

BOARD OF SUPERVISORS
COUNTY OF DEL NORTE

ORDINANCE NO. 74-12

AN ORDINANCE AMENDING ORDINANCE NO. 67-10 AND TITLE 20 OF THE COUNTY CODE BY DELETING ZONE CLASSIFICATIONS U, T, AND FR, ADDING ZONE CLASSIFICATIONS PO, AF, AE, RR, FR-2, MP AND T (COMBINING DISTRICT), AND RE-NUMBERING CERTAIN CHAPTERS.

The Board of Supervisors of the County of Del Norte do ordain as follows:

1. Section 3.0200 of Ordinance No. 67-10 and Chapter 20.08 of the Del Norte County Code is repealed; Section 3.1600 of Ordinance No. 67-10 and Chapter 20.36 of the County Code is hereby repealed.
2. The Title of Chapter 20.34 is amended to read FR-1 District - Forest and Recreation, and re-numbered to 20.35. The Title of Chapter 20.10 - Agricultural Districts is re-numbered to 20.11. Chapter 20.12 is re-numbered to 20.13.
3. There is hereby added to the County Code the following Chapters:

20.08	PO Districts
20.09	AF Districts
20.10	AE Districts
20.12	RR Districts
20.31	MP Districts
20.34	FR-2 Districts
20.36	"T" Mobile Home Combining Districts

which are to read as follows:

CHAPTER 20.08 REGULATIONS FOR "PO" PUBLIC OWNERSHIP DISTRICTS

Because the State and Federally owned lands within the County are some of the most significant resources in the County, this district is intended to recognize the existence and importance of these publicly owned lands. It is further the intent of this section to express the County's interest in participating in the decision making processes of the responsible State and Federal agencies on all decisions affecting public lands within the County. Because of the nature of public acquisition of the State and Federal lands, and the resulting pattern of ownership, some privately owned land is included in the "PO" classification.

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The following regulations shall apply in all "PO" Districts and shall be subject to the provisions of Chapters 4 and 5 of this Ordinance except as otherwise provided below.

20.08.010 Uses Permitted.

- (a) State Park: any use authorized by the responsible State agency.
- (b) National Park: any use authorized by the responsible Federal agency.
- (c) National Forest: any use authorized by the responsible Federal agency.
- (d) Privately owned land: all uses permitted in Section ~~20.34.010~~ of this Ordinance, concerning Forest Recreation Districts.

20.08.020 Uses permitted on privately owned land with a Use Permit.

- (a) Logging
- (b) Trailer parks and Mobile home parks.

20.08.030 Building Height Limit.

None

20.08.040 Minimum Lot Area Required.

- (a) Land owned by a public agency: no restriction.
- (b) Privately owned land: as specified by the Planning Commission but in no case less than two (2) acres. See also Section ~~5.0107~~. 20.48.080

20.08.050 Front Yard Required.

- (a) Land owned by a public agency: none.
- (b) Privately owned land: none, except as provided in Section 20.48.090.

20.08.060 Side Yard Required.

- (a) Land owned by a public agency: none.
- (b) Privately owned land: ten (10) feet.

20.08.070 Rear Yard Required.

- (a) Land owned by a public agency: none.
- (b) Privately owned land: ten (10) feet.

CHAPTER 20.09 REGULATIONS FOR "AF" AGRICULTURE FORESTRY DISTRICTS

Because prime forest land is not a readily renewable resource, this district classification is intended to provide for the protection of timber lands from uses which may be in conflict therewith. The provisions of this section, therefore, shall be liberally interpreted to apply to forestry and silviculture, and permitted agricultural uses, to the end that no other use shall be permitted. It is the intention of this section to prevent the subdividing of prime forest lands into lot sizes which might threaten the use of such lands for forest or timber production, and changes of zone from "AF" to another classification are to be made only where such uses are in accord with the General Plan.

The following regulations shall apply in all "AF" Districts, subject to the provisions of Chapters 20.46 + 20.48 of this Code.

20.09.010 Uses Permitted.

- (a) Management of land and forest for the production and harvest of trees.
- (b) Logging.
- (c) One-family dwellings, including mobile homes and modular housing.
- (d) Home occupations.
- (e) Nurseries and greenhouses.
- (f) One guest cottage for the use of friends, relatives, and bona fide visitors, in conjunction with a single family dwelling.
- (g) Accessory buildings and accessory uses customarily appurtenant to a permitted use.

20.09.020 Uses Permitted with a Use Permit.

- (a) Agriculture, other than tree farming.
- (b) Animal husbandry.
- (c) Dairies.
- (d) Country clubs and golf courses.
- (e) Public or quasi-public uses.
- (f) Guest ranches and public stables.
- (g) Trailers.
- (h) Airports, subject to the provisions of Section *20.09.090.*
- (i) Commercial excavations for rock and gravel and rock aggregate processing plants, subject to the provisions of Sections *20.09.080* and *20.09.090.*
- (j) Asphalt and concrete batch plants, subject to the provisions of Sections *20.09.080* and *20.09.090.*
- (k) Oil and gas drilling subject to the provisions of Sections *20.09.080* and *20.09.090.*

20.09.030 Building Height Limit.

None.

20.09.040 Minimum Lot Area Required.

Forty (40) acres.

20.09.050 Front Yard Required.

Twenty-five (25) feet. Also refer to Section *20.48.090.*

20.09.060 Side Yard Required.

Twenty (20) feet.

20.09.070 Rear Yard Required.

Twenty (20) feet for main building, five (5) feet for accessory building.

20.09.080 Special Yards and Distances Between Buildings Required.

- (a) Accessory buildings used as barns, stables, or farm outbuildings shall be not less than twenty (20) feet from any side or rear property line, not less than fifty (50) feet from the front property line, and not less than twenty (20) feet from any dwelling unit on the property.
- (b) Yards for the use of livestock shall be fenced to keep animals not less than twenty (20) feet from any dwelling.
- (c) Commercial excavations for rock and gravel shall have side and rear yards of a dimension great enough to provide a distance of no less than two hundred (200) feet between such operations and the nearest dwelling, but in no case less than sixty (60) feet.
- (d) Asphalt and concrete batch plants and rock aggregate processing plants shall have side and rear yards of a dimension great enough to provide a distance of no less than two hundred fifty (250) feet between such operations and the nearest dwelling, but in no case less than forty (40) feet.
- (e) Oil and gas extraction operations shall have side and rear yards of a dimension great enough to provide a distance of no less than one hundred fifty (150) feet between such operations and the nearest dwelling, but in no case less than forty (40) feet.

20.09.090 Special Requirements.

- (a) Where airports, commercial excavation for rock or gravel, or oil or gas extraction requires the removal of or the paving or surfacing over of topsoil, such topsoil shall be removed from all affected areas and stored or used for cultivation elsewhere. A plan for the appropriate disposition of topsoil, acceptable to the Planning Commission, shall be presented to the said Commission as a condition of any Use Permit granted for any use covered under this Section.

- (b) At the termination of any use covered under section 20.09.090, the property owner shall, within six months of such termination, restore topsoil and vegetation to substantially the same conditions as existed prior to the terminated use. In the event the owner or lessee fails to complete the rehabilitation of the property as herein provided, the Director of Public Works shall restore the property to the condition required herein. The unrestored condition shall be considered a nuisance, and the rehabilitation of the property shall be considered abatement of said nuisance. All costs incurred by the County in the rehabilitation of the property shall be recoverable from the owner as provided in Chapter 7.08 of the Del Norte County Code.

CHAPTER 20.10 REGULATIONS FOR AGRICULTURE EXCLUSIVE DISTRICTS

20.10.010

Because prime agricultural land is not a readily renewable resource, this district classification is intended to provide for the protection of agricultural land and uses against encroachment by other uses which may be in conflict therewith. The provisions of this section, therefore, shall be liberally interpreted to apply to agricultural pursuits and related services, to the end that no other use shall be permitted, and no regulation shall be deemed or construed to interfere with any normal accessory use conducted in conjunction therewith. It is the intention of this section to prevent the subdividing of prime agricultural lands into lot sizes which might threaten the use of such lands for agriculture, and changes of zone from "AE" to another classification are to be made only where such uses are in accord with the General Plan.

The following regulations shall apply in all "AE" Districts, subject to the provisions of Chapters 20.46 to 20.58 of this CODE.

20.10.020 Uses Permitted.

- (a) One-family dwellings, including mobile homes and modular housing.
- (b) Home occupations.

- (c) One guest cottage for the use of friends, relatives, and bona fide visitors, in conjunction with a single family residence.
- (d) Nurseries and greenhouses.
- (e) Accessory buildings and accessory uses including barns, stables, and other farm buildings.
- (f) All agricultural uses, including crop and tree farming, livestock farming and animal husbandry and dairies.

20.10.030 Uses Permitted with a Use Permit.

- (a) Country clubs and golf courses, subject to the provisions of Section 20.10.050.
- (b) Animal hospitals and Veterinary Clinics.
- (c) Public or quasi public uses.
- (d) Guest ranches and public stables.
- (e) Trailers.
- (f) Airports, subject to the provisions of Section 20.10.100.
- (g) Quarters for farm labor employed on the premises.
- (h) Commercial excavation for rock and gravel, subject to the provisions of Section 20.10.100.
- (i) Oil and gas drilling, subject to the provisions of Section 20.10.100.
- (j) Produce sales stands, provided that the majority of the produce sold or offered for sale be grown on the premises.

20.10.040 Building Height Limit.

None.

20.10.050 Minimum Lot Area Required.

- (a) One hundred (100) acres for golf courses and country clubs.
- (b) Forty (40) acres, except as provided in Section 20.10.050 (a).

20.10.060 Front Yard Required.

- (a) Twenty-five (25) feet. Also refer to Section 20.48.090.

20.10.070 Side Yard Required.

Twenty (20) feet.

20.10.080 Rear Yard Required.

Twenty (20) feet for main building, five (5) feet for accessory building.

20.10.090 Special Yards and Distances Between Buildings Required.

- (a) Accessory buildings used as barns, stables or farm outbuildings shall be not less than twenty (20) feet from any side or rear property line, and not less than fifty (50) feet from the front property line, and not less than twenty (20) feet from any dwelling unit on the property.
- (b) Yards for the use of livestock shall be fenced to keep animals not less than twenty (20) feet from any dwelling.
- (c) Side and rear yards for animal hospitals and Veterinary Clinics shall be no less than sixty (60) feet when adjacent to a lot or parcel used for residential purposes.
- (d) Commercial excavations for rock or gravel shall have side and rear yards of a dimension large enough to provide a minimum distance of no less than two hundred (200) feet between such operations and the nearest dwelling, but in no case less than sixty (60) feet.
- (e) Oil and gas drilling operations shall have side and rear yard of a dimension large enough to provide a minimum distance of no less than one hundred fifty (150) feet between such operations and the nearest dwelling, but in no case less than forty (40) feet.

20.10.100 Special Requirements.

- (a) Where airports, commercial excavation for rock or gravel, or oil or gas extraction requires the removal of or the paving or surfacing over of topsoil, such topsoil shall be removed from all affected areas and stored or used for cultivation elsewhere.
- (b) At the termination of any use covered under Subsection 20.10.100 (a), the property owner shall, within six months of such termination, restore topsoil and vegetation to substantially the same conditions as existed prior to the terminated use. In the event the owner or lessee fails to complete the rehabilitation of the property as herein provided, the Director of Public Works shall restore the property to the conditions required herein. The unrestored condition shall be considered a nuisance, and the rehabilitation of the property shall be considered abatement of said nuisance. All costs incurred by the County in the rehabilitation of the property shall be recoverable from the owner as provided in Chapter 7.08 of the Del Norte County Code.
- (c) All trailers occupied continuously for a period of more than ninety (90) days shall have a protective skirt or screening to prevent access under the trailer.

CHAPTER 20.12 REGULATIONS FOR "RR" RURAL RESIDENTIAL DISTRICTS.

This district classification is designed for the orderly development of rural homesites in the 2 to 5 acre category, to encourage a suitable environment for family life for those who desire rural residential land.

Since there is a limited area within the county which is suitable for rural residential land, this district is intended to protect rural residential uses against encroachment by other uses which may be in conflict therewith. The provisions of this section, therefore, shall be liberally interpreted to apply to rural residential and agricultural pursuits and related services, to the end that no other use shall be permitted and no regulation shall be deemed or construed to interfere with any normal accessory use conducted in conjunction therewith. It is the intention of this section to prevent the further subdividing of rural residential land into lot sizes which might threaten the rural quality of

of areas zoned "RR" and changes of zone from "RR" to another classification are to be made only where such uses are in accord with the General Plan.

The following regulations shall apply in all "RR" Districts, subject to the provisions of Chapters ^{10, 46} and ²⁰ ⁴⁸ of this CODE.

20.12.010 Uses Permitted.

- (a) One-family dwellings including one non-commercial guest house.
- (b) Home occupations.
- (c) Accessory buildings and accessory uses including barns, stables, and other farm buildings.
- (d) All agricultural uses, including crop and tree farming, small livestock farming and animal husbandry, provided that not more than one (1) horse, mule, cow, or steer, nor more than five (5) goats, sheep, or similar livestock shall be kept for each 20,000 square feet of lot area, except as otherwise provided in Section 20.12.020.

20.12.020 Uses Permitted with a Use Permit.

- (a) Country clubs and golf courses.
- (b) Animal hospitals and Veterinary Clinics.
- (c) Public or quasi public uses.
- (d) Quarters for farm labor employed on the premises.
- (e) Animal husbandry where more than one (1) horse, mule, cow, or steer, or more than five (5) goats, sheep or similar livestock is kept for each 20,000 square feet of lot area, subject to the approval of the County Sanitarian and such additional conditions as may be imposed by the Planning Commission.

20.12.030 Building Height Limit.

None.

20.12.040 Minimum Lot Area Required.

As specified by the Planning Commission, but in no case less than two (2) acres.

20.12.050 Minimum Lot Width Required.

200 feet.

20.12.060 Percentage of Lot Coverage Permitted.

15 percent.

20.12.070 Front Yard Required.

25 feet. Also refer to Section 20.48.090.

20.12.080 Side Yard Required.

20 feet unless the building site is less than 200 feet in width in which case side yards of 10 percent of such width, but not less than 5 feet, shall be required.

20.12.090 Rear Yard Required.

20 feet for main building, 5 feet for accessory building.

20.12.100 Special Yards and Distances between Buildings Required.

- (a) Accessory buildings used as barns, stables or farm outbuildings shall be not less than 20 feet from any side of rear property line, and not less than 50 feet from the front property line, and not less than 20 feet from any dwelling unit on the property.
- (b) Yards for the use of livestock shall be fenced to keep animals not less than 20 feet from any dwelling.

CHAPTER 20.31 REGULATIONS FOR "MP" MANUFACTURING AND INDUSTRIAL PERFORMANCE DISTRICTS.

This district classification is intended to apply to areas suited to normal operations of industries, subject to such regulations as are necessary to protect the public health, safety, convenience, and general welfare within the District and adjacent Districts. All uses shall be subject to the use performance standards set forth in Section 20.31.100 No "MP" District shall be located adjacent to an "R" District.

The following regulations shall apply in all "MP" Districts and shall be subject to the provisions of Chapters 20.46 and 20.48 of this CODE.

20.31.010 Uses Permitted.

- (a) All commercial uses permitted in "C-3" Districts, except residential uses, and all other commercial and manufacturing uses except as set forth in Section ~~3-1002~~. *20.40.030*
- (b) Accessory uses appurtenant to a permitted use, including watchman's residences.

20.31.020 Uses Permitted with a Use Permit.

- (a) Airports.
- (b) Commercial excavation of rock, gravel and stone or earth materials, including mining.
- (c) Distillation of bones.
- (d) Drilling for, extraction of and/or refining of oil, gas, and/or petroleum and its products.
- (e) Dumping, disposal, incineration, or reduction of garbage, sewage, sewage effluent, sewage sludge, offal, dead animals, or refuse.
- (f) Fat rendering.
- (g) Junk yards, wrecking yards, contractor's yards, lumber yards, and storage yards.
- (h) Fish and meat processing.
- (i) Manufacturing of acid, beverages, chemicals, cement, explosives, fireworks, fertilizer, fuels, gas, glue, gypsum, flammable fluids or gases, ordnance, jet or rocket propulsion units.
- (j) Professional offices.
- (k) Animal hospitals, veterinary clinics, and enclosed kennels.
- (l) Sawmills and planing mills.
- (m) Smelting or reduction of aluminum, copper, iron, tin, zinc, or other ores.
- (n) Stockyards and slaughter houses.

- (o) Tanneries.
- (p) Pulp mills and paper mills.
- (q) Other uses which, in the opinion of the Planning Commission, would be appropriate and compatible subject to such conditions as the Commission may deem necessary to impose in the discretionary issuance of a Use Permit.

20.31.030 Building Height Limit.

Seventy-five (75) feet.

20.31.040 Minimum Lot Area Required.

None, where both a public or mutual water supply and public sewage collection system are available, and as specified by the Planning Commission but in no case less than twenty thousand (20,000) square feet where both public or mutual water supply and public sanitary system are not available. Where water and sanitary facilities are contained on the property, all State and County health regulations shall apply. See also Section *20.48.080*.

20.31.050 Minimum Lot Width.

Twenty-five (25) feet where both a public or mutual water supply and a public sewage collection system are available; where either a public or mutual water supply or a public sewage collection system is not available the lot width shall be as specified by the Planning Commission but in no case less than twenty-five (25) feet.

20.31.060 Percentage of Lot Coverage Permitted.

Up to one hundred (100) percent of the building site where both a public or mutual water supply and a public sewage collection system are available. Where water and sanitary facilities are contained on the property, adequate yard space shall be provided. See also Section *20.48.080*.

20.31.070 Front Yard Required.

Thirty (30) feet, except as provided in Section *20.48.090*.

20.31.080 Side Yard Required.

None, except that the side yard on the street side of a corner lot be no less than thirty (30) feet.

20.31.090 Rear Yard Required.

None.

20.31.100 Performance Standards.

All activities allowed in the "MP" District shall be subject to the following limitations of their external effects and such limitations shall be a condition of all Uses Permitted in the District.

- (a) Noise or vibration created by or resulting directly or indirectly from any industrial machinery or process shall not be discernable without instruments at the lot boundaries.
- (b) Odors, glare, or heat created by or resulting directly or indirectly from any use shall not be perceptible at any point beyond the lot boundaries.
- (c) Discharge into the atmosphere of air contaminants including, but not limited to, sulphur compounds, nitrogen compounds, smoke, charred paper, dust, soot, grime, carbon, noxious acids, fumes, gases, mist, odors, or particulate matter or any combination thereof, from any single source of emission whatsoever for a period or periods aggregating more than three (3) minutes in any one (1) hour shall be permitted which:
 1. Exceeds the legally permissible discharge limits, herein prescribed as follows: Sulfur Dioxide, Carbon Monoxide, Oxidant, Hydrocarbons, and Nitrogen Dioxide shall be less than set forth as National Standard in "Table I", Rules and Regulations Del Norte County Air Pollution Control District; Particulate Matter, Visibility reducing particles, Lead, Hydrogen Sulfide, and Nitrogen Dioxide shall be less than set forth as California Standard in "Table I", Rules and Regulations Del Norte County Air Pollution Control District; or additional or more restrictive emission limits as prescribed by the County Air Pollution Control Officer; or

2. Is as dark or darker in shade as that designated as No. 2 on the Ringlemann Chart, as published by the United States Bureau of Mines; or
 3. Is of such opacity as to obscure an observer's view to a degree equal to or greater than the smoke described in "2" above; except that
 4. Sub-paragraphs 2 and 3 above shall not apply when the presence of uncombined water is the only reason for the failure of the emission to meet the requirements of this subsection.
- (d) Industrial activities shall be of such nature as not to cause damage or jeopardy to the health or safety of persons, animals, vegetation, or any form of real or personal property.
- (e) Water supply, drainage, rubbish and waste disposal systems and practices shall conform to all applicable codes and standards relating to public safety, health, sanitation, and/or public works of the County of Del Norte.

CHAPTER 20.34. "FR-2" FOREST-RECREATION DISTRICTS.

This district classification is to be applied to areas where recreation, conservation, and recreational development would be more desirable uses than any other uses to the extent that other uses would reduce or destroy the conservation or recreational value of the area. The nature of the "FR-2" district classification is that of a transition between more intensive uses and the State and Federal lands in the County, and the Planning Commission shall recognize the transitional nature of the district in considering lot sizes, Use Permit applications and other discretionary matters.

The "FR-2" district classification is intended to be applied to areas adjacent to or in close proximity to National Parks, State Parks, and National Forest lands.

The following regulations shall apply in all "FR-2" Districts, subject to the provisions of Chapters ^{20.46} and ^{20.48} of this CODE.

20.34.010 Uses Permitted.

- (a) Single family residence, including mobile homes and modular housing.

- (b) Hunting and fishing camps.
- (c) Pack stations.
- (d) Home occupations.
- (e) Agriculture.
- (f) One guest cottage for the use of friends, relatives, and bona fide visitors, in conjunction with a single family residence.

20.34.020 Uses Permitted with a Use Permit.

- (a) Guest ranches, public stables, private stables.
- (b) Logging.
- (c) Country clubs, golf courses.
- (d) Animal husbandry.
- (e) Trailers.
- (f) Sales stands for fruits and vegetables, provided that the majority of the produce sold or offered for sale be grown on the premises.

20.34.030 Building Height Limit.

35 feet.

20.34.040 Minimum Lot Area Required.

As specified by the Planning Commission, but in no case less than two (2) acres.

20.34.050 Front Yard Required.

Forty (40) feet,
Also refer to Section 20.48.090.

20.34.060 Side Yard Required.

Fifteen (15) feet, .

20.34.070 Rear Yard Required.

20.24.100

Except as required by Section 3-1009, fifty (50) feet for main buildings, thirty (30) feet for accessory buildings.

20.34.080 Percentage of Lot Coverage Permitted.

Twenty (20) percent.

CHAPTER 20.36 REGULATIONS FOR "T" MOBILE HOME COMBINING DISTRICT.

This district classification is intended to allow the parking of independent mobile homes for residential purposes on individual lots and parcels and to prevent the encroachment upon these areas of incompatible uses of property as may be in conflict therewith. It is further the purpose of this district to provide maximum protection to future residents within the district and to encourage the highest and best use of land, including necessary supporting and accessory uses incidental thereto.

The "T" Mobilehome Combining District is intended to be combined in certain situations with Residential Districts in which the addition of the mobilehome use will not be detrimental to the aesthetics or property values of the principal district or contiguous districts. The minimum land area to which a "T" district may be applied shall be five (5) contiguous acres.

The following regulations shall apply in all "T" Districts, and shall be subject to the provisions of Chapters 4 and 5 of this Ordinance.

20.36.010 Uses Permitted.

- (a) All uses permitted in the principal district with which it is combined, subject to securing a Use Permit for any use except mobilehomes for which a Use Permit is required in the principal district with which it is combined.
- (b) One independent mobile home bearing a tag of approval of the California Division of Housing or equivalent.
- (c) Public parks and public playgrounds.
- (d) Not more than three (3) accessory structures for private use limited to the following: garage, carport, utility room, recreation room, storage room, cabana, greenhouse, swimming pools and related structures, patios and other open recreational uses.

20.36.020 Uses Permitted with a Use Permit.

- (a) All uses requiring a Use Permit in the principal district with which the "T" zone is combined.
- (b) Cooperative, corporate, or community recreation, utility and/or sanitary facilities.

20.36.030 Building Height Limit.

Building height is limited to one story and not to exceed twenty (20) feet. This height does not include antennae.

20.36.040 Minimum Lot Area Required.

6,500 square feet for each trailer if a public or mutual water system and public sanitary system is provided; 7200 square feet if a public or mutual water system or public sanitary system is provided otherwise 20,000 square feet if neither is provided except as otherwise provided in Chapter 14.12 of the Del Norte County Code, but in case less than the minimum lot size permitted in the principal district.

20.36.050 Minimum Lot Width Required.

Minimum lot width required in principal district with which the "T" district is combined.

20.36.060 Front Yard Required.

Minimum front yard required in principal district with which the "T" district is combined. Also refer to Section 26.48.090.

20.36.070 Side Yard Required.

Minimum side yard required in principal district with which the "T" district is combined.

20.36.080 Rear Yard Required.

Minimum rear yard required in principal district with which the "T" district is combined.

PASSED by the Board of Supervisors of the County of Del Norte the 22nd day of July, 1974 by the following polled vote:

AYES: Supervisors Erickson, McClendon, Cochran, Chairman Fraser.

NOES: None.

ABSENT: Supervisor Hight.



JOHN E. FRASER, CHAIRMAN

ATTEST:



CLERK OF THE BOARD