

# Humboldt County General Plan Update

## Chapter 15: Land Use Element; Forest Resources Section

Note: GPU Ad Hoc Working Group felt it was difficult to reach consensus when goals were multifaceted, that it was better to have concise goals with single subjects and strove for improved goal clarity by using precise language.

The GPU Ad Hoc Working Group also suggests consistency with California Public Resources Code definitions:

Forestland: land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits.

Timberland: land, other than land owned by the federal government and land designated by the board as experimental forest land, which is available for, and capable of, growing a crop of trees of a commercial species used to produce lumber and other forest products, including Christmas trees. Commercial species shall be determined by the board on a district basis.

Fuel break: a strip of modified fuel to provide a line from which to work in the control of fire.

Forest Resources: not a defined term in California Public Resources Code and is up to counties to define in their general plans. It probably includes both of the above terms.

| Planning Commission Approved Changes   | BOS Straw Vote Comments | AD Hoc GPU Recommendations   |
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| <p><b>FR–G1. Forest Resources.</b> Public and private forests producing a wealth of multiple economic, natural resource values, and a healthy ecosystem values. Constructive dialog and cooperation between state, federal and local agencies and private property owners and a regulatory framework that maximizes private and public interests, including a healthy timber industry and a healthy ecosystem.</p> |                         | <p><b>FR–G1 Forest Resources.</b> Public and private <u>forestland</u> producing a wealth of <u>multi-resource values including, but not limited to: economic, timber, fish and wildlife habitat and water quality.</u></p> <p><i>Discussion: see GX1 re: second sentence.</i></p>   |
| <p><b>FR–G2. Forestland Timber Production.</b> A prosperous timber industry managing a stable inventory of productive forest lands for timber production. Ranches and rural homesteads making full use of the timber production potential of their lands.</p>  |                         | <p><b>FR–G2. <del>Forestland</del> Timber Production.</b> A prosperous timber <u>economy with productive forestlands.</u></p> <p><i>Discussion: We attempted to clarify the difference between forest, forestland and timberlands. Felt we needed one economic goal. See GX4 re: the ranches and rural homestead goal.</i></p> |
| <p><b>FR–G3. Supply of Productive Forestlands.</b> An adequate and stable supply of forestlands whose economic and eco-system values are sustained by policies and standards governing minimum parcel sizes, public acquisition, incompatible uses, public infrastructure investments, environmental protection and incentives for sustainable uses.</p>   |                         | <p><b>FR–G3. <u>Protect Productive Timberland.</u></b> <u>Maintain productive timberland base through effective strategies and incentives that minimize fragmentation.</u></p> <p><i>Discussion: Felt it was important to protect timberlands through incentives and strategies that minimize fragmentation.</i></p>           |

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| <p><b>FR–G4. Incompatible and Conflicting Uses.</b> Forest lands protected from land uses that are incompatible or conflict with their primary use.</p>   |  | <p>FR-G4. <b><u>Incompatible and Conflicting Uses.</u></b> Timberland protected from <u>on-site and adjacent</u> land uses that are incompatible or conflict with their primary use <u>for timber production.</u></p> <p><i>Discussion: Felt there needs to be clarity around compatible and incompatible uses.</i></p> |
| <p><b>FR–G5. Infrastructure.</b> A public road system maintained for transportation of logs to mills and forest products to market. Sufficient industrially zoned property to support forest products manufacturing. Wildland fire protection that prevents the loss of timber on private property.</p> |  | <p>FR-G5. <b><u>Infrastructure.</u></b> A public road system maintained for transportation of <u>forest products</u> to market.</p> <p><i>Discussion: see GX3 for second sentence and GX2 for third sentence.</i></p>   |
|   |  | <p>FR-GX1: <b><u>Regulatory and permitting reform.</u></b> Support constructive dialog and cooperation between state, federal and local agencies and <u>forestland owners.</u></p> <p><i>Discussion: language from G1 second sentence.</i></p>  |
|   |  | <p>FR-GX2. <b><u>Wildland Fire Management.</u></b> Wildland fire management that <u>minimizes forest damage and promotes forest health.</u></p> <p><i>Discussion: language from G5.</i></p>   |
|   |  | <p>FR-GX3. <b><u>Value Added Forest Products.</u></b> Sufficient <u>land and uses throughout the county that support value-added local forest products manufacturing.</u></p> <p><i>Discussion: language from G5.</i></p>   |
|   |  | <p>FR –GX4. <b><u>Ranches and Rural Homesteads.</u></b> Ranches and rural homesteads are able to <u>make full use of their productive forestlands through timber production and compatible uses.</u></p> <p><i>Discussion: language from G2.</i></p>  |
| <p><b>FR–P1. Timberland Regulatory Review.</b> Support the California Department of Forestry and Fire Protection’s (CAL FIRE) strategic planning efforts in order to create a regulatory system that encourages the continued commercial use and productivity of timberlands</p>                        |  | <p>FR–P1. <b><u>Timberland Regulatory Review.</u></b> Support <u>efforts to improve a regulatory system that encourages the continued productivity and resource protection</u> of timberlands.</p> <p><i>Discussion: Other regulatory agencies are involved in the process.</i></p>                                     |

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| <p><b>Split vote Alternative B Policy:</b><br/> <b>FR-P2 Timber Harvest Plan Review.</b> Defer to CAL FIRE on timber harvest reviews; comment only where county land-use patterns have significantly contributed to use conflicts at issue and where the County can assist in dispute resolution.</p>  | <p><b>Board Discussion and Votes:</b> Questions about how staff knows whether to comment or not. Not sure we need to get involved in dispute resolution. Real estate disclosure – do we want to talk about this here? Questions about whether Alt. C is giving away County’s power. <b>Straw vote: staff proposed revision 4-0.</b></p>  | <p><b>Option 1: Delete it.</b><br/> <i>Discussion: The County has a seat at the review table and is required to consult with CALFIRE – lack of a directive GPU policy does not preclude staff from commenting.</i></p>  |
| <p><b>FR-P3. Timber Management Regulations.</b> Support fewer, more effective and lower- cost timber management regulations as a strategy to maintain timber production as the primary economic use of forestlands. County policies shall be compatible with the State Forest Practice Act and State Forest Practice Rules. <b>Split Vote 3-3 for the addition of the word “economic”.</b></p> | <p><b>Board Discussion and Votes:</b> ML: OK with PC version. Staff version: FR-P3. Timber Management Regulations. Support fewer, more effective and lower- cost timber management regulations as a strategy to maintain timber production as the primary economic use of forestlands. Coordinate County policies so they are compatible with the State Forest Practice Act and State Forest Practice Rules. <b>4-0 straw vote for staff revision.</b></p> | <p><b>Option 1: FR-P3. Timber Management Regulations. Support fewer, more effective and lower- cost timber management regulations as a strategy to maintain timber production as <u>the primary use of timberlands.</u></b></p>   |
| <p><b>FR-P4. Broader Use of Non-industrial timber management plan(s) (NTMP).</b> Support broader use of NTMPs, including increasing the maximum acreage allowable under such plans and encouraging multiple landowner cooperative plans.</p>   |  | <p><b>Option 1: FR-P4. Broader Use of <u>Long-Term Timber Management Plans.</u></b> Support broader use of <u>state permitted long-term timber management plans such as NTMPs and PTEIRs.</u><br/> <i>Discussion: NTMPs will potentially be revised.</i></p>  |
| <p><b>FR-P5. Forest Improvement Programs.</b> Support continuance and funding of forest improvement and management programs for eligible landowners.</p>   |  | <p><b>Option 1: <u>Forest and Rangeland Improvement Programs.</u></b> Support continuance and funding of forest <u>and rangeland</u> improvement programs.<br/> <i>Discussion: Supports programs such as Environmental Quality Incentive Programs (EQIP) and California Forest Improvement Program (CFIP)</i></p> |

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| <p><b>FR–P6. Tax Incentive Programs.</b> Support tax incentive programs, such as the Timber Production Zone (TPZ), that increase the economic viability of timber production. Support tax policies that provide tax benefits to land owners for conservation easements.</p>   |   | <p>Option 1: <b>Tax Incentive Programs.</b> Support tax incentive programs, such as the Timber Production Zone (TPZ), that <u>maintain or</u> increase the economic viability of timber production. Support tax policies that provide tax benefits to land owners for conservation easements.</p>   |
| <p><b>FR–P7. Innovative Forestland Programs.</b> Support development of innovative forest and rangeland programs that facilitate production and conservation goals. Support forest management and wood product certification and foster development of markets for new forest products and services; such as using bio□mass for energy and carbon storage.</p>  |   | <p>Option 1: Existing language.</p>   |
| <p><b>FR–P8. Protection of High Quality Timberlands.</b> Parcels of Timber Site Quality III or higher outside Community Planning Areas shall be conserved to maintain timber production as a primary use.</p>   | <p><b>Board Discussion and Votes:</b> Board questioned the scope of the policy. Maybe want it to apply to just TPZ zoned lands. Bring it back with some alternatives. AGR and IM4 will come back with EIR. 4 items in 4.6 and all of 4.8 and 2 additional chapters (IS, TC). Bring back a schedule. Include 1 wk on 1 week off option.</p>  | <p>Option 1: <b>Protection of High Quality Timberlands.</b> <u>TPZ</u> parcels of Timber Site Quality III or higher outside Community Planning Areas <u>shall be maintained for</u> timber production as a primary use.</p> <p><i>Discussion: intent of policy is surmised to be reducing conversion of higher quality timberland. State law requires this, however this policy clarifies where the County may make findings to the contrary. Consider potential impacts on small towns that lack CPA status particularly re: public facilities needs.</i></p>  |
| <p><b>Split vote Alternative B Policy:</b><br/> <b>FR–P9 Residential Construction on TPZ Zoned Parcels.</b> Recognize the right to construct a residence under a ministerial permitting process subject to physical standards set by the County. Second units: may be allowed on TPZ parcels greater than 160 acres; And, may be allowed on TPZ parcel less than 160 acres as a conditional use only in the area already converted, intended to be converted, or that does not meet the definition of timberlands. Seconds units may be allowed on TPZ parcels less than 40 acres within Community Planning Areas.<br/>     Planning Commission Discussion on 5-13-10: The Commission concluded their discussion of FR-P9 with three members (Mayo, Smith, and Emad) favoring a Resource Lands Working Group version. Commissioner Faust favored an alternative version of the Alternative A presented on 4-15-10: During the review of FR-P8, staff noticed that the second sentence for the Alternative A policy really belongs in FR-P9 and recommends the following revision:</p> | <p><b>Board Discussion and Votes:</b> Staff continues to recommend Alternative B, ending sentence after “timber harvesting” to be in conformance with state statutes.<br/>     FR-P9. <b>Residential Construction on TPZ Zoned Parcels.</b> Require continued viability of timber production on TPZ zoned parcels containing residences by mitigating the impacts of residences on timber harvesting.<br/>     Split vote; three (3) voted for the modified Alt. B version, and three (3) voted for the modified Alt. A version.<br/>     Summary of Public Comments:<br/>     FPA allows conversions up to 3 acre to build residences. Delete.<br/>     RLWG supports the PC version and notes that is what the FRC recommended.</p> | <p>Option 1: <b>Residential Construction on TPZ Zoned Parcels.</b> Recognize the right to construct a residence <u>and accessory buildings on TPZ parcels</u> under a ministerial permitting process subject to <u>County standards consistent with other Elements of the General Plan and does not detract from the use of the property for the growing and harvesting of timber and associated compatible uses.</u></p> <p><i>Discussion:</i></p> <ol style="list-style-type: none"> <li>1) <i>Some in the working group do not support ministerial permitting for residential development on TPZ without a checklist that clearly lays out the requirements landowners need to meet, feeling this is important to give much needed clarity to both landowners and planning staff (see FR-S?)</i></li> <li>2) <i>Some in the working group support a ministerial permitting process after a 3 acre conversion has been obtained, in compliance with the provisions of the General Plan and the requirements of state law.</i></li> <li>3) <i>Some, while supportive of the idea for "up-front" disclosure of requirements landowners are subject to, are strongly opposed to</i></li> </ol> |

6-10-10 Commissioner Kreb requested that the record reflect that he also favored the revised A Alternative presented on 4-15-10. Commissioner Gearheart favored Alternative A as presented in this chart, with a minor typo correction:

*including in the plan any checklist outlining applicable requirements. They suggest that the plan could "call" for such checklists to be utilized in the administration of the plan's policies and provisions. But to include such a checklist directly in the plan clouds, distorts, and endangers the legal roles and relationship between policy and legislative actions.*

FR-S?. Single-family dwelling and normal accessory structures shall meet the following standards on TPZ lands:

1. The residence and accessory structures and uses will not interfere with or detract from the growing and harvesting of timber.
2. Residences and accessory structures shall be located only in the area converted and shall not encompass an area exceeding three (3) acres per parcel.
3. A right to harvest acknowledgement is secured for the property and runs with the land.
4. The residence is found to be consistent and compatible with any applicable Habitat Conservation Plan.
5. The residence and accessory structures are built in accordance with firesafe standards.
6. In any watershed listed as temperature impaired, proof of sufficient water shall be required to prevent the need for water withdrawals during low flow periods.
7. Where water is being diverted, landowner will show proof of a 1600 agreement and/or diversion permit.
8. Demonstrate adherence to appropriate riparian buffer areas.
9. Incorporate appropriate setbacks from adjacent TPZ to accommodate timber management activities including harvest and post-harvest burning.
10. Demonstrate application of road construction and maintenance standards consistent with the County's grading ordinance.

*Discussion: While these standards are currently required and/or contained in other chapters of the General Plan Update, members of the ad hoc group felt that incorporating these standards as a checklist would give both landowners and planning staff greater clarity on the issue of residential development on TPZ lands. This section should be consistent with the other chapters of this plan as adopted.*

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|  |  | <p>Option 1: FR-P9X <b>Secondary Residential Construction on TPZ Zoned Parcels</b>. Second residential units may be allowed on TPZ parcels under a ministerial permitting in the area already converted, intended to be converted, or that does not meet the definition of timberlands.</p> <p>Option 2: FR-P9X <b>Secondary Residential Construction on TPZ Zoned Parcels</b>. Second residential units may be allowed on TPZ parcels as a conditional use in the area already converted.</p> <p>Option 3: FR-P9X <b>Secondary Residential Construction on TPZ Zoned Parcels</b>. Second residential units may be allowed on TPZ parcels greater than 160 acres; and, may be allowed on TPZ parcel less than 160 acres as a conditional use only in the area already converted, intended to be converted, or that does not meet the definition of timberlands. Seconds units may be allowed on TPZ parcels less than 40 acres within Community Planning Areas.</p> <p><i>Discussion: Number of options reflects the complexity of discussion. Option 3 is from RLWG (second half of original P9). Acknowledge 2007 &amp; 2008 letters from CALFIRE &amp; DFG re: whether the Timberland Productivity Act allows a second building site. Also concern about what the ministerial checklist will look like. 160 acres is minimum size parcel w/o a JTMP; some have seen example of development to a maximum density of 1 unit/20 acres. Existing framework plan states that a use-permit shall be required for higher densities than 1 unit/40 acres and that no second units are allowed.</i></p> |
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| <p><b>FR–P10. Substandard Lots and TPZ Rezoning.</b> The County supports zoning correction of land from the Timberland Production Zone when it can be found that:</p> <p>A. The original inclusion was in error or inappropriate; or</p> <p>B. The conversion is necessary to provide for the logical expansion of an existing community; or</p> <p>C. The conversion and rezoning is necessary to provide for the reconfiguration of parcels in order to utilize development unit credits for cluster housing; or</p> <p>D. The parcel is three acres or less. (Alternative C Version)</p> <p>Planning Commission recommendation on 5-13-10: Commissioners Faust and Gearhart favored this A/B version. Commissioners Smith, Mayo, and Emad favored this C version.</p> | <p><b>Board Discussion and Votes:</b> Staff supports A/B version, or deletion of FR-P10 and IMxx. The Planning Commission version is about rezoning, not substandard lots. If the word “correction” is removed, then “zoning” should be changed to “rezoning” for clarity. Split vote; three (3) voted for the PC version, and two (2) voted for the Alt. A/B version.</p> <p>Summary of Public Comments:<br/>RLWG – support PC version but strike word “correction” in first sentence.</p> <p>NOTE: may want to review/revise FR-IMxx. Substandard Lots to be consistent with P10</p> | <p>Option 1: <b>Substandard Lots and TPZ Rezoning.</b> The County supports zoning <del>correction</del> of land from the Timberland Production Zone when it can be found that:</p> <p>A. The original inclusion was in error or inappropriate; or</p> <p>B. The conversion is necessary to provide for the logical expansion of an existing community; or</p> <p>C. The conversion and rezoning is necessary to provide for the reconfiguration of parcels in order to utilize development unit credits for cluster housing; or</p> <p>D. The parcel is three acres or less; or</p> <p>E. <u>When parcel does not meet the definition of timberland, or timber production cannot be sustained as the primary use.</u></p> <p><i>Discussion: Correction is not always the purpose. Question: can the county determine what the parcel is rezoned to? Need to confirm. If both County and CALFIRE agree, less cumbersome TPZ rollout process. Immediate rollout requests have to be addressed by Board of Forestry. County initiated vs landowner initiated is the issue. This policy is specific to rezone for parcels inappropriately TPZ-zoned not for subdivision. Desire is for County to be receptive and supportive of having the conversation w/landowners so that landowners feel comfortable engaging in the conversation.</i></p> |
| <p><b>FR–P11. Lot Line Adjustments.</b> Lot line adjustments of TPZ parcels may be approved in order to consolidate logical timberland management units or facilitate clustered residential development. Such adjustments shall be in keeping with the spirit and intent of TPZ and shall not result in a net reduction of the area of TPZ available for forest management.</p>  | <p><b>Board Discussion and Votes:</b> None listed.</p>   | <p>Option 1: Existing Language</p> <p>Option 2: <b>Lot Line Adjustments.</b> Lot line adjustments of TPZ parcels may be approved in order to consolidate logical timberland management units or facilitate clustered residential development. Such adjustments shall be in keeping with the spirit and intent of TPZ <del>and shall not result in a net reduction of the area of TPZ available for forest management.</del></p> <p>Option 3: <b>Lot Line Adjustments.</b> Lot line adjustments of TPZ parcels may be approved in keeping with the spirit and intent of TPZ <u>and shall not result in a net reduction of the prime timberland qualifying for TPZ.</u></p> <p><i>Discussion: Don’t want to reduce timber production lands but linking to TPZ unfair, especially in cases where not all of parcel is productive timber. Have a lot of split zoned parcels, (e.g. ag and TPZ). Line on the map is 100’, the width of a pencil.</i></p>  |
| <p><b>FR-P12. Timberland Ownership.</b> The County shall provide incentives to maintain large–scale land ownerships</p>  |  | <p>Option 1: <b>Timberland Ownership.</b> The County shall provide incentives to maintain large–scale land ownerships for commercial timber production and to protect forest ecosystem <u>services.</u></p>  |

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| <p>for commercial timber production and to protect forest ecosystem values.</p>  |  |   |
| <p>There is no FR-P13</p>  | <p>FR-P13. <b>Planned Rural Development.</b> The County shall provide a Planned Rural Development (PRD) program that allows voluntary clustering of home sites at a density above what would otherwise be allowed when lands most suitable for timber production are retained for permanent continued production.</p>  | <p>Option 1: FR-P13. <b>Planned Rural Development.</b> The County shall <del>provide</del> <u>consider</u> and if appropriate, <u>develop</u> a Planned Rural Development (PRD) program that allows voluntary clustering of home sites at a density above what would <del>otherwise be allowed</del> when lands most suitable for timber production are retained for permanent continued production. <u>Consider incentives such as density bonuses.</u></p> <p><i>Discussion: Important to include this policy. Similar to a TDR, but with one owner. Ownership is both the sending and receiving area.</i></p>                          |
| <p><b>FR-P14. Public Utilities on TPZ Lands.</b> Where feasible avoid locating federal, state, or local public improvements and utilities in TPZ where the project or land acquisition will have a significant adverse affect on the production of timber or ecosystem values.</p> |  | <p>Option 1: Delete it</p> <p>Option 2: <b>Public Utilities on TPZ Lands.</b> Where feasible avoid locating public improvements and utilities in TPZ where the project or land acquisition will have a significant <del>adverse</del> effect on the production of timber or ecosystem <del>values</del> <u>services</u>.</p> <p><i>Discussion: Was CEQA language intended? Will be subject to regular processes.</i></p>  |
| <p><b>FR-P15. Conservation Easements.</b> Support voluntary easement programs consistent with TPZ standards that combine conservation management with sustainable timber production. Split Vote 3-2</p>  | <p><b>Board Discussion and Votes:</b> RS PC version (staff recommendation); straw vote unanimous</p>   | <p>Option 1: Existing language.</p>   |
|  | <p>PC Hearing Draft:<br/>FR-IM3. Support and Manage Timber Conservation Programs. Support local land trusts and conservation organizations in efforts to maximize conservation and production values from timberlands. Work to achieve consistency between County policies and regulations and applicable conservation programs including conservation easement taxing policies. <b>Research and report to the Planning Commission and the Board of Supervisors on the potential for a Transfer of</b></p> | <p>Option 1: FR-P15X. <b><u>Research a Transfer of Development Rights Program.</u></b> <u>Research and develop, if feasible, a voluntary Transfer of Development Rights program as a method of protecting larger tracts of resource lands based on community input.</u></p> <p>Option 2: FR-P15X. <b><u>Research a Voluntary Transfer of Development Rights Program.</u></b> <u>Research and develop, if feasible, a voluntary Transfer of Development Rights program as a method of protecting larger tracts of resource lands based on community input. The basis would be one development right per legal parcel and rights to</u></p> |



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|  | <p><b>Development Rights program</b>, a Carbon Sequestration Timber Conservation program and Community Forest Acquisition and Management Program.</p>   | <p><u>secondary uses are not transferable.</u></p> <p><i>Discussion: Agreement that a TDR program is a good potential strategy to help preserve large parcels. Clarity needed about whether secondary housing is principally permitted. Density bonus could be considered. Some believe that if secondary units are allowable, a TDR program is not advised.</i></p> <p>Complementary Implementation Measure:</p> <p>Option 1. IM15X. <u>Receiving Area Overlay. Research and Develop, if Feasible, a Receiving Area Overlay for Transfer of Development Rights Program.</u> The range would be based on a formula linked to the outcome of the secondary unit legal analysis.</p> <p>Option 2. FR-IM15X. <u>Receiving Area Overlay. Research and Develop, if Feasible, a Receiving Area Overlay for Transfer of Development Rights Program.</u> The basis would be one development right per legal parcel.</p> |
| <p><b>FR-P16.Planned Compatible Uses.</b> Lands adjacent to areas designated as Timberlands should be planned for uses compatible with timber management, including timber harvesting activities.</p>  |   | <p>Option 1: <b>Planned Compatible Uses.</b> Uses of land adjacent to areas zoned as TPZ should be compatible with timber management, including timber harvesting activities.</p>   |
| <p><b>FR-P17. Forestland-Residential Interface.</b> Identify FRI lands around Community Planning Areas where residential uses adjacent to forestlands create the potential for use conflicts and fire safety hazards. (Alternative C Version)<br/>Split Vote 3-2</p> <p>PC Discussion: Split vote; three (3) voted for the Alt. C version, and two (2) voted for the Alt. A/B version<br/>PC Recommendations on 5-13-10: Commissioners Faust and Gearhart supported the above Alt A, B version. Commissioners Smith, Mayo, and Emad supported the above Alt C version.</p> | <p><b>Board Discussion and Votes:</b> PC version (staff recommendation); straw vote unanimous<br/>Staff recommends Planning Commission-recommended version with modification to include “within and around” CPA’s.</p> <p>Summary of Public Comments:<br/>RLWG – support PC version with modification to identify lands “within” CPA’s.</p> | <p>Option 1: Delete it.</p>   |
| <p><b>FR-P18. Fire Safety Hazards.</b> The County shall implement State Responsibility Area Fire Safe Standards and Wildland-Urban Interface Building Codes for new development and support voluntary programs for fuels</p>   |   | <p>Option 1. <b>Fire Safety Hazards.</b> The County shall assure compliance with the requirements of State Responsibility Area Fire Safe Standards and Wildland-Urban Interface Building Codes for new development.</p> <p><i>Discussion: See P18X re: voluntary program issue. State already implemented this 10 years ago, not consistent w/times. County shall support state implementation of its laws vs. shall</i></p>  |

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| <p>reduction, dwelling fire protection and creation of defensible space for existing development.</p>   |  | <p><i>implement. If a landowner has to prove consistency w/state, shouldn't also have to go through a process w/County.</i></p>  |
|   |  | <p><b>FR-P18X. <u>Voluntary Fuel Reduction Programs.</u></b> The County shall support voluntary programs for fuels reduction, dwelling fire protection and creation of defensible space for existing development.</p> <p><i>Discussion: separating out fuel reduction from safety hazards.</i></p>   |
| <p><b>FR-P19. Maintain Public Roads.</b> The County shall maintain public roads and drainage facilities to support log and forest products transportation. [BOS tentative action 7-23-2012]</p>   |  | <p>Option 1: Existing language.</p>  |
| <p>There is no FR-S1</p>  |  |  |
| <p>FR-S2. Forestland-Residential Interface (FRI). For areas identified as the FRI, reduce use conflicts via the following:</p> <p>A. Require subdivisions in these areas to include forested buffers and building setbacks between residential uses and adjacent timberlands and, if necessary, fire breaks around all or a portion of the development in consultation with CALFIRE.</p> <p>B. Identify preferred and necessary log haul routes to be maintained and acknowledged by residential users.</p> <p>C. Require recordation of "Right to Harvest" acknowledgements as a condition of subdivision approvals.</p> <p>D. Support protection of residential drinking water supplies when planning and implementing timber harvesting activities.</p> <p>E. For residential development, require demonstration of structural fire response capabilities, compliance with fire safe standards, and ongoing fire protection management programs.</p> <p>F. Support noticing via North Coast Unified Air Quality Management District requirements of affected property owners for prescribed burn activities related to forest land</p> |  | <p><del>FR-S2. Forestland-Residential Interface (FRI). For areas identified as the FRI, reduce use conflicts via the following:</del></p> <p>A. Option 1: Require subdivisions adjacent to TPZ and public forestlands include building setbacks between residential uses to minimize use conflicts and safety hazards.</p> <p>AX. If necessary, require <u>fuel</u> breaks around all or a portion of the development in consultation with CALFIRE.</p> <p><i>Discussion: 'Forested buffers' is redundant. Fire break = major infrastructure, paved; separate fire breaks as a separate issue. Clarify adjacent to TPZ to minimize potential use conflicts and fire safety hazard. Not just TPZ.... Also public forestlands</i></p> <p>B. Option 1: Delete here; add to separate PXX Right to Harvest Policy.</p> <p><i>Discussion: Important in design phase. Similar to right-to-farm policy; turn into a policy and standard.</i></p> <p>C. Option 1: Delete it and make exchange for FR-PXXX</p> <p><i>Discussion: exists in AG-P8, clarify re: 'harvest' here.</i></p> <p>D. Option 1: Delete it.</p> |

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| <p>management.<br/> G. For residential development in high and very high fire severity zones, require a fire break and open space adjacent to forestlands, consistent with CALFIRE recommendations to ensure defensible space.</p>                             |  | <p><i>Discussion: County has no way of knowing where all of these intakes are, and puts onus on timber producer to protect whether they are legal or not. Already in forest practice rules. Language unclear. Surface water intake shouldn't be placed where it will impair timber production activities on adjacent parcels. Concern w/interpretation.</i></p> <p>E. Option 1: For residential development, require compliance with fire safe standards and ongoing fire protection management programs.</p> <p><i>Discussion: Intent is for structural access/ingress-egress for emergency vehicles and for storage tanks.</i></p> <p>F. Option 1: Delete it.</p> <p><i>Discussion: already controlled by another agency.</i></p> <p>G. Option 1: For residential development in high and very high fire severity zones, require a <u>fuel</u> break and open space adjacent to forestlands, consistent with CALFIRE recommendations to ensure defensible space.</p> |
|  |  | <p><u>FR-PXX. Right to Harvest.</u> The County shall utilize the “Right-to-Harvest” Ordinance to provide recorded notice about the nature of timber management activities to residents living adjacent to timberlands.</p> <p><i>Discussion: consistent w/AG-P8.</i></p> <p><u>FR-SXX. Harvest Road Access Protection.</u> Identify and protect preferred and necessary log haul route access to be acknowledged by residential users.</p>   |
| <p><b>FR- S3 State Clearance.</b> Prior to the issuance of a building permit on lands regulated by the Forest Practices Act, the owner must obtain, where necessary, a timber conversion permit or timber conversion exemption from the state lead agency.</p> |  | <p>Option 1: Existing language.</p>  |

**FR-S4. Timberland Subdivisions.** Subdivision of lands designated as Timberland (T) to the minimum parcel size may be permitted if the project meets the following criteria:

- A. The subdivision will result in significant improvements (including but not limited to stocking and conifer release) in site productivity, timber growth, and harvest through intensive management; and
- B. Adequate access, water, and geologic stability can be demonstrated for the proposed use and the land division meets all other regulatory requirements, including the General Plan standards and policies for rural lands; and
- C. On each parcel, the residential site is located, to the fullest practical extent, in areas of the lowest productivity.
- D. Access to the remainder is consistent with the uses of the remaining property.
- E. A joint timber management plan (JTMP) is prepared for divisions below 160 acres.

Option 1: FR-S4. **Timberland Subdivisions.** Subdivision of

lands designated as Timberland (T) to the minimum parcel size may be permitted if the project meets the following criteria:

A. The subdivision on TPZ zoned lands must demonstrate improved projected timber growth and harvest through intensive management documented in a JTMP.

*Discussion: Subdivision of land should not result in defacto removal of TPZ from productivity. When parcels are reduced in size (below roughly 160 acres), return on investment for harvest diminishes. Don't want to disincentivize legal subdivision. JTMPs don't require timber management; just address access and ability to harvest. County has authority to require practices above and beyond what JTMPs require.*

B. Adequate access, water, and geologic stability can be demonstrated for the proposed use and the land division meets all other regulatory requirements, including the General Plan standards and policies for rural

C. On each parcel, the residential site is located, to the extent practical and considering proximity to existing infrastructure, in areas of the lowest productivity; and

*Discussion: Potential conflict w/priority location near infrastructure like County roads.*

D. Delete it.

*Discussion: Addressed by considering infrastructure & JTMP. JTMP policy recommendations: require on-site inspections. FRC should be far more proactive w/followup review schedule. What if it's not? Hand slapped.*

E. A joint timber management plan (JTMP) is prepared for divisions below 160 acres.

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| <p><b>FR-IM1. Advocate for Regulatory Reform.</b> The County shall advocate for improved design and implementation of state forest practice rules and resource protection regulations that reduce overlapping regulations, maintain property values, support longer term THP's and larger acreage NTMPs.</p>  |  | <p>Option 1: <b>Advocate for Regulatory Reform.</b> The County shall advocate for improved design and implementation of resource protection regulations that reduce overlapping regulations.</p>   |
| <p><b>FR-IM2. Develop Incentive Program to Encourage Timber Production and Ecosystem Values.</b> Develop incentives for property owners and forestland managers to encourage continued timber production and ecosystem values on forestlands. Support programs that provide technical assistance to small timber producers working to maintain timber production on lands also used as their primary residence.</p> |  | <p>Option 1: <b>Develop Incentive Program to Encourage Timber Production and Ecosystem Values Services.</b> Develop incentives for property owners and forestland managers to encourage continued timber production and ecosystem <u>values services</u> on forestlands. Support programs that provide technical assistance to small timber producers working to maintain timber production on lands also used as their primary residence.</p>   |
| <p><b>FR-IM3. Support Voluntary Conservation Programs.</b> Support local land trusts and conservation organizations in efforts to maximize conservation and production values from timberlands. Work to achieve consistency between County policies and regulations and applicable conservation programs including conservation easement taxing policies. <a href="#">Split Vote 3-2</a></p>                        | <p><b>Board Discussion and Votes:</b> <a href="#">Straw vote: unanimous</a><br/> Staff recommends Planning Commission-recommended version.<br/> Split vote; three (3) voted for the PC version, two (2) voted for the Alt. B/C version.<br/> Summary of Public Comments:<br/> HAR- supports voluntary CE only.<br/> RLWG – supports IM3</p>  | <p>Option 1: <b>Support Voluntary Conservation Programs.</b> Support local land trusts and conservation organizations in efforts to maximize conservation and production values from timberlands. <del>Work to achieve consistency between County policies and regulations and applicable conservation programs including conservation easement taxing policies.</del><br/><br/> <i>Discussion: Second sentence has too much detail, poorly written. In Del Norte, revoked tax benefit from parcel w/timber production rights where a conservation easement was developed.</i></p> |
| <p><b>FR-IM4. Merger Ordinance Revisions.</b> Revise Merger Ordinance to delete the requirement of merger of substandard TPZ lands, not currently under a Williamson Act Contract, from Article II.</p>   | <p><b>Board Discussion and Votes:</b> Board discretion – EIR consideration.<br/> Alt. A version. Also, DEIR Mitigation Measure 3.2.3.1b uses the Alt. A version to avoid the loss of timberlands from increased parcelization and direct conversion to other uses.<br/> Source = EIR Mitigation Modification<br/> Summary of Public Comments:<br/> RLWG – supports Alternative B, revising Merger Ordinance to rescind Article 11.</p> | <p>Option 1: Existing language<br/> <i>Discussion: Legislative action required with this wording.</i><br/> Option 2: <b>Merger Ordinance Revisions.</b> <u>Mergers shall not be required of</u> substandard TPZ lands not currently under a Williamson Act Contract from Article II.</p>   |

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| <p><b>FR-IM5. Develop Ordinance to Regulate Land Uses in TPZ lands.</b> Prepare an ordinance to implement the policies of this Plan for the designation and residential use of lands zoned TPZ.</p>   |  | <p>Option 1: Existing language.<br/><i>Discussion: When General Plan is implemented, an ordinance will already be required for an existing policy. Need to clarify the development checklist in this ordinance.</i></p>  |
| <p>No FR-IM6</p>  |  |  |
| <p><b>FR-IM7. Implementation of FRI Overlay.</b> Map FRI around Rural Community Center (RCC) and Community Planning Area (CPA) land use designations to create an Overlay Zone. FRI is mapped using the adjacency rule—includes every timber and non-resource parcel that are adjacent to each other around RCCs and CPAs. Implement development standards for overlay zone. Develop a “Right to Harvest” Ordinance to be implemented as a part of an FRI Overlay Combining Zone.</p> |  | <p>Option 1: delete it<br/><i>Discussion: Already addressed in Standard XX.</i></p>  |
| <p><b>FR-IM8. Streamline County Forest Management Regulatory Requirements.</b> Review and streamline processes for hazard tree removal, fire safety hazard reduction, and other forest management activities under County jurisdiction.</p>   |  | <p>Option 1: <b>Streamline County Forest Management Regulatory Requirements.</b> Review and Develop streamline processes for hazard tree removal, fire safety hazard reduction, and other forest management activities under County jurisdiction.</p>  |
| <p><b>FR-IM9. Coordination of County and State Policies.</b> Periodically review policies and regulations to ensure that they are compatible with the State Forest Practice Act and State Forest Practice Rules.</p>  |  | <p>Option 1: <b>Coordination of County and State Policies.</b> <del>Periodically</del> <i>Maintain</i> review policies and regulations to ensure that they are at a minimum compatible-consistent with the State Forest Practice Act and State Forest Practice Rules.<br/><br/>Option 2: Delete it and include a policy that the County will maintain and review policies and regulations when there is dual permitting. Needs to be in Governance.</p>    |
| <p><b>FR-IM10. Review Standards and Process of Joint Timber Management Plans (JTMP).</b> Review and provide recommendations to the Board of Supervisors on the standards for JTMPs and guides for subdivisions of TPZ lands below 160 acres. Establish a process for review of all previously approved JTMPs every 5 years for compliance. Work to reduce redundancy between NTMP and JTMP requirements in cases where NTMPs have been prepared.</p>                                  |  | <p><b>FR-IM10. Review Standards and Process of Joint Timber Management Plans (JTMP).</b> Review and provide recommendations to the Board of Supervisors on the standards for JTMPs and guides for subdivisions of TPZ lands below 160 acres.<br/><br/>A) Identify and develop a revenue source for the administration and review of the JTMP program in the county;<br/>B) Map existing JTMPs and inform landowner if the parcel has an approved JTMP;</p> |

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|   |  | <p>C) Map existing land of TPZ parcels less than 160 acres that do not have JTMPs;</p> <p>D) Offer workshops and support community efforts to familiarize landowners with the concepts of TPZ and JTMPs;</p> <p>E) Offer consultations with landowners to increase understanding of specific, approved JTMPs and to collaboratively develop JTMPs where necessary;</p> <p>F) Establish a process for review of all JTMPs every 5 years for compliance and to support active implementation of the plans; and</p> <p>G) Work to reduce redundancy between NTMP and JTMP requirements in cases where NTMPs have been prepared.</p> <p><i>Discussion: JTMPs have to prove that any one parcel is not being rendered unmanageable. Currently (existing process) a wasted effort in some ways. Effort to ensure not precluding use of a piece of property.</i></p> |
| <p><b>FR-IM11. Road Maintenance.</b> The County shall maintain county roads used for the transportation of logs and monitor substandard conditions and maintenance needs in cooperation with timber producers.</p>  |  | <p>Option 1: Delete it; P-19 covers it.</p>   |
| <p><b>FR-IMxx. Substandard Lots.</b> The County shall support rezoning of substandard lots (under 40 acres in size) from the TPZ designation when residential use becomes the primary use of the property and timber production cannot be sustained on a commercial basis. (Alternative A Implementation Measure) <b>Split Vote 3-2</b></p> <p>PC discussion:<br/> COMMENTS. 6-10-10: This revised language was accepted by the Commission unanimously (Kreb, Gearheart, Nelson, Emad and Smith).</p> | <p><b>Board Discussion and Votes:</b> Staff recommends PC version. PC version is similar to existing Framework Plan language.<br/> Vote: Five (5) voted for revised Alternative B language, none (0) voted to delete it.</p> <p>Summary of Public Comments:<br/> RLWG: Lot line adjustments is a valuable and important tool that landowners use to resolve real property issues. The group would recommend deletion of the last portion of the second sentence (starting with “and shall not result...”).</p> | <p>Option 1: F-IMXX. <b>Substandard Lots.</b> The County shall support rezoning of substandard lots (under 40 acres in size) from the TPZ designation <u>upon property owner request</u> when residential use becomes the primary use of the property and timber production cannot be sustained on a commercial basis.</p>  |