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## ORDINANCE \_\_\_\_\_

**ORDINANCE AMENDING COUNTY CODE SECTIONS 13.10.312(b) - ALLOWED USES IN THE AGRICULTURAL ZONES, AND ADDING COUNTY CODE SECTION 13.10.378 - TIMBER HARVESTING RELATED HELICOPTER REGULATIONS AND SECTION 13.10.695 LOCATIONAL CRITERIA FOR TIMBER HARVESTING****SECTION I**

Subsection (b) of Section 13.10.3 12 - Uses Allowed in Agricultural Districts of the County Code is hereby amended to read as follows:

(b) Allowed Uses.

1. The uses allowed in the agricultural districts shall be as provided in the Agricultural Uses Chart below. A discretionary approval for an allowed use is known as a "Use Approval" and is given as part of a "Development Permit" for a particular use. The type of permit processing review, or "Approval Level", required for each use in each of the agricultural zone districts is indicated in the chart. The processing procedures for Development Permits and for the various Approval Levels are detailed in Chapter 18.10 PERMIT AND APPROVAL PROCEDURES. The Approval Levels given in this chart for structures incorporate the Approval Levels necessary for processing a building permit for the structure. Higher Approval Levels than those listed in this chart for a particular use may be required if a project requires other concurrent Approvals, according to Section 18.10.123. All Level V or higher Approvals in the "CA" and "AP" zone districts are subject to the special findings required by Section 13.10.3 14(a) in addition to those required in Section 18.10.230.
2. Timber harvesting and associated operations, requiring approval of a Timber Harvesting Plan by the California Department of Forestry, is an allowed use in the Commercial Agriculture (CA) zone district.

**SECTION II**

Subsection (b) of Section 13.10.3 12 of the County Code is hereby amended to add the following use to the Agricultural Uses Chart to read as follows:

## AGRICULTURAL USES CHART

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USE	CA	A	AP
<u>Timber harvesting and associated operations</u>	<u>P</u>	-	-

**SECTION III**

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

13.10.3 78 Timber Harvest Related Helicopter Operations

(a) Staging and loading activities, and service areas, for timber operations involving the use of helicopters shall be prohibited unless the staging, loading or service area:

- i) is on the parcel or on a parcel which is continuous 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.

**SECTION IV**

Chapter 13.10 of the County Code is hereby amended by adding Section 13.10.695 to read as follows:

13.10.695 Locational Criteria for Timber Harvesting

(a) Timber harvesting requiring approval of a Timber Harvesting Plan or a Non-industrial Timber Management Plan by the California Department of Forestry is allowed only in those zone districts which specifically list timber harvesting, as an allowed use.

(b) Within those zone districts in which timber harvesting is otherwise allowed by this Code, the cutting and removal of trees and other solid wood products for commercial purposes which require either a Timber Harvest Plan or a Non-industrial Timber Management Plan shall not occur within riparian corridors, defined as:

- 1) 50-feet from the bank full flow line of a perennial stream, as defined in Section 16.30.030 of the County Code

2) 30-feet from the bank full flow line of an intermittent stream, as defined in Section 16.30.030 of the County Code

3) Notwithstanding the above. if compliance with section (b) would preclude access to timber that is otherwise subject to harvest consistent with this section. the cutting and removal of trees and other solid wood products for commercial purposes which require either a Timber Harvest Plan or a Non-industrial Timber Management Plan within riparian corridors shall be permitted only as necessary to provide access to such timber.

(c) Within those zone districts in which timber harvesting is otherwise allowed by this Code (except the TP zone). the cutting and removal of trees and other solid wood products for commercial purposes which require either a Timber Harvest Plan or a Non-industrial Timber Management Plan within riparian corridors shall be permitted only as necessary to provide access to such timber.  
300-feet from the exterior walls of any residential dwelling located on adjacent properties not zoned TP.

## SECTION V

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 VI

This Ordinance shall take effect upon certification by the California Coastal Commission.

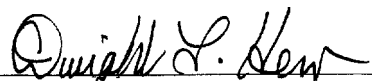
PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz this \_\_\_\_\_ day of \_\_\_\_\_, 1998, by the following vote:

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

\_\_\_\_\_  
CHAIRPERSON, BOARD OF SUPERVISORS

ATTEST: \_\_\_\_\_  
Clerk of the Board

APPROVED AS TO FORM:

  
County Counsel

Copies to: Planning  
County Counsel