

ORDINANCE _____

ORDINANCE ADDING COUNTY CODE SECTION 13.10.378 - TIMBER HARVESTING
RELATED HELICOPTER REGULATIONS

WHEREAS, the use of non-contiguous parcels for staging and loading timber as a part of timber operations involving helicopters poses a current and immediate threat to the public health, safety and general welfare because residents of parcels over which the helicopters fly would be subject to the danger of multi-ton logs falling over and near their homes and to extremely high-decibel noise levels; and

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

SECTION I

Chapter 13.10 is hereby amended by adding Section 13.10.378 to read as follows:

13.10.378 Timber Harvest Related Helicopter Operations

- (a) Staging and loading activities for timber operations involving the use of helicopters shall be prohibited unless the staging or loading area:
- i) is on the parcel or on a parcel which is contiguous to the parcel from which the timber is being harvested,
 - ii) is within a parcel that is either zoned TP or is zoned in another zone district where timber harvesting is permitted, and
 - iii) is within the boundaries of the Timber Harvest Plan (THP) or the Non-industrial Timber Management Plan (NTMP), and the THP or NTMP is approved by the California Department of Forestry and Fire Protection .
- (b) Notwithstanding the foregoing, this section of the County Code shall only apply outside the Coastal Zone.

SECTION II

If any section, subsection, division, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of 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, division, sentence, clause, phrase, or portion thereof, irrespective of any such decision,

SECTION III

This Ordinance shall take effect on the 31st day after final passage. Upon its effective date, this ordinance shall supercede the interim zoning regulations adopted by Ordinance No. _____

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz this _____ day of _____, 1999, by the following vote:

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

CHAIRPERSON, BOARD OF SUPERVISORS

ATTEST: _____
Clerk of the Board

APPROVED AS TO FORM: Quigley L. Herr
County Counsel

Copies to: Planning
County Counsel