



GOVERNMENTAL CENTER

Alvin D James
Planning Director

701 OCEAN STREET SANTA CRUZ, CALIFORNIA 95060
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June 5, 1998

AGENDA: June 16, 1998

Board of Supervisors
County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

RE: PUBLIC HEARING TO CONSIDER ADOPTION OF AN ORDINANCE EXTENDING INTERIM ORDINANCE NO. 4473 RELATING TO HELICOPTER LOGGING OPERATIONS

Members of the Board:

Ordinance No. 4473 was adopted by your Board on September 16, 1997 (Attachment 2). This ordinance establishes interim zoning regulations that restrict helicopter logging, both staging and loading, to the parcel (or contiguous parcel) where the timber harvesting is occurring, as long as the staging **and loading** areas are within the boundaries of the Timber Harvest Plan or on an adjacent property. As an interim ordinance, Ordinance No. 4473 will expire on August 1, 1998, unless extended by the Board of Supervisors following a public hearing.

The time extension is necessary to allow Planning staff to complete the zoning ordinance amendments to regulate the location of helicopter logging as directed by your Board on June 2, 1998. The permanent ordinances will contain the same provisions as the interim ordinances and will prevent some of the adverse impacts associated with helicopter logging.

County Counsel has prepared an ordinance to extend the interim zoning regulations regarding helicopter logging to one **full** year (Attachment 1). A public hearing has been scheduled to consider this ordinance. A four-fifths vote is required to adopt this extension of the interim ordinance.

It is, therefore, **RECOMMENDED** that your Board:

1. Conduct the public hearing on the proposed Interim Ordinance, and

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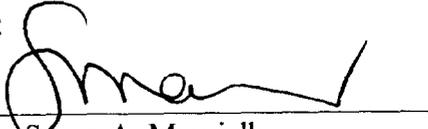
2. Adopt the proposed Ordinance Extending the Interim Zoning Regulations Regarding Timber Harvesting Operations (Attachment 1).

Sincerely,



Alvin D. James
Planning Department

RECOMMENDED:



Susan A. Mauriello
County Administrative Officer

Attachments: 1. Proposed Ordinance
2. Ordinance No. 4473

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ORDINANCE NO. _____

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AN ORDINANCE OF THE COUNTY OF SANTA CRUZ
EXTENDING INTERIM ZONING REGULATIONS
REGARDING TIMBER HARVESTING OPERATIONS

WHEREAS, California Government Code Section 65858 enables local legislative bodies to utilize interim zoning regulations pending the study, development, and consideration of permanent zoning regulations;

WHEREAS, on August 19, 1997, the Board of Supervisors adopted Ordinance No. 4469 establishing interim zoning regulations regarding timber harvesting operations and pursuant to Government Code Section 65858 said ordinance was extended on September 16, 1997 by Ordinance No. 4473 which will expire on August 1, 1998, unless further extended;

WHEREAS, the use of non-contiguous parcels for staging and loading timber operations involving helicopters pose a current and immediate threat to the public health, safety and general welfare; and

WHEREAS, the County of Santa Cruz has determined that the location of timber harvesting operations should be restricted in accordance with this ordinance pending the development and consideration of permanent zoning regulations expressly addressing where helicopter timber operations shall be permitted;

NOW, THEREFORE, the Board of Supervisors of the County of Santa Cruz ordains as follows:

SECTION I

During the time this interim ordinance is in effect, off-site staging or loading activities for timber operations involving the use of helicopters shall be prohibited unless the staging or loading area is on the parcel or on a parcel which is contiguous to the site (parcel) from which the timber is being harvested and the staging or loading area is within a Timber Harvest Plan (THP) approved by the California Department of Forestry.

SECTION II

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held to be invalid by the decision of any court of competent jurisdiction, such decision shall not effect the remaining portions of this

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Ordinance. The Board of Supervisors of this County hereby declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase or portion thereof, irrespective of any such decision.

SECTION III

The Board of Supervisors hereby finds, determines, and declares that this ordinance is adopted consistent with Government Code Section 65858 and is necessary for the protection of the public health, safety and general welfare. The facts constituting the need for such a measure are set forth in the preamble of this ordinance.

In accordance with Government Code Section 65858, this ordinance shall be in force and effect for a period of one year from its date of adoption unless prior to that date permanent zoning regulations go into effect which address where helicopter timber operations shall be permitted, in which case those permanent zoning regulations shall thereupon supersede the interim zoning regulations adopted by this ordinance.

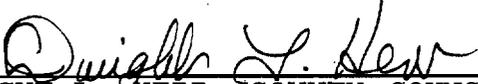
PASSED AND ADOPTED this ____ day of _____, 1998, by the Board of Supervisors of the County of Santa Cruz by the following vote:

AYES: SUPERVISORS
NOES: SUPERVISORS
ABSENT: SUPERVISORS
ABSTAIN: SUPERVISORS

Chair of the
Board of Supervisors

Attest: _____
Clerk of the Board

APPROVED AS TO FORM:



DWIGHT L. HERR, COUNTY COUNSEL

DISTRIBUTION: County Counsel
County Administrative Office
Planning Department

ORDINANCE NO. 4473

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AN ORDINANCE OF THE COUNTY OF SANTA CRUZ
ESTABLISHING INTERIM ZONING REGULATIONS
REGARDING **TIMBER HARVESTING** OPERATIONS

WHEREAS, California Government Code Section 65858 enables local legislative bodies to utilize interim zoning regulations pending the study, development, and consideration of permanent zoning regulations;

WHEREAS, on August 19, 1997, the Board of Supervisors adopted Ordinance No. 4469 establishing interim zoning regulations regarding timber harvesting operations and pursuant to Government Code Section 65858 said ordinance shall expire in 45 days unless extended.

WHEREAS, the use of non-contiguous parcels for staging and loading timber operations involving helicopters pose a current and immediate threat to the public health, safety and general welfare; and

WHEREAS, the County of Santa **Cruz** has determined that the location of timber harvesting operations should be restricted in accordance with this ordinance pending the development and consideration of permanent zoning regulations expressly addressing the use of off-site parcels for staging and loading timber operations involving helicopters.'

NOW, THEREFORE, the Board of Supervisors of the County of Santa Cruz ordains as follows:

SECTION I

During the time this interim ordinance is in effect, off-site staging or loading activities for timber operations involving the use of helicopters shall be prohibited unless the staging or loading area is on the parcel or on a parcel which is contiguous to the site (parcel) from which the timber is being harvested and the staging or loading area is within a Timber Harvest Plan (THP) approved by the California Department of Forestry.

SECTION II

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held to be invalid by the decision of any court of competent jurisdiction, such **decision** shall not effect the remaining portions of this

Ordinance. The Board of Supervisors of this County hereby declares that it would have adopted this Ordinance and each section, subsection, sentence, clause., phrase or portion thereof, irrespective of any such decision.

SECTION III

The Board of Supervisors hereby finds, determines, and declares that this ordinance is adopted consistent with Government Code Section 65858 and is necessary for the protection of the public health, safety and general welfare. The facts constituting the need for such a measure are set forth in the preamble of this ordinance.

In accordance with Government Code Section 65858, this ordinance shall be in force and effect for ten months and 15 days from its date of adoption unless, after formal public hearing, the Board of Supervisors, by a four-fifths vote, extends the interim ordinance in accordance with Government Code Section 65858.

PASSED AND ADOPTED this 16th day of September, 1997, by the Board of Supervisors of the County of Santa Cruz by the following vote:

- AYES: SUPERVISORS Beautz, Belgard, Almquist and Wormhoudt
- NOES: SUPERVISORS Symons
- ABSENT: SUPERVISORS None
- ABSTAIN: SUPERVISORS None

MARDI WORMHOUDT

Chair of the Board of Supervisors

Attest: SUSAN M. ROZARIO
Clerk of the Board

APPROVED AS TO FORM:

Dwight L. Herr
DWIGHT LV HERR, COUNTY COUNSEL

DISTRIBUTION: County Counsel
County Administrative Office
Planning Department



I HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL ON FILE IN THE OFFICE ATTEST MY HAND AND SEAL THIS 19th DAY OF September 1997
S U S A MAURIELLO, COUNTY ADMINISTRATIVE AND EX-OFFICIO CLERK OF THE BOARD OF THE COUNTY OF SANTA CRUZ, CALI

BY Gandy Hauert DEPUTY