

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

DEPT: Planning and Community Development

BOARD AGENDA # *D-2

Urgent

Routine

AGENDA DATE January 8, 2008

CEO Concurs with Recommendation YES NO

4/5 Vote Required YES NO

(Information Attached)

SUBJECT:

Approval to Set a Public Hearing on January 29, 2008 at 9:20 a.m. to Introduce, Waive the Reading and Adopt Ordinance Amendment #2007-01, Public Events and Outdoor Entertainment

STAFF RECOMMENDATIONS:

Set a Public Hearing on January 29, 2008 at 9:20 a.m. to introduce, waive the reading and adopt Ordinance Amendment #2007-01, Public Events and Outdoor Entertainment, a request to amend the Stanislaus County Zoning Ordinance, by adding a Chapter that would address public events and outdoor entertainment in the agricultural, urban transition, and residential areas of Stanislaus County. The proposed regulations will apply to the location of any public event in an R-A (Rural Residential), R-1 (Single-Family Residential) or A-2 (General Agriculture) zoning district. This amendment will not apply to A-2 zoned land which is enrolled under a California Land Conservation Contract (Williamson Act Contract). As part of this amendment, both the A-2 (Chapter 21.20.030) and the R-1 (Chapter 21.28.030) zoning districts will be amended to add Public Events and Outdoor Entertainment, under Uses Requiring a Use Permit.

FISCAL IMPACT:

There are no fiscal impacts associated with this item.

BOARD ACTION AS FOLLOWS:

No. 2008-015

On motion of Supervisor Grover, Seconded by Supervisor O'Brien

and approved by the following vote,

Ayes: Supervisors: O'Brien, Grover, Monteith, DeMartini, and Chairman Mayfield

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2) _____ Denied

3) _____ Approved as amended

4) _____ Other:

MOTION:



ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No. ORD-55-F-2

NOTICE OF PUBLIC HEARING FOR
ORDINANCE AMENDMENT APPLICATION #2007-01
PUBLIC EVENTS AND OUTDOOR ENTERTAINMENT

NOTICE IS HEREBY GIVEN that on January 29, 2008 at 9:20 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, 1010 10th St., Modesto, CA, to consider a request to amend the Stanislaus County Zoning Ordinance, by adding a Chapter that would address public events and outdoor entertainment in the agricultural, urban transition, and residential areas of Stanislaus County. The proposed regulations will apply to the location of any public event in an R-A (Rural Residential), R-1 (Single-Family Residential) or A-2 (General Agriculture) zoning district. This amendment will not apply to A-2 zoned land which is enrolled under a California Land Conservation Contract (Williamson Act Contract). As part of this amendment, both the A-2 (Chapter 21.20.030) and the R-1 (Chapter 21.28.030) zoning districts will be amended to add Public Events and Outdoor Entertainment, under Uses Requiring a Use Permit. A Negative Declaration will be considered.

NOTICE IS FURTHER GIVEN that at the said time and place, interested persons will be given the opportunity to be heard. Material submitted to the Board for consideration (i.e. photos, petitions, etc.) will be retained by the County. If a challenge to the 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 Board. For further information call (209) 525-6330.

BY ORDER OF THE BOARD OF SUPERVISORS

DATED: January 8, 2008

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

BY:


Elizabeth A. King, 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 there of on the following dates, to wit:

JANUARY 19, 2008

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

JANUARY 19, 2008


(Signature)

**NOTICE OF PUBLIC HEARING FOR ORDINANCE AMENDMENT
#2007-01 PUBLIC EVENTS AND OUTDOOR ENTERTAINMENT**

NOTICE IS HEREBY GIVEN that on January 29, 2008 at 9:20 a.m., or as matter may be heard, the Stanislaus County Board of Supervisors will meet Lower Level, 1010 10th Street., Modesto, CA, to consider a request to amend Zoning Ordinance, by adding a Chapter that would address public events and the agricultural, urban transition, and residential areas of Stanislaus County. will apply to the location of any public event in an R-A (Rural Residential), R-dential) or A-2 (General Agriculture) zoning district. This amendment will not which is enrolled under a California Land Conservation Contract (Williamson this amendment, both the A-2 (Chapter 21.20.030) and the R-1 (Chapter 21. will be amended to add Public Events and Outdoor Entertainment, under Use A Negative Declaration will be considered.

NOTICE IS FURTHER GIVEN that at the said time and place, interested parties have the opportunity to be heard. Material submitted to the Board for consideration (i.e. comments) will be retained by the County. If a challenge to the above application is made be limited to raising only those issues they or someone else raised at the public hearing in this notice, or in written correspondence delivered to the Board. For further information call 525-6330.

BY ORDER OF THE BOARD OF SUPERVISORS

DATED: January 8, 2008

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

BY: Elizabeth A. King, Assistant Clerk

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**NOTICE OF PUBLIC HEARING FOR ORDINANCE AMENDMENT APPLICATION
#2007-01 PUBLIC EVENTS AND OUTDOOR ENTERTAINMENT**

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NOTICE IS FURTHER GIVEN that at the said time and place, interested persons will be given the opportunity to be heard. Material submitted to the Board for consideration (i.e. photos, petitions, etc.) will be retained by the County. If a challenge to the 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 Board. For further information call (209) 525-6330.

BY ORDER OF THE BOARD OF SUPERVISORS

DATED: January 8, 2008

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

BY: Elizabeth A. King, Assistant Clerk

C13875.1

PROOF OF PUBLICATION

(2015.5 C. C. P.)

STATE OF CALIFORNIA,

County of Stanislaus

I am a citizen of the United States and a resident of the county aforesaid; I am over the age of twenty-one years, and not a party to or interested in the above entitled matter. I am the principal clerk of THE OAKDALE LEADER, 122 South Third Avenue, Oakdale, California, a newspaper of general circulation, published in Oakdale, California in the City of Oakdale, County of Stanislaus, and which newspaper has been adjudged a newspaper of general circulation, by the Superior Court of the County of Stanislaus, State of California. That the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

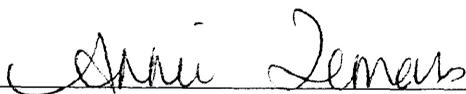
January 23

all in the year 2008.

I certify or declare) under penalty of perjury that the foregoing is true and correct.

Dated at Oakdale,

California, this day, 23RD day of January, 2008.



Signature

This space is for the County Clerk's Filing Stamp

Proof of Publication of

OA #2007-01

STANISLAUS CO. BOARD OF SUPERVISORS

PUBLIC NOTICE

NOTICE OF PUBLIC HEARING FOR ORDINANCE AMENDMENT APPLICATION #2007-01 PUBLIC EVENTS AND OUTDOOR ENTERTAINMENT

NOTICE IS HEREBY GIVEN that on January 29, 2008 at 9:20 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, 1010 10th St., Modesto, CA, to consider a request to amend the Stanislaus County Zoning Ordinance, by adding a Chapter that would address public events and outdoor entertainment in the agricultural, urban transition, and residential areas of Stanislaus County. The proposed regulations will apply to the location of any public event in an R-A (Rural Residential), R-1 (Single-Family Residential) or A-2 (General Agriculture) zoning district. This amendment will not apply to A-2 zoned land which is enrolled under a California Land Conservation Contract (Williamson Act Contract). As part of this amendment, both the A-2 (Chapter 21.20.030) and the R-1 (Chapter 21.28.030) zoning districts will be amended to add Public Events and Outdoor Entertainment, under Uses Requiring a Use Permit. A Negative Declaration will be considered.

NOTICE IS FURTHER GIVEN that at the said time and place, interested persons will be given the opportunity to be heard. Material submitted to the Board for consideration (i.e. photos, petitions, etc.) will be retained by the County. If a challenge to the 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 Board. For further information call (209) 525-6330.

BY ORDER OF THE BOARD OF SUPERVISORS

DATED: January 8, 2008

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

BY: Elizabeth A. King, Assistant Clerk

JANUARY 23, 2008

OL#08-045

2008 JAN 28 P 1:50

BOARD OF SUPERVISORS

DRB-55-F-2



BOARD OF SUPERVISORS

2008 JAN 17 P 2:45

January 17, 2008

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT the Stanislaus County Board of Supervisors will hold a public hearing on **Tuesday, January 29, 2008**, starting at **9:20 A.M.** in the Joint Chambers, 1010 10th Street, Basement Level, Modesto, California, to consider the following:

ZONING ORDINANCE AMENDMENT NO. 2007-01 - PUBLIC EVENTS & OUTDOOR ENTERTAINMENT - This is a request to amend the Stanislaus County Zoning Ordinance, by adding a Chapter that would address public events and outdoor entertainment in the agricultural, urban transition, and residential areas of Stanislaus County. The proposed regulations will apply to the location of any public event in an R-A (Rural Residential), R-1 (Single-Family Residential) or A-2 (General Agriculture) zoning district. This amendment will not apply to A-2 zoned land which is enrolled under a California Land Conservation Contract (Williamson Act Contract). As part of this amendment, both the A-2 (Chapter 21.20.030) and the R-1 (Chapter 21.28.030) zoning districts will be amended to add Public Events and Outdoor Entertainment, under Uses Requiring a Use Permit.

The Board of Supervisors will also consider approval of a Negative Declaration for this item.

At the above noticed time and place, all interested persons will be given an opportunity to speak.

Materials submitted to the Board of Supervisors for consideration (i.e., photos, slides, petitions, letters, etc.) will be retained by the County and cannot be returned.

If you challenge the above item in court, you may be limited to raising only those issues raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors, at or prior to, the public hearing.

For further information, please call (209) 525-6330, or email: planning@mail.co.stanislaus.ca.us.

PROOF OF SERVICE BY MAIL - CCP 1013a, 2015.5

I declare that: I am employed in the County of Stanislaus, California.

I am over the age of eighteen years and not a party to the within entitled cause; my business address is:

Stanislaus County Administration Building
Department of Planning & Community Development
1010 10th Street, Suite 3400
Modesto, CA 95354

On January 17, 2008, I served the attached Notice of Public Hearing
(Date)

ZONING ORDINANCE AMENDMENT NO. 2007-01 - PUBLIC EVENTS & OUTDOOR ENTERTAINMENT on the parties listed below in said cause, by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States mail at Modesto, California, addressed as follows:

SEE ATTACHED LIST

I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed on January 17, 2008, at Modesto, California.
(Date)

Crystal D Rein
(Type or print name)


Signature

ZONING ORDINANCE AMENDMENT NO. 2007-01 - PUBLIC EVENTS & OUTDOOR ENTERTAINMENT

Attachment A

Distribution List

X	AGRICULTURE COMMISSIONER	X	PG&E
X	AIRPORT LAND USE COMMISSION - JOSHUA MANN	X	PUBLIC WORKS - ANGIE HALVERSON JOHN SANCHEZ - DRAINAGE BILL CARDOZA MORGAN RD TRAFFIC
X	BUILDING PERMITS DIVISION - DENNIS WISTER	X	REDEVELOPMENT
X	COUNTY OF: MERCED, SAN JOAQUIN, TUOLUMNE, CALAVERAS	X	REGIONAL WATER QUALITY
X	CAL TRANS District 10	X	RISK MANAGEMENT
X	COMMUNITY SERVICES/SANITARY DIST: ALL	X	StanCOG
X	CITIES: ALL IN STANISLAUS COUNTY	X	SHERIFF
X	CORPS OF ENGINEERS	X	STANISLAUS COUNTY FARM BUREAU
X	COUNTY COUNSEL	X	STANISLAUS ERC
X	ENVIRONMENTAL RESOURCES	X	STATE CLEARINGHOUSE
X	FIRE PROTECTION DIST: ALL	X	STATE LANDS BOARD
X	STANISLAUS FIRE PREVENTION BUREAU	X	SUPERVISOR DIST: ALL
X	FISH AND GAME	X	TELEPHONE COMPANY: ALL
X	HOSPITAL DIST: ALL	X	TUOLUMNE RIVER TRUST
X	IRRIGATION DIST: ALL		TRIBAL CONTACTS
X	MUNICIPAL ADVISORY COUNCIL: ALL	X	US FISH AND WILDLIFE
X	LAFCO	X	VALLEY AIR DIST
X	MOSQUITO DIST: ALL	X	WATER DIST: ALL
X	MOUNTAIN VALLEY EMERGENCY SERVICES	X	DEPARTMENT OF CONSERVATION (certified)
X	PARKS AND FACILITIES	X	UNITED STATES MILITARY AGENCIES (SB 1462) (5 agencies)
X	PUBLIC WORKS - TRANSPORTATION	X	INTERESTED PARTIES