

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

DEPT: Planning & Community Development

Urgent _____ Routine X

CEO Concurs with Recommendation YES _____ NO _____
(Information Attached)

BOARD AGENDA # 9:25 a.m.

AGENDA DATE: April 24, 2001

4/5 Vote Required YES _____ NO X

SUBJECT:

INTRODUCTION, WAIVING OF THE READY, AND ADOPTION OF ORDINANCE AMENDMENT 2001-01 REVISION TO THE ZONING ORDINANCE AMENDMENT SECTION 21.12.625 TO INCLUDE VESSELS

PLANNING COMMISSION RECOMMENDATION:

IT IS RECOMMENDED THAT YOU APPROVE THE FOLLOWING:

1. 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.

FISCAL IMPACT:

No fiscal impact is anticipated with this ordinance.

BOARD ACTION AS FOLLOWS:

No. 2001-309

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

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

Noes: Supervisors: None

Excused or Absent: Supervisors: Blom

Abstaining: Supervisor: None

1) X Approved as recommended

2) _____ Denied

3) _____ Approved as amended

Motion:

INTRODUCED, ADOPTED, AND WAIVED THE READINGS
OF ORDINANCE C.S. 759

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

By: Deputy Christine Ferraro

File No. ORD-54-H-10

SUBJECT: 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 California Environmental Quality Act, and, after conducting a public hearing, recommended unanimously the Board adopt the ordinance. The Planning Commission clarified the wording in the proposed 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 by adding the phrase "or combination of both". No one from the public spoke at the Planning Commission on this matter.

**POLICY
ISSUES:**

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

**STAFFING
IMPACT:**

There are no staffing impacts associated with this action.

ATTACHMENTS:

Section 1. Section 21.12.625 of the Stanislaus County Code
Planning Commission Minutes, March 15, 2001

ORDINANCE NO. C.S. _____

**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

1. **ORDINANCE AMENDMENT NO. 2001-01 - REVISIONS TO ZONING
ORDINANCE SECTION NO. 21.12.625 TO INCLUDE VESSELS IN THE
DEFINITION OF A VEHICLE STORAGE YARD**

This amendment revises the definition of a vehicle storage yard to include boats.

Staff report: Ron Freitas and Jack Doring Recommends **APPROVAL**.
Public hearing opened.


OPPOSITION: No one spoke.

FAVOR: No one spoke.

Public hearing closed.

Cusenza/Crivelli, Unanimous, **RECOMMENDS APPROVAL TO THE
BOARD OF SUPERVISORS WITH REVISED AMENDMENT 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 A COMBINATION 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".

EXCERPT
PLANNING COMMISSION
MINUTES

_____ SECRETARY, PLANNING COMMISSION
4/13/01
_____ DATE

ORDINANCE NO. C.S. 759

**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."

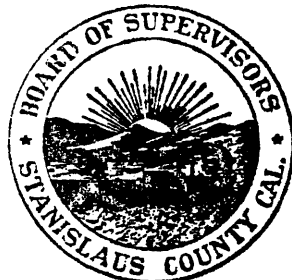
Section 2. This ordinance shall take effect thirty (30) days from and after the date of its passage and before the expiration of fifteen (15) days after its passage it shall be published once, with the names of the members voting for and against the same, in the Modesto Bee, a newspaper published in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

Upon motion of Supervisor Mayfield, seconded by Supervisor Caruso, 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 24th day of April, 2001, by the following called vote:

AYES: Supervisors: Mayfield, Simon, Caruso, and Chair Paul

NOES: Supervisors: None

ABSENT: Supervisors: Blom



Pat Paul
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

**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:

MAY 6, 2001

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

MAY 6, 2001
(date)


(Signature)

**ORDINANCE NO. C.S. 759
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 470 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."

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NOES: Supervisors: None

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Pat Paul

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 Lillie Farriester

Assistant Clerk to the Board

APPROVED AS TO FORM:

MICHAEL H. KRAUSNICK

COUNTY COUNSEL

By John P. Doering

Deputy County Counsel

MAY 6, 2001