

1 MARIPOSA COUNTY ORDINANCE NO. 464

2 The Board of Supervisors of the County of Mariposa do  
3 hereby ordain as follows:

4 SECTION I: TIMBERLAND PRESERVE ZONE

5 Mariposa county Ordinance No. 180 is hereby amended by  
6 adding the following Subsection 'D' to Section IV to establish a  
7 "TPZ", Timberland Preserve Zone, for certain land under the juris-  
8 diction of Mariposa County.

9 SECTION II: PURPOSE

10 The "TPZ", Timberland Preserve Zone, is intended to be  
11 an exclusive zone for the growing and harvesting of timber and for  
12 those uses which are an integral part of a timber management opera-  
13 tion.

14 A TPZ will replace the use of Williamson Act Contracts  
15 on timberland to provide a tax structure conducive to timber  
16 management operations. Land use under a TPZ will be restricted  
17 for a minimum of ten (10) years to growing and harvesting timber,  
18 and to compatible uses approved by the County.

19 All requirements and restrictions of the Z'Berg-Warren-  
20 Collier Forest Taxation Reform Act of 1976 shall apply.

21 SECTION III: USES PERMITTED

22 The following uses are permitted in the TPZ without  
23 special permit:

- 24 A. Growing and harvesting of timber and forest products.  
25 B. Uses and facilities appurtenant to timber growing  
26 and harvesting, including but not limited to roads,  
27 log landings, and log storage areas, but not includ-  
28 ing processing facilities.  
C. Grazing.

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- D. Wildlife preserves.
- E. Management for watershed, fish and wildlife habitat.
- F. Hunting, fishing, hiking, and camping.
- G. Forest fire lookout stations.
- H. Single-family dwellings and normal accessory structures for owner or caretaker.
- I. "Exploration" or "prospecting" for minerals.
  - 1. "Exploration" or "prospecting" for the purposes of this ordinance shall be defined as "that effort in the search, seeking, and exploration for minerals by geological, geophysical, geochemical, and other techniques, including but not limited to sampling, assaying, drilling, or any surface or underground works needed to determine the type, extent, or quantity of minerals present."

SECTION IV: USES PERMITTED SUBJECT TO PLANNING COMMISSION REVIEW AND APPROVAL

The following uses shall be permitted subject to a review and approval by the Planning Commission:

- A. Temporary logging camps or labor camps appurtenant to timber harvesting or planting operations for less than one year duration. "Temporary" shall be defined as one year or less.
- B. Temporary portable saw mills and temporary portable planing mills. "Temporary" shall be defined as one year or less.
- C. Additional dwellings when necessary for the timber management operation.
- D. Private parks and camps which require no permanent facilities.
- E. Directional signs.

SECTION V: USES PERMITTED SUBJECT TO USE PERMIT

The following uses shall be permitted subject to a use permit:

- A. Timber products processing plants, including but not limited to saw mills, lumber and plywood mills, and

1 planing mills, provided that such plants are second-  
2 ary or incidental to a timber growing and harvesting  
operation on the same parcel.

- 3 B. Gas, electric, water, or communication transmission  
4 facilities.
- 5 C. Guest ranches, hunting clubs, public stables, and  
6 riding trails in conjunction with a bonafide timber  
management operation.
- 7 D. All other uses not specified are prohibited.
- 8 E. Mining and quarrying for the removal of minerals and  
such appurtenances as required.
- 9 1. "Mining" shall be defined for the purpose of  
10 this ordinance as "the act or business of making  
11 or working mines including all, or any part of,  
12 the process involved in the mining of minerals  
13 by removing overburden and mining directly from  
14 the mineral deposits, open pit mining of minerals  
naturally exposed, mining by auger method,  
15 dredging and quarrying, or surface rock work in-  
cumbent to an underground mine. Surface mining  
16 operations shall include, but are not limited to:  
a. In-place distillation, retorting, or leach-  
17 ing.  
b. The production and disposal of mining waste."
- 18 2. "Quarrying" for the purpose of this ordinance  
19 shall be defined as "the act, business, or occu-  
20 pation of extracting stone, marble, rock, slate,  
gravel, or other similar material formed of rock  
or rocks and minerals."

20 SECTION VI: PROPERTY DEVELOPMENT STANDARDS

21 The following property development standards shall apply  
22 to all land and structures in the TPZ district:

- 23 A. Only such residential structures as exist on parcels  
24 of 40 acres or one quarter of one quarter of a sec-  
tion, or less, at the time the property is put into  
25 the TPZ will be allowed.
- 26 B. Each parcel prior to acceptance into the TPZ shall  
27 have a minimum of 10,000 board feet per acre or meet  
the minimum timber stocking standards of the State of  
28 California within five years.

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- 1 C. A Timber Management Plan shall be presented to the  
2 Planning Commission. This Plan shall be prepared by  
3 a Registered Forester.
- 4 D. The parcel shall currently meet the timber stocking  
5 standards as set forth in Section 4561 of the Public  
6 Resources Code and the forest practice rules adopted  
7 by the State Board of Forestry for the district in  
8 which the parcel is located, or the owner must sign  
9 an agreement with the Board to meet such stocking  
10 standards and forest practice rules by the fifth  
11 anniversary of the signing of such agreement. If the  
12 parcel is subsequently zoned as timberland preserve  
13 under Subdivision (a), then failure to meet such  
14 stocking standards and forest practice rules within  
15 this time period provides the Board with a ground for  
16 rezoning of the parcel pursuant to Section 51121 of  
17 the Government Code.

18 SECTION VII: EMERGENCY CLAUSE

19 This ordinance is declared to be an ordinance necessary  
20 for the immediate preservation of the public peace, health, and  
21 safety within the meaning of Section 25123 of the Government Code  
22 and shall take effect immediately. The facts constituting such  
23 necessity are as follows:

24 If this ordinance is not adopted immediately  
25 as an emergency measure, it will not be effective  
26 for a period of thirty (30) days, during which  
27 time hearings must be held to conform with state  
28 law. It is necessary that this be deemed an  
emergency measure in keeping with the enactment  
of Ordinance No. 443, which is to be repealed  
by this ordinance.

The Board of Supervisors of Mariposa County hereby  
further ordain as follows:

An ordinance to establish a "TPZ", Timber Preserve Zone,  
adopted as Ordinance No. 443 on February 1, 1977, be and the same  
is hereby repealed; such repeal shall not have any effect on exist-  
ing litigation, procedures, any action, or proceedings presently  
pending under Ordinance No. 443, and shall not act as an abatement  
of any such litigation, procedure, action, or proceeding; nor shall