

**BOARD OF SUPERVISORS
SIERRA COUNTY CODE
STATE OF CALIFORNIA**

ORDINANCE NO. 1067

**AN ORDINANCE TO AMEND
SIERRA COUNTY CODE
PARTS 15 & 20 PERTAINING TO
SPECIAL USE PERMITS AND APPEALS PROCEDURES**

THE BOARD OF SUPERVISORS OF THE COUNTY OF SIERRA ORDAINS as follows:

Ordinance Section One:

Ordinance No. 409 and corresponding portions Sierra County Code Part 15 are hereby amended as follows:

Chapter 15.28 and Chapter 15.36 are repealed in their entirety.

Ordinance Section Two:

Ordinance No. 902 and corresponding Sierra County Code Part 20, Chapter 1 is hereby amended to read as follows:

20.01 – General

Unless otherwise provided for, this Part shall govern all applications filed with the County pursuant to Parts 15, 21, 23, 25, 32, 33, 35, 36 and 37 of this Code.

Ordinance Section Three:

Ordinance No. 902 and corresponding Sierra County Code Part 20, Chapter 17, Subsection (c) is hereby amended to read as follows:

20.17 - Processing Time Limits, Exercising of Permits, and Extensions

(c) Extensions of time for implementation. The time limit established by Subsection (b)1 of this Section for the implementation of an approved conditional use permit or variance may be extended by the granting authority for a total of no more than three years as provided by this Section:

1. Time for filing an extension request. The applicant for an approved permit shall request an extension of time not later than the date of expiration of the permit established by Subsection (B) of this Section. The request shall be in writing, shall explain the reasons for the request, and shall be accompanied by the non-refundable filing fee established by the most current Planning Department fee schedule. Upon the filing of an extension request as required by this Subsection, the time limit for expiration of the permit established by Subsection (B) of this Section shall be suspended until a decision is made by the appropriate hearing body regarding the extension request.
2. Notice of requested extension. The Planning Department shall send notice of the requested extension by mail to all individuals and entities (or their legal successors in interest) which were provided notice of the hearing that preceded the approval of the permit requested for extension, and to all members of the Development Review Committee. The notice shall state that any person who objects to the requested extension of time shall notify the Planning Director, in writing, of the objection within 15 days from the date of mailing of the notice.
3. Hearing on objections to extension. If any objection to the time extension is received, the granting authority that approved the original permit shall follow the entire procedure set forth in Section 20.17, to consider and approve or disapprove the requested extension, as well as the following Subsection.
4. Approval of extension. After a public hearing, or if no objection to an extension is received, without a public hearing, the granting authority may extend the expiration date of the approved conditional use permit or variance by no more than a total of three years, provided that the granting authority first finds that:
 - A. no change of conditions or circumstances has occurred that would have been grounds for denying the original application;
 - B. the applicant has been diligent in pursuing implementation of the permit; and
 - C. modified conditions have been imposed which update the permit to reflect current adopted standards and ordinance requirements.

Ordinance Section Four:

Ordinance No. 902 and corresponding Sierra County Code Part 20, Chapter 17, is hereby amended to add subsection (d) to read as follows:

(d) Extensions of time for approved use permits and variances. [Reserved]

Ordinance Section Five:

Ordinance No. 902 and corresponding Sierra County Code Part 20 is hereby amended to add Chapter 20, to read as follows:

20.20 Revocation of Conditional Use Permits

- (a) Failure to comply with any conditions imposed in the issuance of special use permits shall result in the institution of revocation procedures by the Planning Commission.
- (b) The Planning commission may hold a public hearing upon the revocation of a special use permit.
- (c) The Planning Commission shall submit findings and recommendations on revocation to the Board of Supervisors. The person to whom the special use permit has been issued shall be notified of such recommendations not later than five (5) days after submission of the report to the Clerk of the Board of Supervisors.
- (d) The Board of Supervisors upon receipt of recommendations for revocation of a special use permit may revoke such permit for failure to comply with any of the conditions imposed in the issuance of the special use permit. Abatement and removal of facilities as required by a revocation shall be at the permittee's expense.

Ordinance Section Six:

This ordinance shall take effect thirty (30) days after the effective date of its passage. Before expiration of fifteen (15) days after passage of this ordinance, it shall be published once with the names of the members of the Board of Supervisors voting for and against the ordinance in the *Mountain Messenger*, a newspaper of general circulation published in the County of Sierra, State of California.

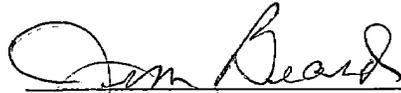
Introduced at a regular meeting of the Board of Supervisors, County of Sierra, Sate of California, on the 17th day of November, 2015, and passed and adopted by the Board of Supervisors on the 1st day of December 2015, by the following roll call vote, to wit:

AYES: Supervisors Adams, Huebner, Roen, Beard

NOES: None

ABSTAIN: None

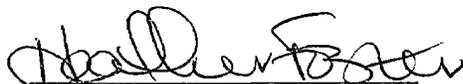
ABSENT: Supervisor Schlefstein COUNTY OF SIERRA



 JAMES BEARD, CHAIR
 BOARD OF SUPERVISORS

ATTEST:

APPROVED AS TO FORM:



 HEATHER FOSTER,
 CLERK OF THE BOARD



 JAMES A. CURTIS
 COUNTY COUNSEL