

P.O. Box 277
Loyalton, CA 96118
January 20, 2020

Hon. Jim Beard, Chairman
Sierra County Board of Supervisors
P.O. Box D
Downieville, CA 95936



Dear Chairman Beard and Sierra County Board of Supervisors:

We are writing to ask for help with clarification of the current Sierra County General Plan as it relates to our ten-acre parcel of property located about $\frac{3}{4}$ mile east of Loyalton on Highway 49, AP # 016-090-042, and the two parcels bordering our property on each side to the east and west, since there appears to be a discrepancy between an older zoning designation and the newer land use designation adopted in 1996.

We have spoken several times to Tim Beals and Brandon Pangman in the Sierra County Planning and Building Department, who suggested we write to the Board of Supervisors for clarification. Mr. Pangman described the current discrepancy as follows:

“When the current Sierra County General Plan was last updated and adopted in 1996, it newly created a “community core” boundary for the larger community around Loyalton and extended this “core” boundary east along Hwy. 49 to include an island of three properties near the intersection of Smithneck Road and Hwy.49—Paul Graham’s 15.26 ac. parcel; the 10 ac. LDS Church parcel; and your 10 acres (see attached map). The land use designation for these three (3) “community core” parcels is “Rural 5-10” (meaning, ‘residential’ with an average density of 1 dwelling per 5 to 10 acres).

However, the zoning for these three (3) parcels, which had been in place for decades, was not changed at that time—and remains A1-Agricultural District today. This zoning designation is not consistent with the (newer) R 5-10 land use designation in the General Plan. Typically, zoning should be amended to be consistent with, and implement, the General Plan—which is the ‘top of the land use pyramid,’ if you will.

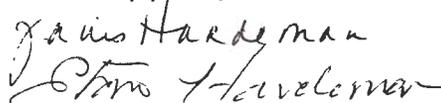
Some time ago, you approached us about the possibility of rezoning your property to accommodate a two-lot subdivision of your 10-acre parcel. We informed you that, while it ‘may’ be possible to rezone your property from Agricultural (A1) to Rural Residential (RR) District—consistent with the General Plan’s current R 5-10 designation—and do a corresponding subdivision....there was an issue of concern. Several years ago, in 2006, your next door neighbor, Paul Graham, applied for a rezone to do just that—but his project was denied. At the time, the Sierra County

Planning Commission approved the project using the 1996 General Plan but the Board of Supervisors declined approval and indicated that they felt the community core "flag lot" designation in that area (see map) was a mistake, and that larger parcel sizes and preservation of agricultural uses and open space in that region was preferable. In other words: no further lot splits in this area. Because of this, Planning Department staff cautioned you that a similar project right next door could face a similar fate....although we granted that some time had passed and the County had not yet amended the General Plan to remove these three "flag lots" from the Community Core designation. So it was unclear to staff whether the current Board would agree to keep this designation and consider a zone change to be consistent with the General Plan, or not. We recommended as one approach that you write a letter to the Board of Supervisors inviting discussion on this larger issue of whether they are supportive of the 1996 General Plan designation of your property, or not. If they are, then it might be a positive indicator for you that your proposed rezone and subdivision (consistent with the General Plan's R 5-10 density, or possibly even a higher density) might be better received at this time, than the Graham project was over 13 years ago."

Our question for discussion is whether the current Board of Supervisors are still supportive of the Community Core/R 5-10 land use designation applied to these three parcels or, as in the case with Mr. Graham's 2006 project denial, does the Board feel that the General Plan should be amended to return these parcels to an 'Agricultural' designation (or perhaps a low-density Rural designation that recognizes the existing 10 to 15 ac. parcel sizes), but does not allow for the creation of any new, and smaller, parcels?

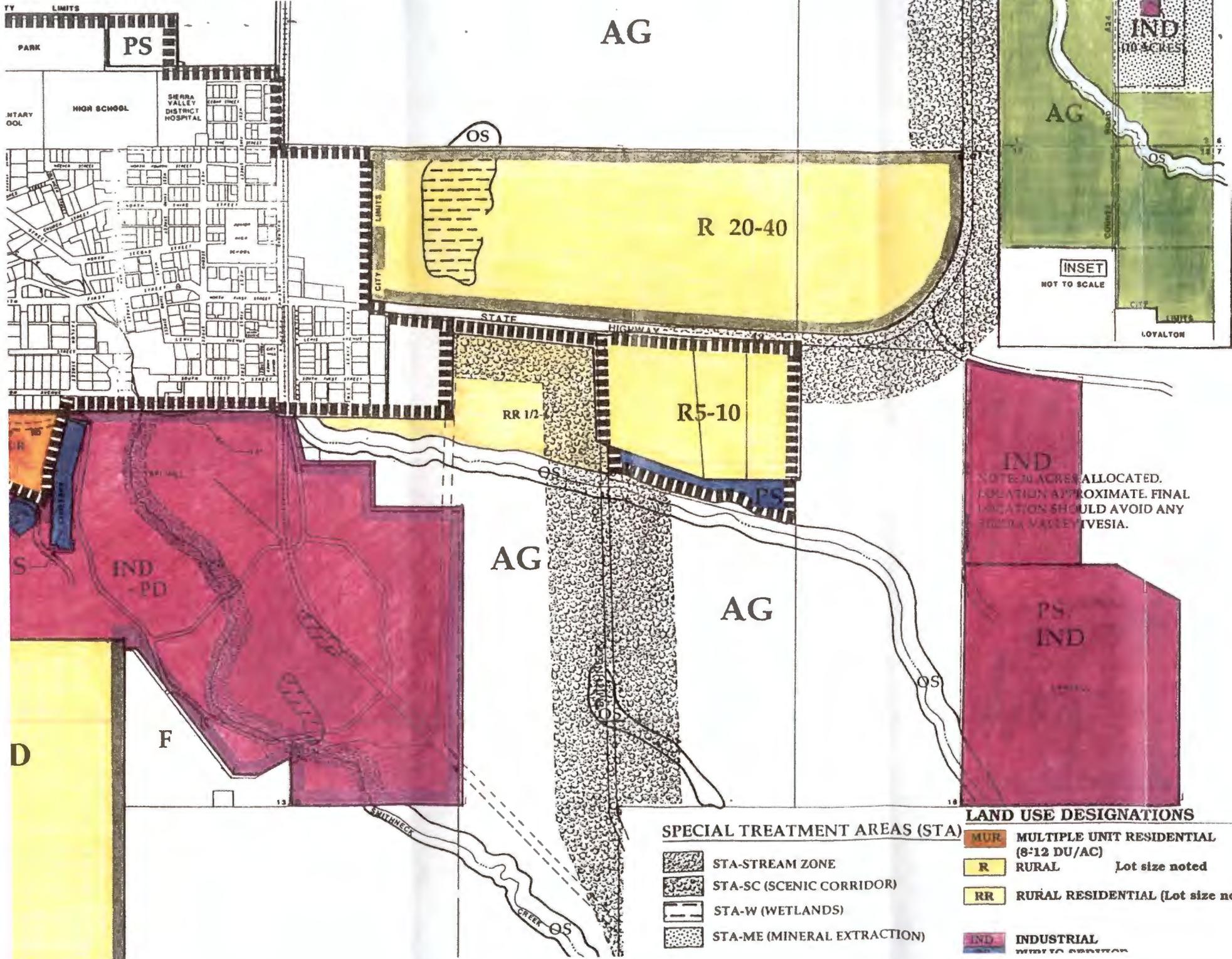
Thank you for your consideration and help to clarify this land-use issue.

Sincerely yours,

Handwritten signatures of Janis Hardeman and Stan Hardeman in cursive script.

Janis and Stan Hardeman

Enclosure: parcel map
Cc: Tim Beals
Brandon Pangman



SPECIAL TREATMENT AREAS (STA)

-  STA-STREAM ZONE
-  STA-SC (SCENIC CORRIDOR)
-  STA-W (WETLANDS)
-  STA-ME (MINERAL EXTRACTION)

LAND USE DESIGNATIONS

-  **MUR** MULTIPLE UNIT RESIDENTIAL (8-12 DU/AC)
-  **R** RURAL Lot size noted
-  **RR** RURAL RESIDENTIAL (Lot size noted)
-  **IND** INDUSTRIAL