



## **-MENDOCINO COUNTY COASTAL ELEMENT-**



# **APPENDIX 9 -- TIMBERLAND PRESERVE ZONING (TPZ)**

ORDINANCE NO. 3335

### **AN ORDINANCE ESTABLISHING CRITERIA FOR TIMBERLAND PRESERVE ZONING (TPZ)**

The Board of Supervisors of the County of Mendocino, State of California, do ordain as follows:

Delete Article XLI AGRICULTURAL PRESERVES of the Mendocino County Code;

Amend title of Section 22.08 to read: RESOURCE PRESERVES;

Add Section 20-5 (iii), to read:

**TIMBERLAND.** Privately owned land, or land acquired for state forest purposes, which is devoted to and used for growing and harvesting timber, or for growing and harvesting timber, and compatible uses, and which is capable of growing an average annual volume of wood fiber of at least 15 cubic feet per acre.

Add Section 22.08.010 (D) to read:

(D) The legislature of the State of California in enacting AB 1258-Z'berg-Warren-Keene-Collier Forest Taxation Reform Act of 1976, found that the forest resources and timberlands of the state are among the most valuable of the natural renewable resources of the state.

It is essential to the objectives of the Forest Taxation Reform Act of 1976 that an orderly system be established whereby property within Mendocino County may be incorporated into Timberland Preserves by individual property owner request.

The Board of Supervisors of the County of Mendocino concurs with the findings of the California State Legislature.

Add Section 22.08.020 (B) to read:

(B) Property within the County of Mendocino may be incorporated into Timber Land Preserves through the following procedures:

1. Applicants shall file, or cause to be filed, an application for rezoning pursuant to the Mendocino County Code.
2. In addition, applicant shall submit, pursuant to California Government Code, Section 51113:



## -MENDOCINO COUNTY COASTAL ELEMENT-



- a. A map showing the legal description or the Assessor's parcel number of the property to be zoned.
  - b. A plan for forest management of the property prepared or approved as to content by a registered professional forester. Such a plan shall provide for eventual harvest of timber within a reasonable period of time, as determined by the preparer of the plan.
  - c. An affidavit signed both by applicant(s) and registered professional forester stating the parcel(s) under consideration currently meets timber stocking standards as set forth in Section 4651 of the California Public Resources Code and the forest practice rules adopted by the State Board of Forestry for the district in which the parcel is located.
  - d. If condition 2c cannot be immediately met, owner shall sign an agreement with the Board of Supervisors to meet such stocking standards and forest practice rules by the fifth anniversary of the signing of the agreement. At that time, condition 2c shall be met. Upon the fifth anniversary of the signing of such an agreement, the Board shall determine whether the parcel meets the timber stocking standards in effect on the date the agreement was signed. If the parcel fails to meet the timber stocking standards, the Board shall immediately rezone the parcel and specify a new zone for such parcel which is in conformance with the county General Plan and whose primary use is other than timberland.
  - e. Applicant shall sign and file an affidavit for the parcel(s) under consideration stating the ownership is of one person as defined in Section 38106 of the California Revenue and Taxation Code, and said parcel(s) are comprised of single or contiguous parcels.
3. Before application is presented to the Planning Commission, said application shall be circulated for review and comment to the County Arm Advisor, the County Assessor, the County Agricultural Commissioner, and the California Department of Forestry.
  4. Prior to rezoning pursuant to this section, all uses on property shall in compliance to those uses as established under Section 20.10.4, et seq, which govern permitted and compatible uses.

Amend Section 22.08.040 to read:

Section 22.08.040 TIMBERLAND PRESERVE;

Timberland (as defined in (Sec. 20-5 (iii)) eligible for incorporation into a Timber Preserve shall meet each of the following qualifications to site quality class as such terms are defined in Rule 1021 Title 18 (Public Revenues), California Administrative Code.

(A) The ownership shall contain at least 40 acres of Site Quality III or better.

(B) Those ownerships of greater than 80 acres shall contain at least 50% of the property under consideration in Site Quality III or better.



## -MENDOCINO COUNTY COASTAL ELEMENT-



(C) Parcels zoned as timberland preserve (TPZ) shall be zoned as such for an initial term of ten years. On the first and each subsequent anniversary date of the initial zoning, a year shall be added to the initial term of ten years unless a notice of rezone has been given in accordance to (D) below.

(D) Rezoning.

1. If an owner desires in any year to rezone a parcel from its current timberland preserve zone, those procedures as detailed in Section 51120 et seq of the California Government Code shall be applied.

2. If an owner desires to rezone from a Timberland Preserve zone immediately, those procedures as detailed in Section 51130 et seq of the California Government Code shall be applied.

Add Section 22.08.045 to read:

### T-P ZONED PROPERTY – RESTRICTED USES

With respect to property under Timber Preserve (T-P) Zoning, all regulations listed under Section 20.10.4, et seq, which govern permitted and compatible uses shall apply.

The above ordinance was introduced by Supervisor de Vall, seconded by Supervisor Crofoot, and PASSED AND ADOPTED THIS 10<sup>th</sup> day of March 1981, by the following vote of the Board of Supervisors of the County of Mendocino, State of California:

AYES: Supervisors Crofoot, Hamburg, Cimolino, de Vall, Eddie

NOES: None

ABSENT: None

WHEREUPON, the Chairman declared said Ordinance passed and adopted and SO ORDERED.

Original Signed: James Eddie  
CHAIRMAN OF SAID BOARD OF SUPERVISORS

ATTEST:

Albert P. Beltrami

Clerk of the Board of Supervisors

By: Original Signed: Joyce A. Beard  
Deputy Clerk