



ORDINANCE NO. 2009-003

AN ORDINANCE AMENDING CHAPTERS 14.08, 14.16, 15.48, 20.06, 20.56, AND 21.06
OF THE DEL NORTE COUNTY CODE RELATING TO THE REGULATION OF BUILDING
CONSTRUCTION AND ZONING

The Board of Supervisors of the County of Del Norte ordains as follows:

SECTION 1: Section 14.08.040 of Chapter 14.08, Title 14, of the Del Norte County Code is hereby amended to read as follows:

Section 14.08.040 Variances

Applications for variances under this Chapter and the determination thereon shall be governed by the provisions set forth in Title 20, Chapter 20.54.

SECTION 2: Section 14.16.028 of Chapter 14.16, Title 14, of the Del Norte County Code is hereby amended to read as follows:

Section 14.16.028 Approved Address Numbers

County approved address numbers shall be reflective white Arabic numerals at least four inches in height on a green metallic background of overall dimensions of five inches by ten inches.

SECTION 3: Section 15.48.060 of Chapter 15.48, Title 15, of the Del Norte County Code is hereby amended to read as follows:

Section 15.48.060 Appeals

Any permit denied by the county health department or director of community development may be appealed to the board of supervisors. Any such appeal to the board must be made in writing within ten days of the director's decision. If the denial was because the private wastewater disposal system will not maintain the health, safety and well-being of the inhabitants of the county, then the appellant must present with the application the signed statement of the county health officer attesting the fact that the proposed application meets the terms and conditions of this chapter. If the denial was on other grounds, the applicant shall present in writing his reasons why the denial was improper.

SECTION 4: Section 20.06.050 of Chapter 20.06, Title 20, of the Del Norte County Code is hereby amended to read as follows:

49 Section 20.06.050 Zoning Maps on File

50

51 This section consists of zoning maps of the county of Del Norte which
52 will be found on file in the county planning director's office.

53

54 SECTION 5: Section 20.52.030 of Chapter 20.52, Title 20, of the Del Norte County
55 Code is hereby amended to read as follows:

56

57 Section 20.52.030 Application - Fee

58

59 An application for an amendment pursuant to Section 20.52.020A., shall be
60 accompanied by a filing fee as prescribed in the current fee schedule resolution
61 of the board of supervisors and shall also be accompanied by the following data
62 necessary to demonstrate that the proposed amendment is in general
63 conformance with the general plan and that the public necessity, convenience,
64 and general welfare, require the adoption of the proposed amendment:

65 A. An accurate legal description and map showing:

- 66 1. Properties within the proposed or amended zoning district,
- 67 2. Boundary of the district,
- 68 3. Roads, rights-of-way or other data deemed pertinent by the
69 planning commission;

70 B. This map shall be drawn on a sheet or sheets eighteen inches by
71 twenty-six inches with a one inch border, and shall be drawn on tracing
72 paper or similar material, to a scale of one inch equal four hundred feet.

73

74 SECTION 6: Section 20.54.020 of Chapter 20.54, Title 20, of the Del Norte County
75 Code is hereby amended to read as follows:

76

77 Section 20.54.020 Application - Fee - Conditions

78

79 Application for a variance shall be made in writing on a form prescribed by the
80 planning commission and shall be accompanied by a filing fee as prescribed by
81 the current fee schedule resolution of the board of supervisors. Before any
82 variance may be granted by the board of supervisors all of the following must be
83 shown:

84 A. That there are exceptional or extraordinary circumstances, or conditions
85 applying to the land referred to in the application, which circumstances or
86 conditions do not apply to other lands, in the same district;

87 B. That the granting of the variance is necessary for the preservation and
88 enjoyment of substantial property rights of the applicant;

89 C. That the granting of such variance will not, under the circumstances of the
90 particular case, materially affect adversely the health or safety of persons
91 residing or working in the neighborhood of the property of the applicant, and will
92 not, under the circumstances of the particular case, be materially detrimental to
93 the public welfare or injurious to property or improvements in the neighborhood.

94

95 SECTION 6: Section 20.56.020 of Chapter 20.56, Title 20, of the Del Norte County
96 Code is hereby amended to read as follows:

97
98 Section 20.56.020 Application – Fees
99
100 Application for a use permit shall be made to the planning commission in writing
101 on a form provided by the planning commission and shall be accompanied by
102 plans and elevations necessary to show details of the proposed use or building.
103 Such application shall be accompanied by a filing fee as prescribed in the current
104 fee schedule resolution of the board of supervisors.

105
106 SECTION 7: Section 20.56.030 of Chapter 20.56, Title 20, of the Del Norte County
107 Code is hereby amended to read as follows:
108

109 Section 20.56.030 Public Hearing
110 The planning commission may hold such public hearings on a use permit
111 application as it may deem to be necessary, notice of which shall be given at
112 least ten days prior to such hearing, through U.S. mail, to all persons whose
113 names and addresses appear on the latest adopted tax rolls as owning real
114 property within a distance of not less than three hundred feet from the exterior
115 boundaries of the area which is the subject of the hearing.
116 Further public notification shall be by notice in at least one publication in a
117 newspaper of general circulation within the county at least ten days prior to the
118 first public hearing.
119 Further neighborhood notification shall be made in the form of public notices
120 posted at conspicuous places on or near the affected properties not less than ten
121 days prior to the first public hearing. Such notices shall give the time, place and
122 nature of the public hearing.
123 Any failure to post public notices as aforesaid shall not invalidate any
124 proceedings pursuant to this chapter.

125
126 SECTION 8: Section 21.06.050 of Chapter 21.06, Title 20, of the Del Norte County
127 Code is hereby amended to read as follows:
128

129 Section 21.06.050 Zoning Maps on File
130 This section consists of zoning maps of the County of Del Norte which will be
131 found in the file in the county planning director's office.

132
133 SECTION 9: Classification. This ordinance is considered of a general and permanent
134 nature and is classified as a codified ordinance.
135

136 SECTION 10: This ordinance shall become effective sixty-one (61) days following its
137 final passage and adoption.
138

139 SECTION 11: If any section, subsection, sentence, clause or phrase of this ordinance is
140 for any reason held to be unenforceable, such decision shall not affect the validity of
141 the remaining portions of this ordinance. The Board of Supervisors hereby declares
142 that it would have passed this ordinance and each section, subsection, clause or phrase
143 thereof, irrespective of the fact that any one or more sections, subsections, clauses or
144 phrases be declared unenforceable.

145
146 SECTION 12. This ordinance was introduced and the title thereof read at the regular
147 meeting of the Board of Supervisors on April 14, 2009 and on April 28, 2009 a
148 further reading was waived by the unanimous vote of the supervisors present.

149
150
151 On motion by Supervisor Sullivan, seconded by Supervisor
152 McNamer, the foregoing ordinance was passed and adopted by the Board
153 of Supervisors of the County of Del Norte, State of California, this 28 day of
154 April 2009, by the following vote:

155
156
157 AYES: Supervisors Finigan, McNamer, Sullivan, Hemmingsen

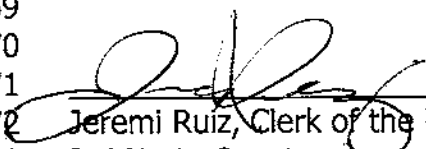
158
159 NOES: None

160
161 ABSENT: Supervisor McClure

162
163
164
165
166
167
168
169
170
171
172
173
174
175
176
177
178
179
180
181
182
183
184
185
186

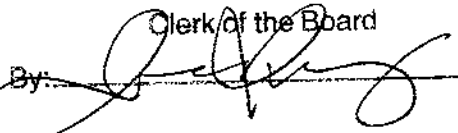

Gerry Hemmingsen, Chair
Board of Supervisors, Del Norte County

167 ATTEST:

170
171
172 
173 Jeremi Ruiz, Clerk of the Board
174 Del Norte County

Date: 4-28-09

I hereby certify that according to the
provisions of Government Code
Section 25103, delivery of this
document has been made.

Clerk of the Board
By: 

178 APPROVED AS TO FORM:
179 DOHN HENION, COUNTY COUNSEL
180 Del Norte County

181
182
183
184 
185 John Seyman, Deputy County Counsel
186 Del Norte County