

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
ACTION AGENDA SUMMARY

DEPT: PLANNING & COMMUNITY DEVELOPMENT

BOARD AGENDA # \*D-1

Urgent \_\_\_\_\_ Routine X

AGENDA DATE March 27, 2001

CEO Concurs with Recommendation YES \_\_\_\_\_ NO \_\_\_\_\_  
(Information Attached)

4/5 Vote Required YES \_\_\_\_\_ NO X

SUBJECT: **APPROVAL TO SET A PUBLIC HEARING ON APRIL 24, 2001 AT 9:25 A.M. , TO CONSIDER THE INTRODUCTION, WAIVING OF THE READING, AND ADOPTION OF ORDINANCE AMENDMENT 2001-01 REVISION TO THE ZONING ORDINANCE SECTION 21.12.625 TO INCLUDE VESSELS**

STAFF  
RECOMMEN-  
DATIONS:

IT IS RECOMMENDED THAT YOU APPROVE THE FOLLOWING:

1. SET A PUBLIC HEARING ON APRIL 24, 2001, AT 9:25 A.M., TO CONSIDER THE INTRODUCTION, WAIVING OF THE READING, AND ADOPTION OF AN ORDINANCE AMENDMENT 2001-01 REVISION TO THE ZONING ORDINANCE SECTION 21.12.625 TO INCLUDE VESSELS.
2. AUTHORIZE THE CLERK OF THE BOARD TO PUBLISH NOTICE OF THE HEARING AS REQUIRED BY LAW.

FISCAL  
IMPACT:

No fiscal impact is anticipated with this ordinance.

BOARD ACTION AS FOLLOWS:

No. 2001-228

On motion of Supervisor Blom , Seconded by Supervisor Mayfield  
and approved by the following vote,

Ayes: Supervisors: Mayfield, Blom, Simon, Caruso, and Chair Paul

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2) \_\_\_\_\_ Denied

3) \_\_\_\_\_ Approved as amended

Motion:

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

By: Deputy

File No. ORD-54-H-1

SUBJECT: APPROVAL TO SET A PUBLIC HEARING ON APRIL 24, 2001 AT 9:25 A.M. , TO CONSIDER THE INTRODUCTION, WAIVING OF THE READING, AND ADOPTION OF ORDINANCE AMENDMENT 2001-01 REVISION TO THE ZONING ORDINANCE SECTION 21.12.625 TO INCLUDE VESSELS

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**DISCUSSION:**

Under the zoning ordinance, a property owner may keep no more than two vehicles (cars, trucks, and trailers) that are disabled, under repair or restoration, or unregistered. Three or more such vehicles is declared a "Vehicle Storage Yard" under Stanislaus County Code section 21.12.625, and is prohibited. There is no limit on the number of vehicles that can be stored on property so long as they are road worthy and licensed.

The Stanislaus County Code Enforcement Taskforce identified a need to treat boats in the same manner as cars and trucks that are stored on private property. The proposed ordinance (Attachment 1) would add "vessels," as defined under the Harbors and Navigation Code, to the definition of a "Vehicle Storage Yard." Recognizing that a boat is typically stored and transported on a trailer (a vehicle itself), the proposed ordinance would treat a boat stored on a trailer as one unit for purposes of the section.

If the proposed ordinance amendment is adopted, a landowner could keep only two vehicles, or two boats, or one of each on private property if inoperable or unlicensed.

The Stanislaus County Planning Commission considered the proposed ordinance at its meeting on March 15, 2001, found that it is exempt from and not subject to the California Environmental Quality Act, and, after conducting a public hearing, recommended that the Board adopt the ordinance. Pursuant to Government Code section 65856, upon receipt of the recommendation of the Planning Commission, the Board should hold a public hearing to consider adopting the proposed ordinance.

Staff recommends that you (1) set April 24, 2001, at 9:25 a.m., or as soon thereafter as the matter may be heard, as the date to consider adoption of the proposed ordinance; and (2) authorize the Clerk of the Board to publish notice as required under subdivision (b) of section 65856 of the Government Code.

**POLICY ISSUE:**

This proposed ordinance supports the Board's Goals and Priorities of providing a safe, healthy community.

**STAFFING IMPACT:**

There are no staffing impacts associated with this action.

**AN ORDINANCE ADDING VESSELS TO THE  
DEFINITION OF A VEHICLE STORAGE YARD**

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS, STATE OF CALIFORNIA, ORDAINS AS FOLLOWS:

**Section 1.** Section 21.12.625 of the Stanislaus County Code is amended to read as follows:

"'Vehicle storage yard' means any location consisting of parcel(s) or lot(s) where three or more vehicles (as defined by Section 670 CVC), or vessels (as defined by Section 651 of the Harbors and Navigation Code), or combinations of both, which are disabled, under repair or restoration, and/or vehicles or vessels which are not currently registered with the State Department of Motor Vehicles are stored. For purposes of this section, a vessel and a trailer designed to carry a vessel that are used together as one unit shall count as one vehicle or one vessel."

**Section 2.** This ordinance shall take effect thirty (30) days from and after the date of its passage and before the expiration of fifteen (15) days after its passage it shall be published once, with the names of the members voting for and against the same, in the Modesto Bee, a newspaper published in the County of Stanislaus, State of California.

Upon motion of Supervisor \_\_\_\_\_, seconded by Supervisor \_\_\_\_\_, the foregoing resolution was passed and adopted at a regular meeting of the Board of Supervisors of the County of Stanislaus, State of California, the \_\_\_\_\_ day of \_\_\_\_\_, 2001, by the following called vote:

AYES: Supervisors:

NOES: Supervisors:

ABSENT: Supervisors:

\_\_\_\_\_  
Pat Paul, Chair of the Board of  
Supervisors of the County of Stanislaus,  
State of California

ATTEST:  
CHRISTINE FERRARO TALLMAN  
CLERK OF THE BOARD OF SUPERVISORS OF THE  
COUNTY OF STANISLAUS, STATE OF CALIFORNIA

By \_\_\_\_\_  
Deputy

APPROVED AS TO FORM:  
MICHAEL H. KRAUSNICK  
COUNTY COUNSEL

By \_\_\_\_\_  
John P. Doering  
Deputy County Counsel

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NOTICE OF PUBLIC HEARING TO CONSIDER THE INTRODUCTION, WAIVING OF THE READING AND ADOPTION OF AN ORDINANCE AMENDMENT 2001-01, TO REVISE THE ZONING ORDINANCE, SECTION 21.12.625 OF THE STANISLAUS COUNTY CODE, ADDING VESSELS TO THE DEFINITION OF A VEHICLE STORAGE YARD TO INCLUDE BOATS

NOTICE IS HEREBY GIVEN that on April 24, 2001, at the hour of 9:25 a.m., or as soon thereafter as the matter may be heard, the Stanislaus County Board of Supervisors will meet in the Basement Chambers, Lower Level, at 1010 10th Street, Modesto, CA, to consider the introduction, waiving of the reading and adoption of an Ordinance Amendment 2001-01, to revise the Zoning Ordinance, Section 21.12.625 of the Stanislaus County Code, adding vessels to the definition of a vehicle storage yard to include boats.

NOTICE IS FURTHER GIVEN that at the above noticed time and place, interested persons will be given an opportunity to be heard. Material submitted to Board of Supervisors for consideration (i.e. photos, petitions, etc.) will be retained by the County. If a challenge to above application is made in court, persons may be limited to raising only those issues they or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Stanislaus County Board of Supervisors.

NOTICE IS FURTHER GIVEN that details of the above proposal and ordinance are available in the Clerk to the Board's Office. For further information call the Stanislaus County Planning and Community Development Department at (209) 525-6330.

BY ORDER OF THE BOARD OF SUPERVISORS

DATED: March 27, 2001

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk of the Board of Supervisors of the County of Stanislaus, State of California.

BY:   
Lillie Farriester, Assistant Clerk

**DECLARATION OF PUBLICATION  
C.C.P. S2015.5)**

**COUNTY OF STANISLAUS  
STATE OF CALIFORNIA**

I am a citizen of the United States and a resident Of the County aforesaid; I am over the age of Eighteen years, and not a party to or interested In the above entitle matter. I am a printer and Principal clerk of the publisher of **THE MODESTO BEE**, printed in the City of **MODESTO**, County of **STANISLAUS**, State of California, daily, for which said newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of **STANISLAUS**, State of California, Under the date of **February 25, 1951, Action No. 46453**; that the notice of which the annexed is a printed copy, has been published in each issue thereof on the following dates, to wit:

**APRIL 8, 2001**

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I certify (or declare) under penalty of perjury That the foregoing is true and correct and that This declaration was executed at **MODESTO**, California on

**APRIL 8, 2001**  
(date)

  
(Signature)

**NOTICE OF PUBLIC HEARING TO  
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Clerk of the Board of Supervisors of  
the County of Stanislaus, State of California.  
BY: Lillie Farriester, Assistant Clerk