the Department's website: <http://www.countyofkings.com/health/ehs/>. A guidance document entitled "*A guidance document for tattooing, body piercing, and permanent cosmetics*" is also available from the Department for implementation. The facility operator and employees are to undergo blood borne pathogen training.

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1. It is our understanding that the subject property already has a service connection to the District's water and sewer systems. Based on the proposed fixture units and existing active service, the District has determined that a will serve letter is not required for the proposed project.
2. If the fixture count and type is modified a revised site layout shall be submitted to the District so water demand can be evaluated. If it is determined that a will serve letter is required, the applicant must make a request to the District for additional service and conditions of approval will be provided at that time.
3. The applicant shall submit additional information about any equipment (e.g. sterilization equipment) that will be directly connected to the water supply plumbing in the proposed tattoo shop so that a determination can be made on backflow prevention requirements. If any equipment is connected directly to the water supply, a point-of-use reduced pressure principle backflow prevention device will be required.
4. The applicant will be required to submit a new Nonresidential Waste Discharge Permit application to the District, and pay all fees.

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.

The foregoing Resolution was adopted on a motion by Commissioner _____ and seconded by Commissioner _____, at a regular meeting held on January 3, 2011, by the following vote:

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

KINGS COUNTY PLANNING COMMISSION

Cartwright, Chairperson

WITNESS, my hand this ____ day of January, 2011.

Gregory R. Gatzka
Secretary to the Commission

cc: Kings County Board of Supervisors
Kings County Counsel
Kings County Building Division
Kings County Public Works Department
Kings County Fire Department
Kings County Health Department
Michael Waddington, 1293 Levich Street, Hanford, CA 93230
Hotz Survivor's Trust, C/O Maureen K. Hotz, 13830 Hackett Street, Hanford, CA 93230
Dennis Hotz, 8877 14th Avenue, Hanford, CA 93230



COUNTY OF KINGS - 2011

Kings County Planning Commission - Regularly Scheduled Meetings

PC Planning Commission - 1st Monday 7:00 p.m. Board Chambers

● Kings County Holiday

JANUARY						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2	3 PC	4	5	6	7	8
9	10	11	12	13	14	15
16	17 ●	18	19	20	21	22
23 30	24 31	25	26	27	28	29

FEBRUARY						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1	2	3	4	5
6	7 PC	8	9	10	11	12
13	14	15	16	17	18	19
20	21 ●	22	23	24	25	26
27	28					

MARCH						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1	2	3	4	5
6	7 PC	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

APRIL						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1	2
3	4 PC	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

MAY						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2 PC	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22		24	25	26	27	28
29	30 ●	31				

JUNE						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1	2	3	4
5	6 PC	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

JULY						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1	2
3	4 ●	5	6	7	8	9
10	11 PC	12	13	14	15	16
17	18	19	20	21	22	23
24 31	25	26	27	28	29	30

AUGUST						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1 PC	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

SEPTEMBER						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1	2	3
4	5 ●	6	7	8	9	10
11	12 PC	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

OCTOBER						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2	3 PC	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23 30	24 31	25	26	27	28	29

NOVEMBER						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1	2	3	4	5
6	7 PC	8	9	10	11 ●	12
13	14	15	16	17	18	19
20	21	22	23	24 ●	25 ●	26
27	28	29	30			

DECEMBER						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1	2	3
4	5 PC	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23 ●	24
25	26 ●	27	28	29	30 ●	31