

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

DEPT: Planning and Community Development BOARD AGENDA #: *D-3

AGENDA DATE: October 18, 2016

SUBJECT:

Approval to Set a Public Hearing for November 1, 2016, at 9:05 a.m. to Consider the Planning Commission's Recommendation for Ordinance Amendment Application No. PLN2016-0008 – Events and Use Compatibility Regulations, an Update to the Stanislaus County Zoning Ordinance, Covering the Entire Stanislaus County Unincorporated Area

BOARD ACTION AS FOLLOWS:

No. 2016-516

On motion of Supervisor DeMartini , Seconded by Supervisor Chiesa
and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Withrow, DeMartini, and Chairman Monteith

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: 
PAM VILLARREAL, Assistant Clerk

File No. ORD-55-X-6

**THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
AGENDA ITEM**

DEPT: Planning and Community Development
Urgent Routine

BOARD AGENDA #: *D-3

AGENDA DATE: October 18, 2016

AF

CEO CONCURRENCE:

4/5 Vote Required: Yes No

SUBJECT:

Approval to Set a Public Hearing for November 1, 2016, at 9:05 a.m. to Consider the Planning Commission's Recommendation for Ordinance Amendment Application No. PLN2016-0008 – Events and Use Compatibility Regulations, an Update to the Stanislaus County Zoning Ordinance, Covering the Entire Stanislaus County Unincorporated Area

STAFF RECOMMENDATIONS:

1. Set a public hearing for November 1, 2016, at 9:05 a.m. to consider the Planning Commission's recommendation for Ordinance Amendment Application No. PLN2016-0008 – Events and Use Compatibility Regulations, an update to the Stanislaus County Zoning Ordinance, covering the entire Stanislaus County unincorporated area.
2. Authorize the Clerk of the Board to publish notice of public hearing as required by law.

DISCUSSION:

Stanislaus County proposes to amend the following Chapters of the Stanislaus County Zoning Ordinance – Title 21:

- Chapter 21.08 - General Provisions: proposed amendment adds language clarifying that no operation/use shall be conducted in a manner as to cause a nuisance condition.
- Chapter 21.16 – Districts Generally: proposed amendment clarifies that no use prohibited under local, state, or federal law shall be allowed in any zoning district within the unincorporated area of the county.
- Chapter 21.20 - General Agriculture District (A-2): proposed amendment will permit weddings, and other similar events, provided they are not located on Williamson Act Contracted land, subject to a Tier Three Use Permit (Section 21.20.030(C)). Each use permit application will be evaluated individually, in terms of environmental review and required operating standards, and will go through a separate public review period, and public hearing process.
- Chapter 21.104 - Revocation of Permits: proposed amendment establishes a process for amending conditions of any permit or variance granted in accordance with Title 21 in order to address nuisance concerns. Chapter title also proposed to be amended to "Amendment and Revocation of Permits."

Approval to Set a Public Hearing for November 1, 2016, at 9:05 a.m. to Consider the Planning Commission's Recommendation for Ordinance Amendment Application No. PLN2016-0008 – Events and Use Compatibility Regulations, an Update to the Stanislaus County Zoning Ordinance, Covering the Entire Stanislaus County Unincorporated Area

- Chapter 21.108 – Amendments: Chapter title is proposed to be amended to “Ordinance Amendments” for purposes of consistency.

The Stanislaus County Planning Commission conducted a public hearing to consider the Ordinance Amendment on September 15, 2016. No one spoke for or against the project. The Planning Commission recommended that the Board of Supervisors approve the ordinance amendment request on a vote of 7/0 (Etchebarne/Gibson).

POLICY ISSUE:

In order to consider an amendment to the Zoning Ordinance, the Board of Supervisors must hold a public hearing. The proposed ordinance amendment provides a public process for the County to consider weddings, and similar events, in the A-2 (General Agricultural) zone by use permit, while establishing new ordinance provisions addressing compatibility associated with all land uses.

FISCAL IMPACT:

Costs associated with processing of this ordinance amendment, setting the public hearing, publishing of required notices, and conducting the hearing will be covered by the Planning and Community Development General Fund budget.

BOARD OF SUPERVISORS' PRIORITY:

The recommended actions are consistent with the Board's priorities of A Safe Community, A Strong Local Economy, A Strong Agricultural Economy/Heritage, and A Well Planned Infrastructure System by providing a process for the County to evaluate weddings, and similar events, by use permit in the A-2 (General Agricultural) zoning district, while addressing the need to maintain compatibility through existing and proposed new ordinance provisions.

STAFFING IMPACT:

Planning and Community Development staff is responsible for preparing all reports associated with this request and there are no staffing impacts associated with this item.

CONTACT PERSON:

Angela Freitas, Planning and Community Development Director Telephone: (209) 525-6330

ATTACHMENTS:

None

STANISLAUS COUNTY NOTICE OF PUBLIC HEARING FOR
ORDINANCE AMENDMENT NO. PLN2016-0008
EVENTS AND USE COMPATIBILITY REGULATIONS

NOTICE IS HEREBY GIVEN that on November 1, 2016, at 9:05 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 the Planning Commission's recommendation of approval for Ordinance Amendment Application No. PLN2016-0008 – Events and Use Compatibility Regulations, an update to the Stanislaus County Zoning Ordinance, covering the entire Stanislaus County unincorporated area. The project is a request to amend the following Chapters of the Stanislaus County Zoning Ordinance – Title 21:

- Chapter 21.08 - General Provisions: proposed amendment adds language clarifying that no operation/use shall be conducted in a manner as to cause a nuisance condition.
- Chapter 21.16 - Districts Generally: proposed amendment clarifies that no use prohibited under local, state, or federal law shall be allowed in any zoning district within the unincorporated area of the county.
- Chapter 21.20 - General Agriculture District (A-2): proposed amendment will permit weddings, and other similar events, provided they are not located on Williamson Act Contracted land, subject to a Tier Three Use Permit (Section 21.20.030(C)). Each use permit application will be evaluated individually, in terms of environmental review and required operating standards, and will go through a separate public review period, and public hearing process.
- Chapter 21.104 - Revocation of Permits: proposed amendment establishes a process for amending conditions of any permit or variance granted in accordance with Title 21 in order to address nuisance concerns. Chapter title also proposed to be amended to "Amendment and Revocation of Permits."
- Chapter 21.108 – Amendments: Chapter title is proposed to be amended to "Ordinance Amendments" for purposes of consistency.

This project has been deemed exempt from the California Environmental Quality Act (CEQA). All documents are available for review at 1010 10th Street, Suite 3400, Modesto and online at: www.stancounty.com/planning/.

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: October 18, 2016

ATTEST: ELIZABETH A. KING, Clerk of
the Board of Supervisors
of the County of Stanislaus,
State of California

BY: 
Pam Villarreal, Assistant Clerk