Department of Public Works

Kim MacFarlane, P.E.
Director

48 W. Yaney Avenue, Sonora
Mailing: 2 S. Green Street
Sonora, CA 95370
209.533.5601
www.tuolumnecounty.ca.gov

NOTICE OF GRADING PERMIT REVOCATION

ADMINISTRATION
Assistant to the Department Head
Emma Hawks
209.694.2718

AIRPORTS
Airports Manager
Benedict Stuth
209.533.5685

BUSINESS
Business Manager
Janelle Kostlivy
209.533.5972

ENGINEERING
Supervising Engineer
Blossom Scott-Heim, P.E.
209.533.5904

FLEET SERVICES
Fleet Services Manager
Mike Young
209.536.1622

GEOGRAPHIC INFORMATION SYSTEMS
GIS Coordinator
Madeline Amlin
209.533.6592

ROAD OPERATIONS
Road Superintendent
Mike Cognetti
209.533.5609

SOLID WASTE
Solid Waste Director
Jim McHargue, REHS
209.533.5588

SURVEYING
County Surveyor
Warren Smith, L.S.
209.533.5626

Date: 07/27/2022 **Case**: E22-004 **APN**: 97-090-10 **Current Zoning**: BP

Address: 18955 INDUSTRY WAY, SONORA, CA, 95370

Property Owner: JOHN SLATON 1/2
Mailing Address: PO BOX 1031, SOULSBYVILLE, CA, 95372
Property Owner: ROBERT WOODWORTH 1/4, DIANE WOODWORTH 1/4
Mailing Address: 17057 ELLIOTT RD. SOULSBYVILLE, CA 95372

On June 13, 2022, Public Works determined that the grading permit G2019-00027 issued on October 17, 2019, and extended to October 19, 2022, was issued in error, and is therefore null and void, and is hereby revoked. Tuolumne County Ordinance Code, Section 12.20.050(D) provides,

> "[O]n land zoned C, CK, CS, M, MU, or BP, no person shall perform any grading, stockpiling or vegetation removal done with mechanical earthmoving equipment, involving more than 50 cubic yards or exceeding any of the thresholds set forth in Section 12.20.090(A), without first obtaining and complying with a grading or stockpiling permit.
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> 1. Except as provided in paragraph 2, a permit for grading or stockpiling of more than 10 percent of a parcel shall not be issued until a site development permit, site review permit, development agreement, planned unit development permit, conditional use permit, or building permit has been issued for a specific development project…."

The original grading permit application of 2019 identified 450 cubic yards as the volume of grading to be completed; however, upon further review of the site plan to assess whether the grading permit was legally issued as per TCOC Section 12.20.050(D)(1), the County determined that the grading permit was for more than ten percent of the parcel and was issued without meeting the criteria in Section 12.20.050(D)(1) which requires a further site development permit, site review permit, development agreement, planned unit development permit, conditional use permit, or building permit. The grading permit was therefore not sufficient by itself given the plans called for grading more than 10 percent of the parcel, and is therefore null and void.

In order to perform any additional grading on the parcel, a new grading permit must be obtained. Because more than 10 percent of the parcel has already been graded, before a permit for any additional grading can be issued, the property owner must first obtain a site development permit, site review permit, development agreement, planned unit development permit, conditional use permit, or building permit for a specific development project. As per the Director of Community Development, no activities currently undertaken on the parcel constitute a specific development project for which a site development permit, site review permit, development agreement, planned unit development permit, or conditional use permit may be issued. Unless and until a specific development project requiring one of the above entitlements is undertaken by the property owner, no additional grading is permitted on the parcel. This does not restrict the property owner from

engaging in permitted uses on the parcel, including, but not limited to general manufacturing, processing and refining, and storage of equipment and materials.

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Kim MacFarlane
Public Works Director