

TIMBER GENERAL FOREST MINING

Article 32. Timberland Production Zone (TPZ)

Sec. 9-2.3201. Purpose (TPZ).

The purpose of this article is to provide a zoning district consistent with the mandates of the Z'berg-Warren-Keene-Collier Forest Taxation Reform Act of 1976 encouraging the protection of immature trees and restricting the use of timberland to the production of timber products and compatible uses.

(§ 3, Ord. 84-593, eff. January 3, 1985)

Sec. 9-2.3202. Uses (TPZ).

The following uses shall be permitted in the Timberland Production Zone (TPZ):

- (a) The growing and harvesting of timber, including Christmas trees, and measures to protect such timber;
- (b) The following uses, except in specific instances where such a use would significantly detract from the use of property for the uses set forth in subsection (a) of this section:
 - (1) Management for watershed;
 - (2) Management for fish and wildlife habitat and hunting and fishing;
 - (3) Uses integral to the uses set forth in subsection (a) of this section, including forest management roads, log landings, log storage areas, and temporary portable wood processing equipment;
 - (4) Management for the use of other natural resources where less than three (3) acres of land is converted to non-timberland use and hydroelectric generation subject to site development review as set forth in Article 11.3 of this chapter;
 - (5) Grazing;
 - (6) Public utility facilities as permitted by Section 9-2.415 of Article 4 of this chapter;
 - (7) A residence or other structure necessary for the management of a parcel zoned as timberland production if such parcel is 160 acres or greater in size; child day care homes; and limited child day care homes; and
 - (8) Where a single parcel is partially zoned timberland production and agricultural, structures necessary for the management of agricultural land may be located within the timberland production area; and
- (c) Subject to the issuance of a special use permit:
 - (1) Public service facilities.

(§ 3, Ord. 84-593, eff. January 3, 1985, as amended by § 25, Ord. 86-623, eff. February 6, 1986)

Sec. 9-2.3203. Qualifications for inclusion (TPZ).

lands meeting one of the following criteria shall be zoned Timberland Production Zone (TPZ):

- (a) Parcels shown on Lists A or B and which are found to meet the specifications of the Z'berg-Warren-Keene-Collier Forest Taxation Reform Act of 1976; or
- (b) Parcels petitioned for inclusion which satisfy all of the following criteria:
 - (1) A map has been prepared showing the legal description or the Assessor's parcel number of the property desired to be zoned;
 - (2) A forest management plan has been prepared or approved by a registered professional forester providing for timber harvest within a reasonable period of time;

Forest Practice Rules of the State Board of Forestry are met or will be met within five (5) years as secured by agreement;

- (4) The area is in one ownership of at least forty (40) acres;
- (5) The average timber site is III or higher according to the site rating system of the State Board of Forestry; and
- (6) The currently existing uses on the parcel are permitted uses as set forth in Section 9-2.3202 of this article.

(§ 3, Ord. 84-593, eff. January 3, 1985)

Sec. 9-2.3204. Area (TPZ).

Parcels zoned as Timberland Production Zone (TPZ) shall not be divisible into parcels containing less than forty (40) acres, unless:

- (a) Four-fifths (4/5) of the members of the Board find that a proposed division is in the public interest; and
- (b) The original owner prepares a joint timber management plan prepared or approved as to content by a registered professional forester for the parcels to be created. The joint timber management plan shall provide for the management and harvesting of timber by the original owner and any subsequent owners, and shall be recorded with the County Recorder as a deed restriction on all newly-created parcels, and shall be subject to all the other provisions of the Forest Taxation Reform Act of 1976, in addition to the normal requirements of this chapter.

When a parcel resulting from a lot line adjustment contains an area zoned Timberland Production Zone (TPZ), that area shall be of at least the minimum area required by this section or the lot line adjustment shall be denied.

(§ 3, Ord. 84-593, eff. January 3, 1985; as amended by § 5, Ord. 94-834, eff. June 23, 1994)

Sec. 9-2.3205. Rezoning (TPZ).

Any rezoning of land from Timberland Production Zone (TPZ) to another zoning district classification shall be in conformance with the requirements of the Forest Taxation Reform Act of 1976, in addition to the normal requirements of this chapter. (§ 3, Ord. 84-593, eff. January 3, 1985)

Sec. 9-2.3206. Height (TPZ).

No structure in the Timberland Production Zone (TPZ) shall exceed sixty (60') feet in height, except for dwelling units, which shall not exceed thirty-five (35') feet.

(§ 3, Ord. 84-593, eff. January 3, 1985, as amended by § 1, Ord. 91-762, eff. December 13, 1991)

Sec. 9-2.3207. Yards (TPZ).

The minimum yard requirements in the Timberland Production Zone (TPZ) shall be:

- (a) Front yards: not less than twenty (20') feet; and
- (b) Side and rear yards: not less than five (5') feet; except
- (c) The minimum yard requirements shall be increased as provided in Section 9-2.419, Yards, of Article 4, General Requirements, of this Chapter, except as they may be reduced to the requirements of this Section under Section 9-2.419, Yards, of Article 4, General Requirements, of this Chapter.

(§ 1, Ord. 91-762, eff. December 13, 1991; as amended by § 19, Ord. 04-998, eff. Feb. 5, 2004)

Article 33. General Forest Zone (GF)

Sec. 9-2.3301. Purpose (GF).

The purpose of the General Forest Zone (GF) is to protect and preserve for present and future utilization commercially viable important timber resource production areas not in the Timberland Production Zone (TPZ). (§ 3, Ord. 84-593, eff. January 3, 1985)

Sec. 9-2.3302. Uses (GF).

- (a) The following uses shall be permitted in the General Forest Zone (GF):
- (1) Timber management, agriculture, wildlife management, and animal breeding and boarding,
 - (2) One dwelling unit and one additional dwelling unit on any parcel of eighty (80) acres or more; and
 - (3) Child day care homes, limited child day care homes, and home businesses.
- (b) The following uses shall be permitted subject to the issuance of a special use permit:
- (1) Mining, limited electric generation, home industry, public utility facilities, public service facilities, outdoor shooting ranges, and hunting clubs.
- (c) The following uses shall be permitted subject to the issuance of a planned development permit:
- (1) Dwelling units at the ratio of up to one per each forty (40) acres of lot area.

(§ 3, Ord. 84-593, eff. January 3, 1985, as amended by § 26, Ord. 86-623, eff. February 6, 1986; as amended by § 2, Ord. 96-873, eff. October 31, 1996)

Sec. 9-2.3303. Height (GF).

No structure in the General Forest Zone (GF) shall exceed sixty (60') feet in height, except for dwelling units, which shall not exceed thirty-five (35') feet.

(§ 3, Ord. 84-593, eff. January 3, 1985)

Sec. 9-2.3304. Area and width (GF).

- (a) The minimum gross lot area in the General Forest Zone (GF) shall be (40) acres.
- (b) The minimum width shall be 300 feet.
- (c) When a parcel resulting from a lot line adjustment contains an area zoned General Forest Zone (GF), that area shall be of at least the minimum area required by subsection (a) of this section, or the lot line adjustment shall be denied.

(§ 3, Ord. 84-593, eff. January 3, 1985; as amended by § 6, Ord. 94-834, eff. June 23, 1994)

Sec. 9-2.3305. Yards (GF).

The minimum yard requirements in the General Forest Zone (GF) shall be:

- (a) Front yards: not less than twenty (20') feet; and
- (b) Side and rear yards: not less than five (5') feet; except
- (c) The minimum yard requirements shall be increased as provided in Section 9-2.419, Yards, of Article 4, General Requirements, of this Chapter, except as they may be reduced to the requirements of this Section under Section 9-2.419, Yards, of Article 4, General Requirements, of this Chapter.

(§ 3, Ord. 84-593, eff. January 3, 1985, as amended by § 1, Ord. 91-762, eff. December 13, 1991; and § 20, Ord. 04-998, eff. Feb. 5, 2004)

Sec. 9-2.3306. Parking and loading (GF).

Parking and loading in the General Forest Zone (GF) shall be as required by Section 9-2.414 of Article 4 of this chapter (General Requirements: Parking and loading).

(§ 3, Ord. 84-593, eff. January 3, 1985)

Sec. 9-2.3307. Signs (GF).

- (a) Signs in the General Forest Zone (GF) shall be as permitted by Section 9-2.416 of Article 4 of this chapter (General Requirements: Signs).
- (b) Business signs shall not exceed thirty-two (32) square feet.

(§ 3, Ord. 84-593, eff. January 3, 1985)

Article 34. Mining Zone (M)

Sec. 9-2.3401. Purpose (M).

The purpose of the Mining Zone (M) is to provide for the utilization of commercially viable prime mining resources and to permit no use which will preclude the extraction of materials.

(§ 3, Ord. 84-593, eff. January 3, 1985)

Sec. 9-2.3402. Uses (M).

- (a) The following uses shall be permitted in the Mining Zone (M):
- (1) Mining, agriculture, timber management, hydroelectric generation, water impoundment, public utility facilities, animal breeding and boarding, and limited electric generation;
 - (2) One dwelling unit; and
 - (3) Child day care homes and limited child day care homes.
- (b) The following uses shall be permitted subject to site development review as set forth in Article 11.3 of this chapter:
- (1) Hydroelectric generation.
- (c) The following uses shall be permitted subject to the issuance of a special use permit:
- (1) Recreation facilities and public service facilities.

(§ 3, Ord. 84-593, eff. January 3, 1985, as amended by § 27, Ord. 86-623, eff. February 6, 1986)

Sec. 9-2.3403. Height (M).

No structure in the Mining Zone (M) shall exceed 100 feet in height, except for dwelling units, which shall not exceed thirty-five (35') feet.

(§ 3, Ord. 84-593, eff. January 3, 1985)

Sec. 9-2.3404. Area and width (M).

- (a) The minimum gross lot area in the Mining Zone (M) shall be ten (10) acres.
- (b) The minimum width shall be 300 feet.
- (c) When a parcel resulting from a lot line adjustment contains an area zoned Mining Zone (M), that area shall be of at least the minimum area required by subsection (a) of this section, or the lot line adjustment shall be denied.

(§ 3, Ord. 84-593, eff. January 3, 1985; as amended by § 6, Ord. 94-834, eff. June 23, 1994)

Sec. 9-2.3405. Yards (M).

The minimum yard requirements in the Mining Zone (M) shall be:

- (a) Front yards: not less than twenty (20') feet; and
- (b) Side and rear yards: five (5') feet; except
- (c) The minimum yard requirements shall be increased as provided in Section 9-2.419, Yards, of Article 4, General Requirements, of this Chapter, except as they may be reduced to the requirements of this Section under Section 9-2.419, Yards, of Article 4, General Requirements, of this Chapter.

(§ 3, Ord. 84-593, eff. January 3, 1985, as amended by § 1, Ord. 91-762, eff. December 13, 1991; and § 21, Ord. 04-998, eff. Feb. 5, 2004)

Sec. 9-2.3406. Parking and loading (M).

Parking and loading in the Mining Zone (M) shall be as required by Section 9-2.414 of Article 4 of this chapter (General Requirements: Parking and loading).

(§ 3, Ord. 84-593, eff. January 3, 1985)

Sec. 9-2.3407. Signs (M).

- (a) Signs in the Mining Zone (M) shall be as permitted by Section 9-2.416 of Article 4 of this chapter (General Requirements: Signs).
- (b) Business signs shall not exceed thirty-two (32) square feet.

(§ 3, Ord. 84-593, eff. January 3, 1985)