

**Ordinance No. NS-1203.122**

**AN ORDINANCE OF THE BOARD OF SUPERVISORS  
OF THE COUNTY OF SANTA CLARA AMENDING  
SECTIONS C12-442 AND C12-443 OF DIVISION C12 OF THE COUNTY  
OF SANTA CLARA ORDINANCE CODE RELATING TO GRADING  
APPROVAL TIME LIMITATIONS**

**SUMMARY**

This ordinance amends sections of Division C12 of the County of Santa Clara Ordinance Code, changing the approval term of grading approval from two years to four years, to align with approval terms for building site approval and other land use and development permits.

**THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA CLARA  
ORDAINS AS FOLLOWS:**

**SECTION 1:** Section C12-442 of Division C12 of the County of Santa Clara Ordinance Code is hereby amended to read as follows:

**Sec. C12-442. Time limitation of an approval; request for an extension.**

The grading approval will remain valid for four (4) years from the final action date of the original approval. During this period, all applicable conditions of approval must be completed and a grading permit issued, or the approval will be deemed expired. The approval term may be lengthened to match the approval term of a concurrent, related land use application (e.g. use permit) on the subject property.

**SECTION 2:** Section C12-443 of Division C12 of the County of Santa Clara Ordinance Code is hereby amended to read as follows:

**Sec. C12-443. Extension of time to obtain grading permit.**

An applicant may request additional time to complete the applicable conditions of approval and obtain a grading permit per the time limits provided in Section C12-442. One extension of time may be granted, if requested in writing prior to the expiration date of the grading approval, accompanied by an application form, explanation of the

circumstances necessitating the extension request, and the filing fee as established by the Board of Supervisors.

An extension of time shall be for no more than 24 months, to commence upon the expiration date of the initial grading approval.

**SECTION 3.** This ordinance and the various parts thereof are hereby declared to be severable. Should any section of this ordinance be declared by a court to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any portion thereof, other than the section so declared to be unconstitutional or invalid.

**PASSED AND ADOPTED** by the Board of Supervisors of the County of Santa Clara, State of California on APR 21 2015 by the following vote:

AYES: **CHAVEZ, CORTESE, SIMITIAN, WASSERMAN, YEAGER**  
NOES: **NONE**  
ABSENT: **NONE**  
ABSTAIN: **NONE**




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Dave Cortese, President  
Board of Supervisors

**ATTEST:**

  
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Lynn Regadanz  
Clerk of the Board of Supervisors

**APPROVED AS TO FORM AND LEGALITY:**

  
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Elizabeth G. Pianca  
Deputy County Counsel