

L A N D U S E
B L U E L A K E R A N C H E R I A
H U M B O L D T C O U N T Y , C A L I F O R N I A

Ordinance Number 89-02

SUBJECT: Rules to govern the use of land within the exterior boundaries of the Blue Lake Rancheria.

WHEREAS: The Constitution of the Blue Lake Rancheria, as approved on March 22, 1989, provides for in Article V, Section 4 the power to the Business Council to enact laws for the welfare, health and safety of the members of the Blue Lake Rancheria,

NOW, THEREFORE, BE IT KNOWN, that the Business Council of the Blue Lake Rancheria hereby ordains as follows:

SECTION I: PURPOSE

It is the purpose of this Ordinance to provide proper control of all lands within the exterior boundaries of the Blue Lake Rancheria by establishing standards and procedures so as to conserve, protect, and develop tribal lands and resources in a qualitative manner so as to promote and safeguard the interests of the Tribe.

SECTION II: STANDARDS

Standards are designed to protect the health and safety of Rancheria Tribal members and enhance development of resources on the Rancheria. The standards to be applied are as follows:

1. The Business Council will be responsible for the environmental quality of the soil, air, aesthetics, and water.
 - (a) Aesthetics (Sign Control/Signage): Construction design plans and proposed signs will be considered by the Business Council as part of the review process.
 - (b) Water, Soil, and Air Quality: A continuing monitoring program will be undertaken in cooperation with health authorities.
2. Uses, besides residential, shall be reviewed, approved/disapproved by action of the Business Council.

Ordinance 89-02

SECTION III: PROCEDURES

1. Residential Construction - The Business Council will review the plans for residential construction on a case by case basis. After the review process, the Business Council will determine whether or not to issue a use permit.
2. Economic Development - The Business Council will designate a committee to review projects on a case by case basis and make recommendations to the Business Council as to whether a use permit will be issued.

SECTION IV: LAND ASSIGNMENT

Article V, Section 6 (g) of the Blue Lake Rancheria Tribal Constitution authorizes the Business Council to regulate by ordinance, the use and development of all Tribal lands, whether assigned or unassigned, and to manage, lease or otherwise use all unassigned Tribal lands in accordance with applicable law.

SECTION V: ZONING

Zoning will provide control by the Tribe of where various activities will be located. The entire Rancheria will be zoned for various land uses as follows.

SFR Single-Family Residential
MFR Multiple Family Residential
COB Commercial and Office/Business
AGR Agricultural

All of the Rancheria except for portions of Parcel 9 & 10 are within the 500 and 100 Flood Plain of the Mad River.

SECTION VI: ENFORCEMENT

1. The Business Council will decide upon appeals for zone changes, variance, or special types of use not specifically covered by this Ordinance.
2. The Business Council will establish procedures for amendments, petitions, notices, investigations and hearings.
3. The Business Council will establish procedures for interpretation of the uses, required permits, and penalties.

Ordinance 89-02

SECTION VII: AMENDMENTS

This Ordinance, or any section herein, may be amended by a majority vote of the Business Council at a duly called regular or special meeting, and the amendment will become effective thirty (30) days from the amendment date.

SECTION VIII: APPEALS

Any person aggrieved by an action of the Business Council may take an appeal by filing a notice of appeal with the Tribal Office within 10 days of the action of the Business Council.

The Business Council shall consider the appeal and the record upon which the action appealed from was taken, and shall cause the matter to be set for a public hearing.

If the Business Council causes the matter to be set for a public hearing, notice of the hearing shall be given by publication in the general public notice manner.

Within 60 days of the filing of the notice of appeal, the Business Council shall render its decision on the matter. Failure of the Business Council to render its decision on the matter within 60 days of the filing of the notice of appeal shall be deemed to be a denial of the appeal and an affirmation of the previous action.

The decision of the Business Council upon an appeal is final and conclusive as to all things involved in the matter, noting that the General Council can take action in accordance with Article V, Section 3. (c)

C E R T I F I C A T I O N

We, the undersigned, as duly elected officers of the Blue Lake Rancheria Business Council, do hereby certify that the foregoing ordinance was enacted by the Business Council members of the Blue Lake Rancheria at a duly called Business Council meeting,

at which a quorum was present, on December 17, 1989,

by a vote of 5 for, with 0 against, and 0 abstaining, and that this ordinance has not been rescinded or amended in any way.

Sylvia Daniels
Chairperson

12-17-89
Date

Claudia Brunden
Secretary/Treasurer

12-17-89
Date

B L U E L A K E R A N C H E R I A L A N D U S E Z O N I N G

