



COUNTY OF MENDOCINO
DEPARTMENT OF PLANNING AND BUILDING SERVICES

860 NORTH BUSH STREET • UKIAH • CALIFORNIA • 95482
752 SOUTH FRANKLIN STREET • FT. BRAGG • CALIFORNIA • 95437

JULIA KROG, DIRECTOR
TELEPHONE: 707-234-6650
FAX: 707-463-5709
FB PHONE: 707-964-5379
FB FAX: 707-961-2427
pbs@mendocinocounty.gov
www.mendocinocounty.org/pbs

December 12, 2025

Agricultural Commissioner
Air Quality Management District
Assessor's Office
Building Division (Fort Bragg)
Department of Transportation (DOT)
Environmental Health (EH)
Resource Lands Protection Committee
(RLPC)

Forestry Advisor
Albion-Little River Fire District
Planning Division (Fort Bragg)
Mendocino County Farm Bureau
Mendocino Cannabis Department
CALFIRE
-Land Use
-Resource Management

California Board of Forestry
California Coastal Commission
California Dept. of Fish & Wildlife
Regional Water Quality Control Board
Cloverdale Rancheria
Redwood Valley Rancheria
Sherwood Valley Band of Pomo Indians

CASE#: R_2025-0002

DATE FILED: 11/11/2025

OWNER: Mendocino Redwood Company LLC

APPLICANT: Mendocino Redwood Company LLC

AGENT: John Kuhry

REQUEST: Coastal Zoning Code amendment to change the zoning district of eight (8) parcels from Timberland Production (TP) to Forest Lands (FL).

LOCATION: 1± mile southwest of Little River, on the south side of Little River Airport Road (CR 404) 1.2± miles east of its intersection with State Route 1 (SR-1), with no listed address (APN: 121-020-10, 121-020-15, 121-020-16, 121-030-03, 121-030-24, 121-120-17, 121-320-03, and 121-330-01).

SUPERVISORIAL DISTRICT: 5

STAFF PLANNER: Liam Crowley

RESPONSE DUE DATE: December 26, 2025

PROJECT INFORMATION CAN BE FOUND AT:

www.mendocinocounty.org

Select "Government" from the drop-down; then locate Planning and Building Services/Public Agency Referrals.

Mendocino County Planning & Building Services is soliciting your input, which will be used in staff analysis and forwarded to the appropriate public hearing. You are invited to comment on any aspect of the proposed project(s). Please convey any requirements or conditions your agency requires for project compliance to the project coordinator at the above address, or submit your comments by email to pbs@mendocinocounty.org. Please note the case number and name of the project coordinator with all correspondence to this department.

We have reviewed the above application and recommend the following (please check one):

- ☐ No comment at this time.
- ☐ Recommend conditional approval (attached).
- ☐ Applicant to submit additional information (attach items needed, or contact the applicant directly, copying Planning and Building Services in any correspondence you may have with the applicant)
- ☐ Recommend denial (Attach reasons for recommending denial).
- ☐ Recommend preparation of an Environmental Impact Report (attach reasons why an EIR should be required).
- ☐ Other comments (attach as necessary).

REVIEWED BY:

Signature _____ Department _____ Date _____

CASE: R_2025-0002

OWNER/ APPLICANT:	Mendocino Redwood Company LLC
AGENT:	John Kuhry
REQUEST:	Coastal Zoning Code amendment to change the zoning district of eight (8) parcels from Timberland Production (TP) to Forest Lands (FL).
LOCATION:	1± mile southwest of Little River, on the south side of Little River Airport Road (CR 404) 1.2± miles east of its intersection with State Route 1 (SR-1), with no listed address (APN: 121-020-10, 121-020-15, 121-020-16, 121-030-03, 121-030-24, 121-120-17, 121-320-03, and 121-330-01).
APN/S:	121-020-10, 121-020-15, 121-020-16, 121-030-03, 121-030-24, 121-120-17, 121-320-03, and 121-330-01
PARCEL SIZE:	568.75± acres
GENERAL PLAN:	Forest Lands 160-Acre Minimum (FL:160)
ZONING:	Timberland Production (TP)
EXISTING USES:	Forest Production and Processing
DISTRICT:	5 (Williams)
RELATED CASES:	See below.

REFERRAL AGENCIES

LOCAL		
☒ Agricultural Commissioner	☒ Albion-Little River Fire District	☒ California Dept. of Fish & Wildlife
☒ Air Quality Management District	☒ Planning Division (Fort Bragg)	☒ Regional Water Quality Control Board
☒ Assessor’s Office	☒ Mendocino County Farm Bureau	TRIBAL
☒ Building Division (Fort Bragg)	☒ Mendocino Cannabis Department	☒ Cloverdale Rancheria
☒ Department of Transportation (DOT)	STATE	☒ Redwood Valley Rancheria
☒ Environmental Health (EH)	☒ CALFIRE (Land Use)	☒ Sherwood Valley Band of Pomo Indians
☒ Resource Lands Protection Committee (RLPC)	☒ CALFIRE (Resource Management)	
☒ Forestry Advisor	☒ California Board of Forestry	
	☒ California Coastal Commission	

ADDITIONAL INFORMATION: Related cases include the following:

- **R 123-70:** Rezoning which reclassified the zoning district of APNs 121-120-17 and 121-330-01 from Suburban Agricultural (S-A) to Suburban Agricultural: Mobile Home Combining District (S-A-M). Approved by Board of Supervisors 04/07/1971 through Ordinance No. 767.
- **A 7-74:** Agricultural Preserve application to establish a Type II Agricultural Preserve for "long term timber management" over APNs 121-120-17, 121-320-03, 121-330-01, and several other unrelated parcels. Approved by Board of Supervisors 11/13/1974.
- **R 19-74:** Rezoning which reclassified the zoning district of APNs 121-120-17, 121-320-03, 121-330-01, and several other unrelated parcels from Suburban Agricultural (S-A) Suburban Agricultural: Mobile Home Combining District (S-A-M), A-1 (Unclassified), or Residential Resort (R-R) to Agricultural Forest Conservation (F-C) and established a Type II Agricultural Preserve over the subject parcels. Approved by Board of Supervisors 11/13/1974 through Ordinance No. 1364.
- **U 178-76:** Use Permit to *"establish a site for the disposal of wood waste from the Fort Bragg Stud Mill. Since burning is no longer allowed and Georgia-Pacific can't utilize all the bark and wood waste in their boilers, a land fill is the only alternative for continued operation"*. Approved by Planning Commission 02/17/1977. Appealed to Board of Supervisors. Approved by Board of Supervisors 03/23/1977.
- **GP 15-89:** General Plan Amendment to amend the Coastal Plan text and maps to make corrections and clarifications and to resolve inconsistencies identified since the plan was adopted. Among other changes, the amendment included the reclassification of the Land Use Map Plan Designation for APN 121-120-17 from Rural Residential 5-Acre Minimum (RR-5) to Forest Lands (FL) and to revise the Timberland Production Zone (TPZ) boundary to show that the parcel is within the TPZ zoning district. Certified by the California Coastal Commission on 11/15/1990.
- **OA 1-2004:** Ordinance Amendment to revise Division II (Coastal Zoning Code) of Title 20 of the Mendocino County Code by adding text reflecting the establishment of an Airport Zone Combining District (AZ) for the purpose of identifying parcels located in proximity to a public use airport. Approved by Board of Supervisors 06/22/2004 through Ordinance No. 4126. However, the change was never certified by the Coastal Commission and the combining districts are not currently part of the Local Coastal Program.
- **R 2-2004:** Rezoning for the purpose of implementing the Airport Comprehensive Land Use Plan through the application of an Airport Zone Combining District (AZ) to parcels lying within the Ocean Ridge and Little River Airport planning areas, including the subject parcels. Approved by Board of Supervisors 06/22/2004 through Ordinance No. 4127 and 4128. However, the change was never certified by the Coastal Commission and the combining districts are not currently part of the Local Coastal Program.

SEE NEXT PAGE FOR MORE INFORMATION →

- **CC_2025-0001:** Certificates of Compliance which recognized three (3) separate legal lots among the eight (8) subject parcel numbers. Lot 1 would be comprised of APNs 121-020-10, 121-020-15, 121-120-17, 121-320-03, and 121-330-01 totaling 328.75± acres. Lot 2 would be comprised of APNs 121-020-16 and 121-030-03 totaling 200± acres. Lot 3 would be comprised of APN 121-030-24 totaling 40± acres. A final determination letter was sent to the applicant on 11/25/25, but the Certificates of Compliance have not yet been recorded and finalized. See attached map titled “Proposed Lot Configuration”.
- **1-12-001-MEN-THP:** Timber Harvest Plan to harvest 229 acres within the subject ownership. Approved by CAL FIRE in 2012. Timber operations were completed in 2015.
- **1-24-00115-MEN-THP:** Timber Harvest Plan of 334 acres within the subject ownership, including 222 acres of selective harvest, 102 acres of fuel break/defensible space harvest, and 10 acres of no harvest in protected areas. CAL FIRE issued a Letter of Conformance approving the plan on 05/01/2025. Operations remain ongoing, and the most recent Notice of Inspection was published on 10/28/2025.

Other Notes:

- Pursuant to Mendocino County Code (MCC) Section 20.548.020, the Planning Commission shall hold a public hearing on the proposed amendment and render its decision in the form of a written recommendation to the Board of Supervisors. The Board of Supervisors will then hold a public hearing and may approve, modify, or disapprove the recommendation of the Planning Commission. Approval of the amendment must also be approved and certified by the California Coastal Commission.
- The following uses are not permitted in the TP zoning district but are conditionally permitted uses in the FL district (see MCC Chapters 20.360 and 20.364):
 - Family Residential: Cluster Development
 - Cemetery Services
 - Agricultural Sales and Services
 - Animal Sales and Services
 - Commercial Recreation: Outdoor Sports and Recreation
 - Packing and Processing: Fisheries Byproducts
 - Onshore Oil and Gas Development Facilities
- Light Agriculture is a conditionally permitted use in the TP district but is a principal permitted use in the FL district.
- Pursuant to Coastal Element Section 2.2, *“no use permit shall be granted for areas designated FL in TPZ until a specific finding has been made that the proposed use is **compatible with the growing and harvesting of timber and timber products.**”*
- Pursuant to Coastal Element Section 2.2, *“no use permit shall be granted for areas designated FL until a specific finding has been made that the proposed use is **compatible with the long term protection of timber resource lands.**”*

STAFF PLANNER: LIAM CROWLEY

DATE: 12/10/2025

ENVIRONMENTAL DATA

1. MAC:

GIS

None

2. FIRE HAZARD SEVERITY ZONE:

CALFIRE FRAP maps/GIS

Moderate, High, or Very High

3. FIRE RESPONSIBILITY AREA:

CALFIRE FRAP maps/GIS

State Responsibility Area (SRA)

4. FARMLAND CLASSIFICATION:

GIS

Grazing Land (G)

5. FLOOD ZONE CLASSIFICATION:

FEMA Flood Insurance Rate Maps (FIRM)

None

6. COASTAL GROUNDWATER RESOURCE AREA:

Coastal Groundwater Study/GIS

Sufficient or Marginal Water Resources (SWR or MWR)

7. SOIL CLASSIFICATION:

Mendocino County Soils Study Eastern/Western Part

Map Unit No. 108, 141, 174, 196, 199, or 221

8. PYGMY VEGETATION OR PYGMY CAPABLE SOIL:

LCP maps, Pygmy Soils Maps; GIS

Hesperocyparis pigmaea - Pinus contorta ssp. bolanderi / Rhododendron columbianum Association along southeastern corner of 121-020-10, northeastern corner of 121-020-16, and southern portion of 121-030-03

9. WILLIAMSON ACT CONTRACT:

GIS/Mendocino County Assessor's Office

None

10. TIMBER PRODUCTION ZONE:

GIS

Yes

11. WETLANDS CLASSIFICATION:

GIS

Yes, several wetlands and streams

12. EARTHQUAKE FAULT ZONE:

Earthquake Fault Zone Maps; GIS

None

13. AIRPORT LAND USE PLANNING AREA:

Airport Land Use Plan; GIS

Yes, portions within Little River Airport zones A, B1, and C

14. SUPERFUND/BROWNFIELD/HAZMAT SITE:

GIS; General Plan 3-11

None

15. NATURAL DIVERSITY DATABASE:

CA Dept. of Fish & Wildlife Rarefind Database/GIS

Yes, several historical observations

16. STATE FOREST/PARK/RECREATION AREA ADJACENT:

GIS; General Plan 3-10

No

17. LANDSLIDE HAZARD:

Hazards and Landslides Map; GIS; Policy RM-61; General Plan 4-44

N/A

18. WATER EFFICIENT LANDSCAPE REQUIRED:

Policy RM-7; General Plan 4-34

N/A

19. WILD AND SCENIC RIVER:

www.rivers.gov (Eel Only); GIS

None

20. SPECIFIC PLAN/SPECIAL PLAN AREA:

Various Adopted Specific Plan Areas; GIS

Airport Land Use Plan

21. STATE CLEARINGHOUSE REQUIRED:

Policy

N/A

22. OAK WOODLAND AREA:

USDA

N/A

23. HARBOR DISTRICT:

Sec. 20.512

None

FOR PROJECTS WITHIN THE COASTAL ZONE ONLY

24. LCP LAND USE CLASSIFICATION:

LCP Land Use maps/GIS

Timber Preserve Zone

25. LCP LAND CAPABILITIES & NATURAL HAZARDS:

LCP Land Capabilities maps/GIS; 20.500

Moderate or High Productivity Timberland, Beach Deposits and Stream Alluvium and Terraces

26. LCP HABITATS & RESOURCES:

LCP Habitat maps/GIS; 20.496

Pygmy Forest, Coastal Forest, Woodland, Riparian, Cutover

27. COASTAL COMMISSION APPEALABLE AREA:

Post LCP Certification Permit and Appeal Jurisdiction maps/GIS; 20.544

Yes

28. CDP EXCLUSION ZONE:

CDP Exclusion Zone maps/GIS

None

29. HIGHLY SCENIC AREA:

Highly Scenic & Tree Removal Area Maps/GIS; Secs. 20.504.015, 20.504.020

Portions within Conditionally Highly Scenic Area, everything within view easterly of Highway 1 is designated Highly Scenic

30. BIOLOGICAL RESOURCES & NATURAL AREAS:

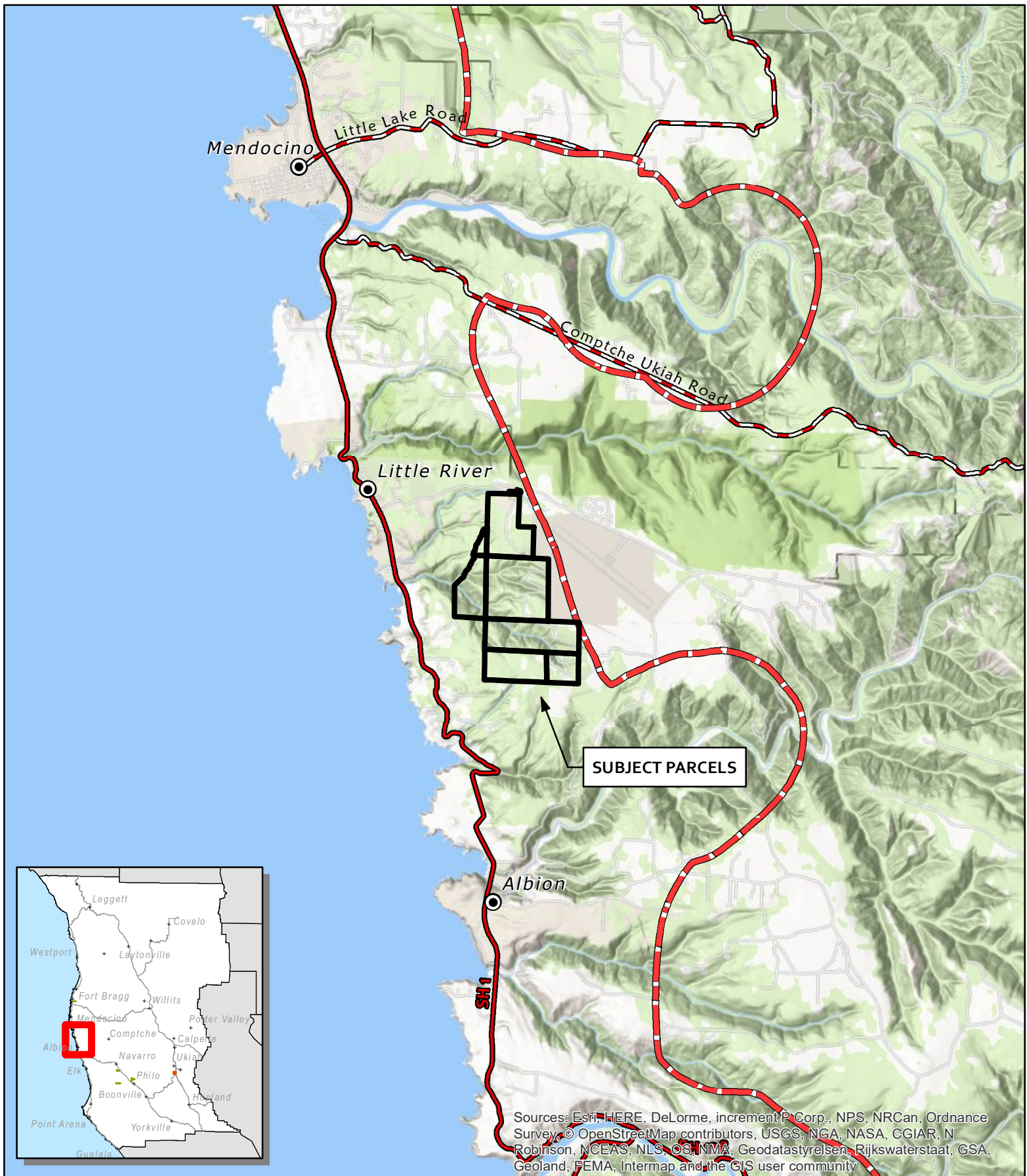
Biological Resources & Natural Area Map; GIS; General Plan 4-9

N/A

31. BLUFFTOP GEOLOGY:

GIS; 20.500.020

None



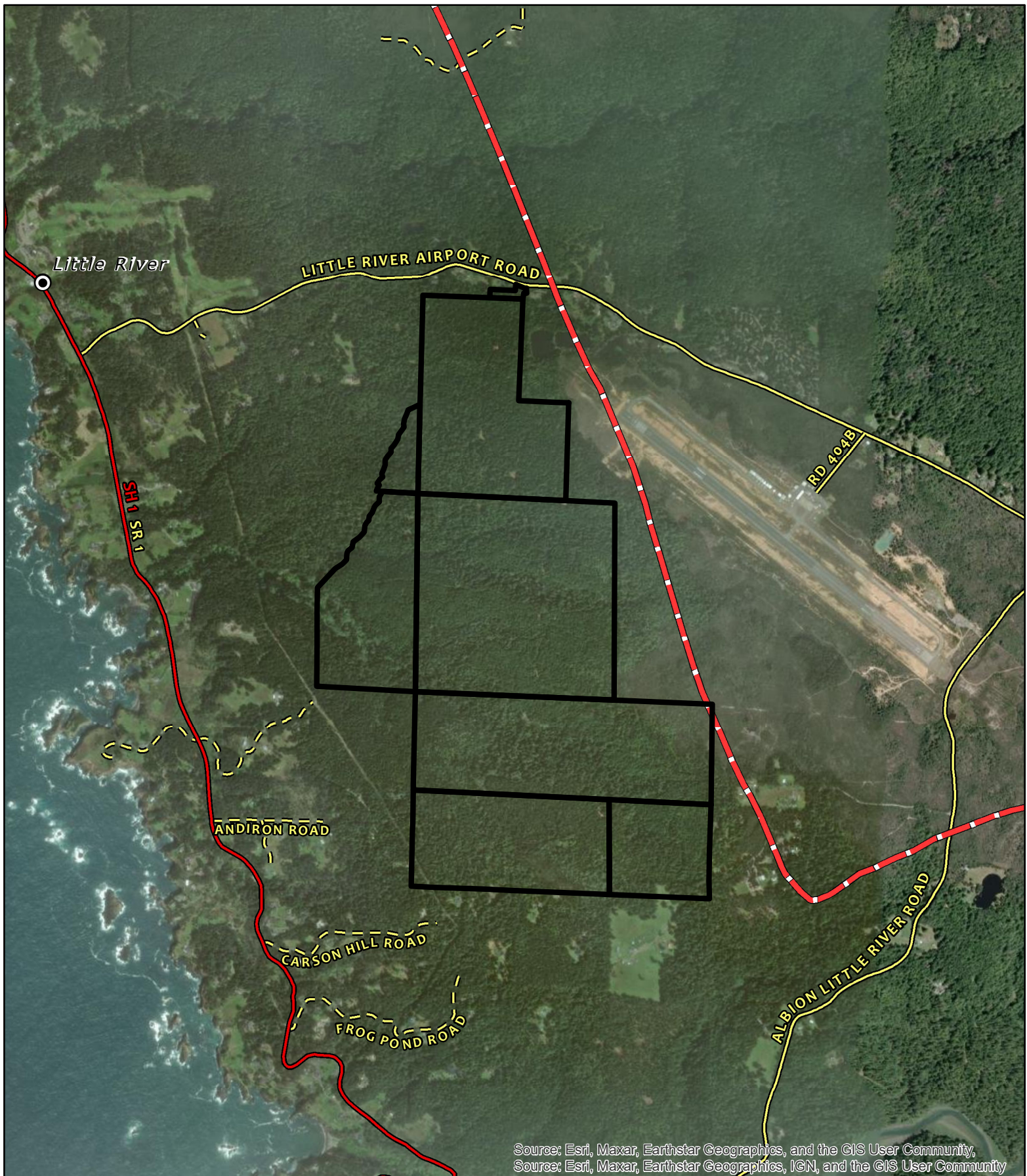
CASE: R 2025-0002
OWNER: Mendocino Redwood Company, LLC
APN: Various
APLCT: Mendocino Redwood Company, LLC
AGENT: John W. Kuhry
ADDRESS: None

Major Towns & Places
 Major Roads
 Coastal Zone Boundary
 Highways

0 2,800 5,600 Feet
 0 0.5 1 Miles
 1:63,360
 N
 W E
 S

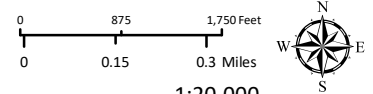
LOCATION

THIS MAP AND DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND.
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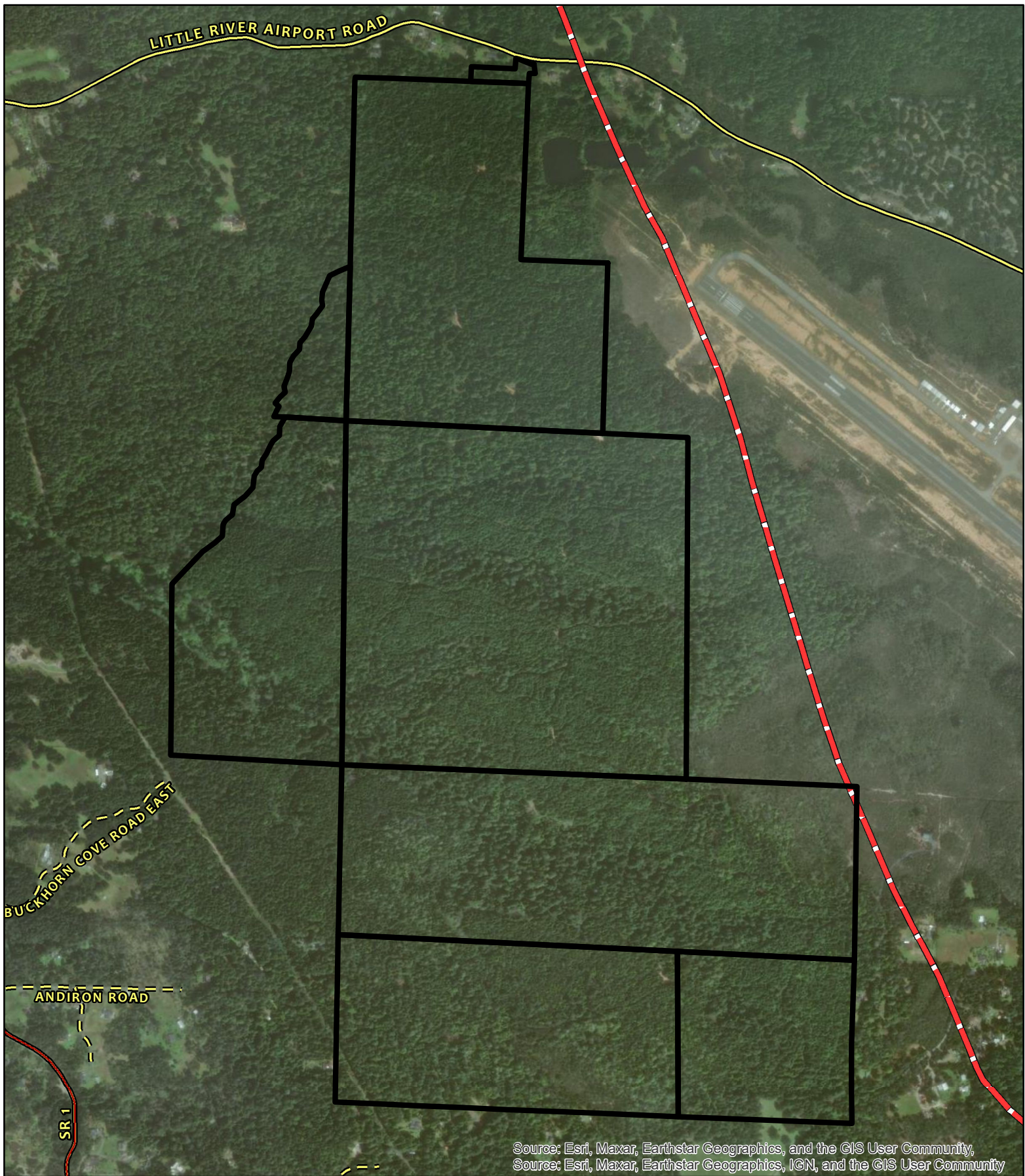
Major Towns & Places
Coastal Zone Boundary
Highways
Public Roads
Private Roads



1:20,000

AERIAL IMAGERY

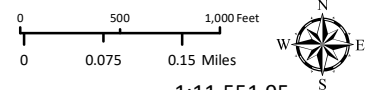
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Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community,
Source: Esri, Maxar, Earthstar Geographics, IGN, and the GIS User Community

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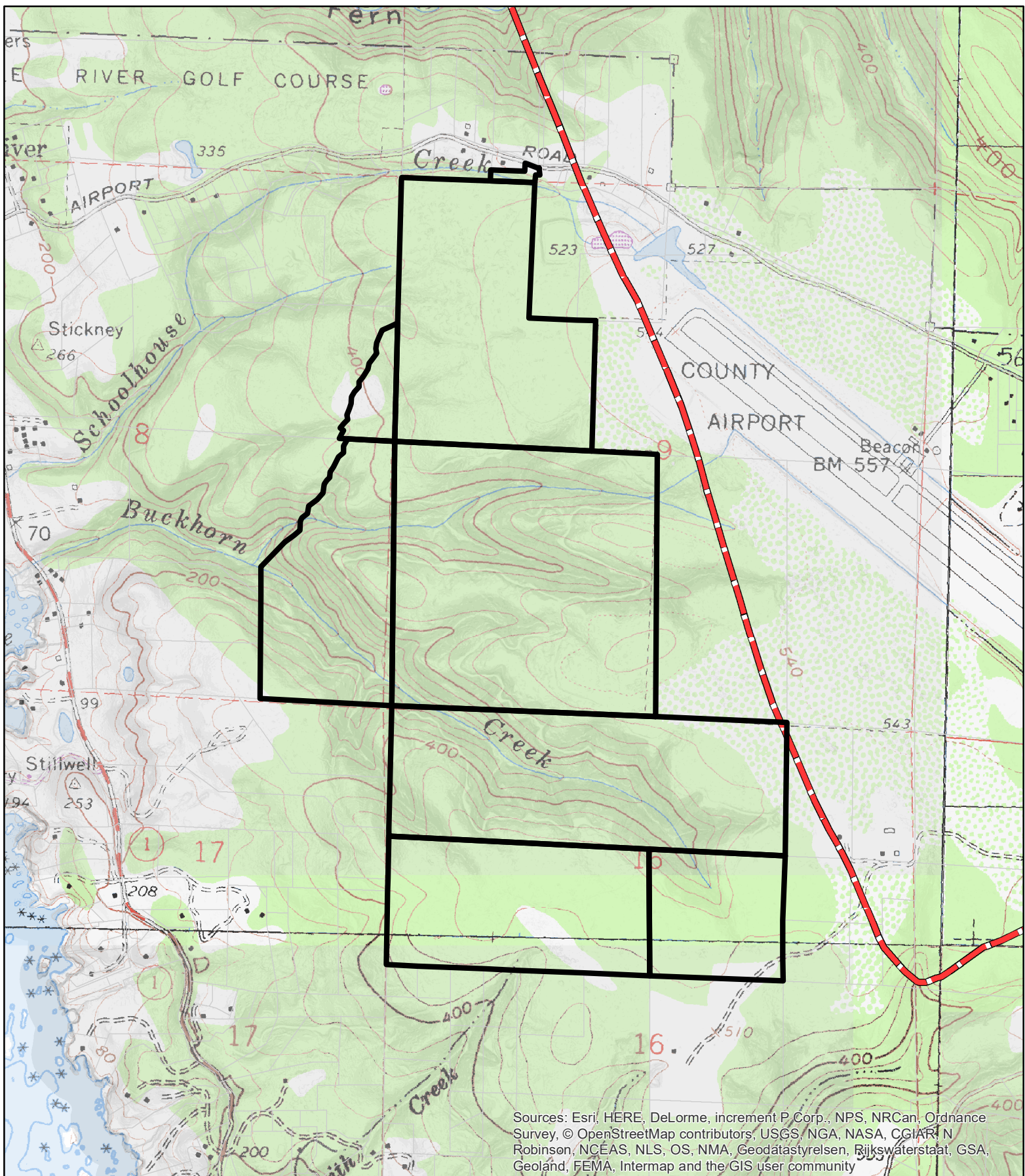
 Coastal Zone Boundary  Private Roads
 Highways (2017)
 Public Roads



1:11,551.95

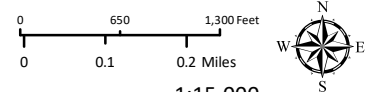
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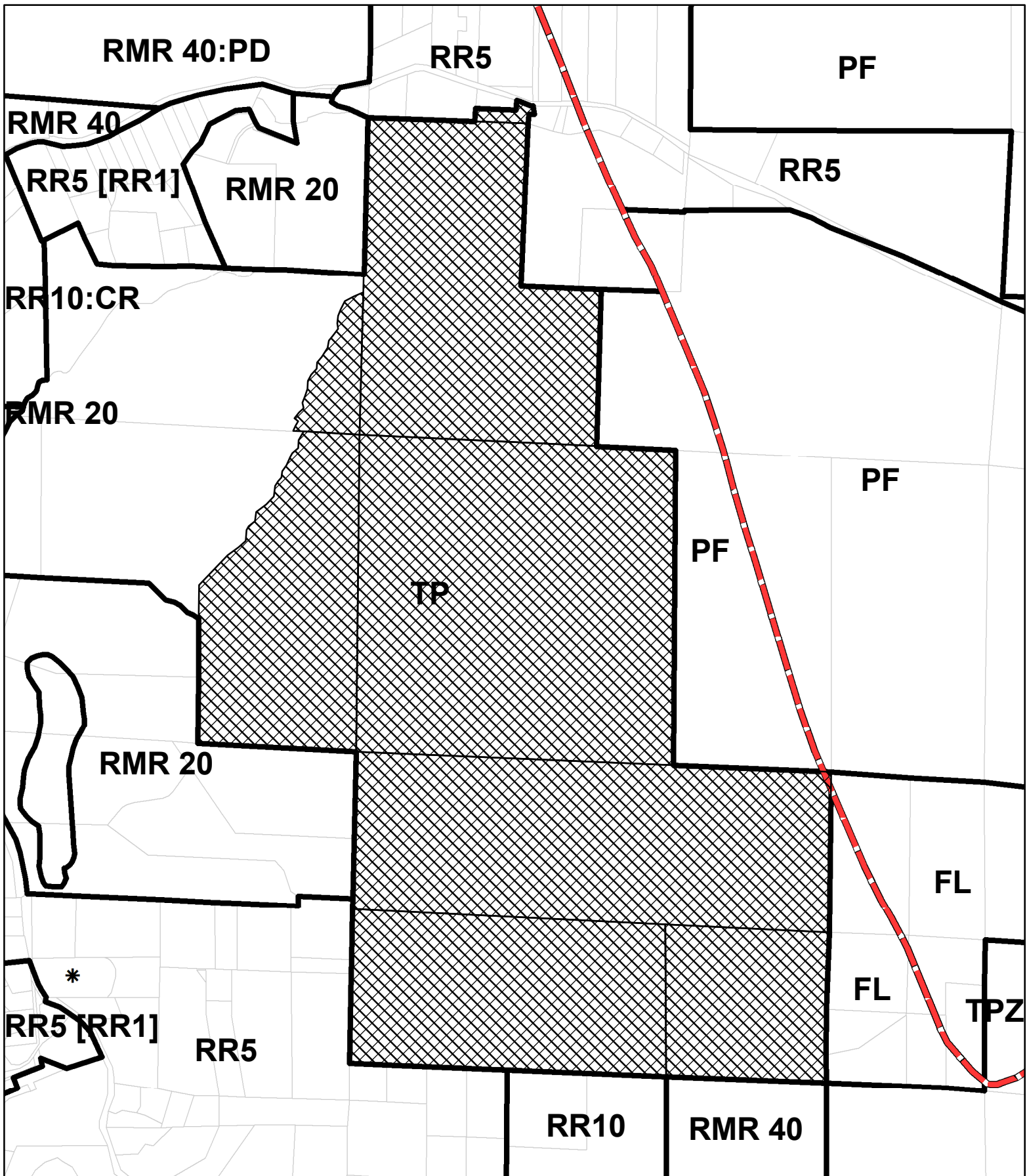
CASE: R 2025-0002
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AGENT: John W. Kuhry
ADDRESS: None

 Coastal Zone Boundary
 Assessors Parcels



1:15,000
TOPOGRAPHIC MAP
 CONTOUR INTERVAL IS 40 FEET

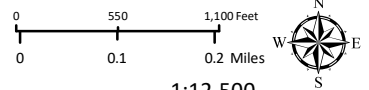
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CASE: **R 2025-0002**
 OWNER: **Mendocino Redwood Company, LLC**
 APN: **Various**
 APLCT: **Mendocino Redwood Company, LLC**
 AGENT: **John W. Kuhry**
 ADDRESS: **None**

 Coastal Zone Boundary
 Visitor Accommodation & Services
 Zoning Districts
 Assessors Parcels

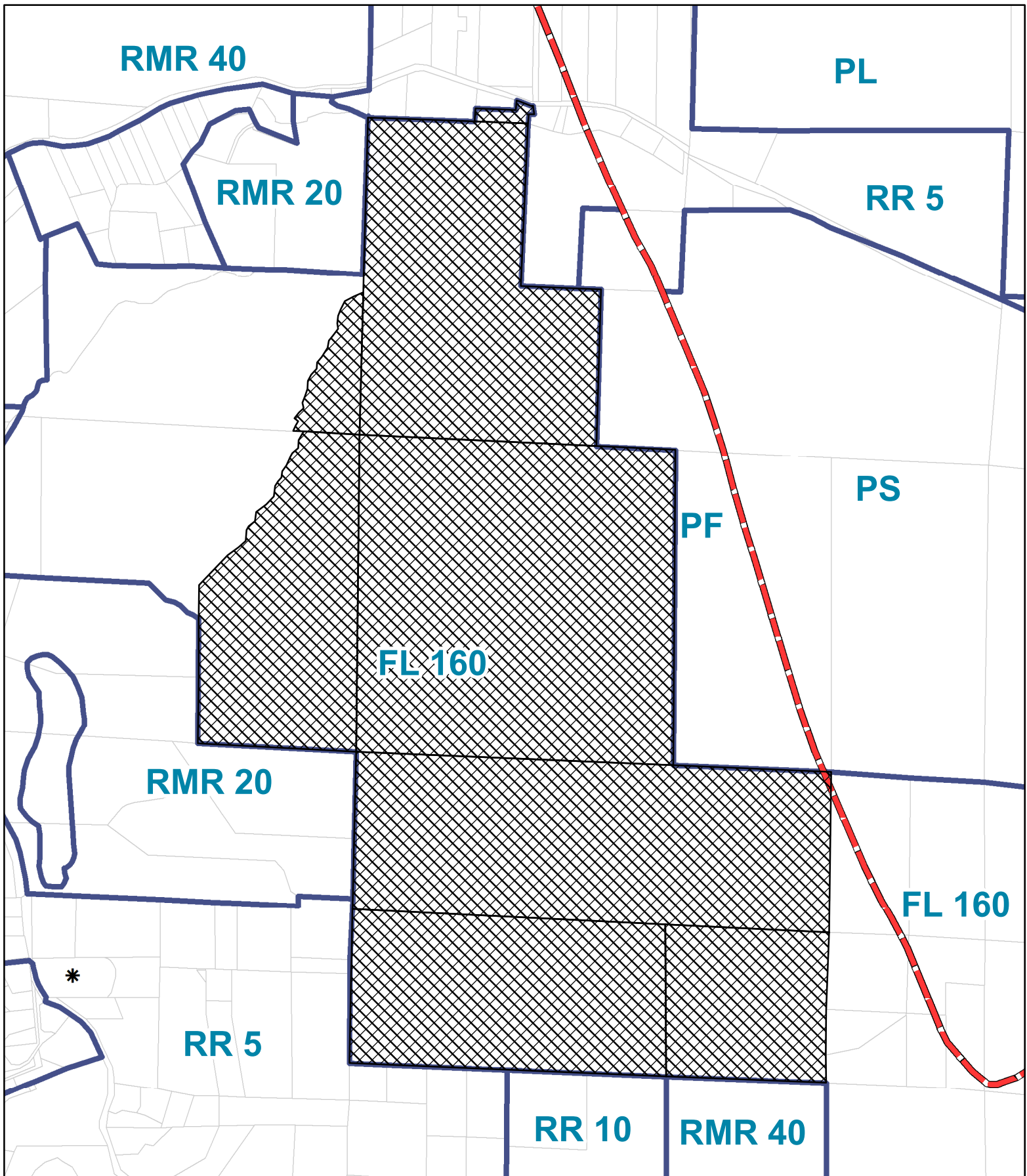
 Visitor Accommodation & Services



1:12,500

ZONING

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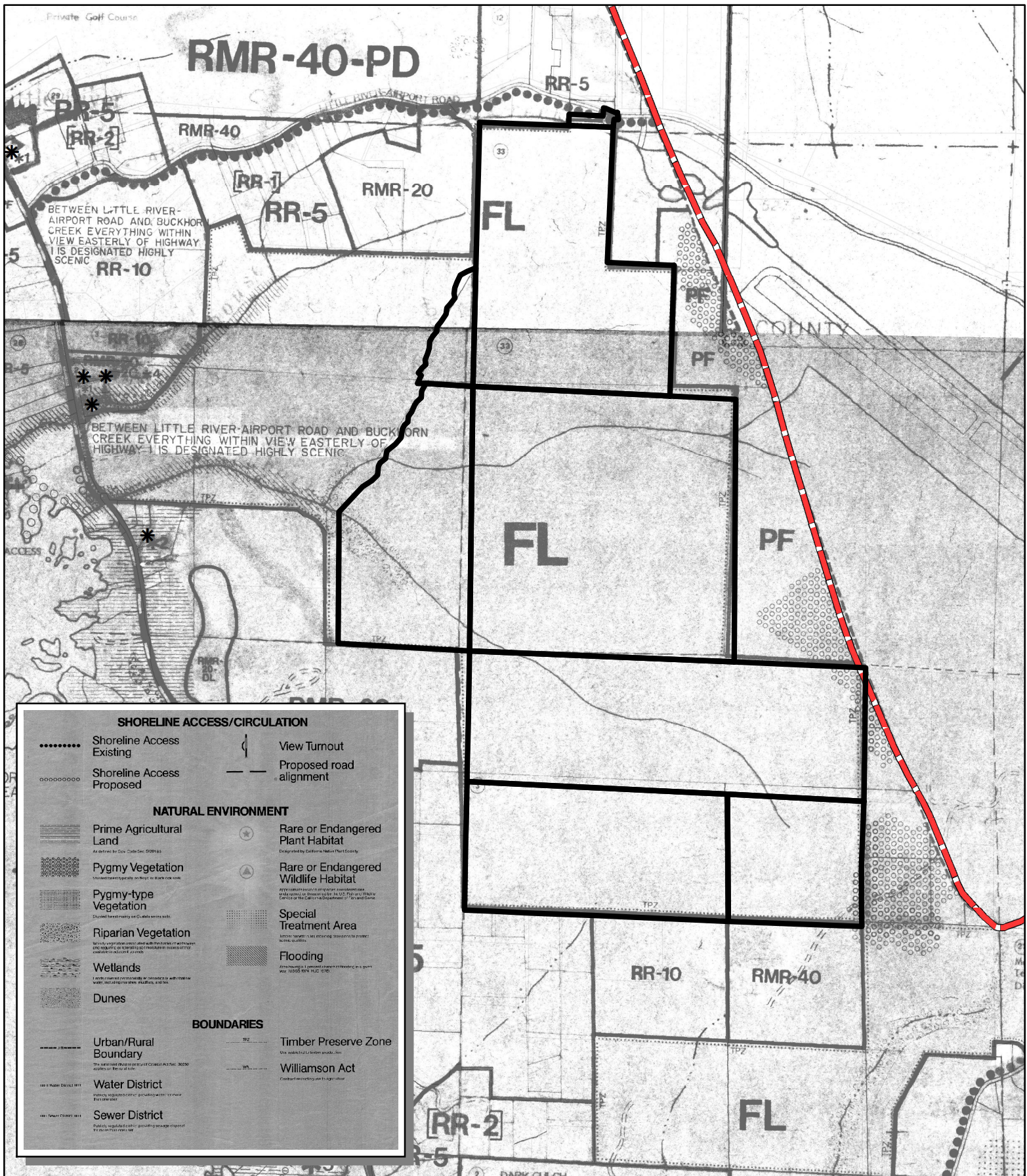
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* Visitor Accommodation & Services

0 550 1,100 Feet
 0 0.1 0.2 Miles

1:12,500
 GENERAL PLAN

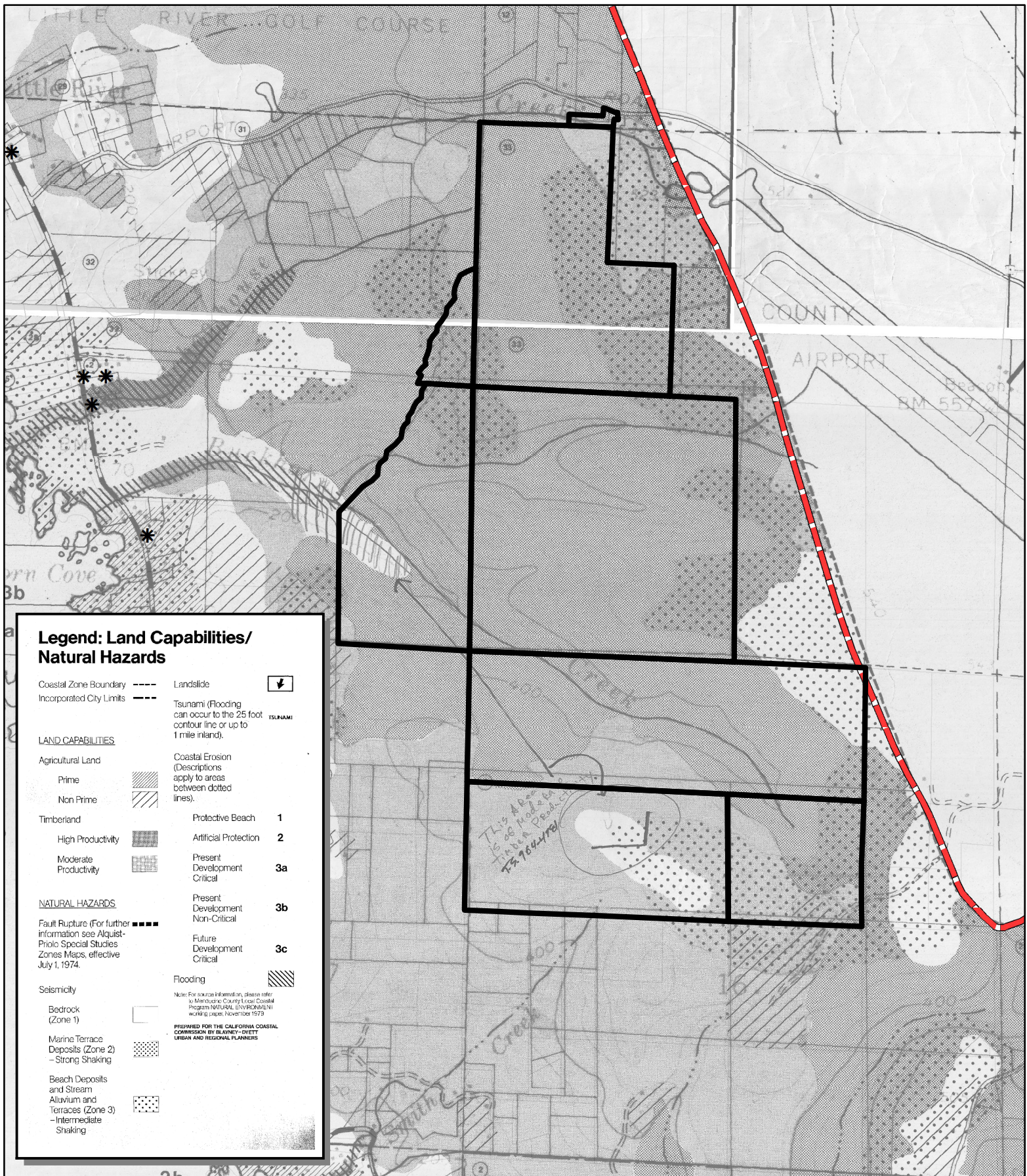
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LCP LAND USE MAP 18 & 17: ALBION & MENDOCINO

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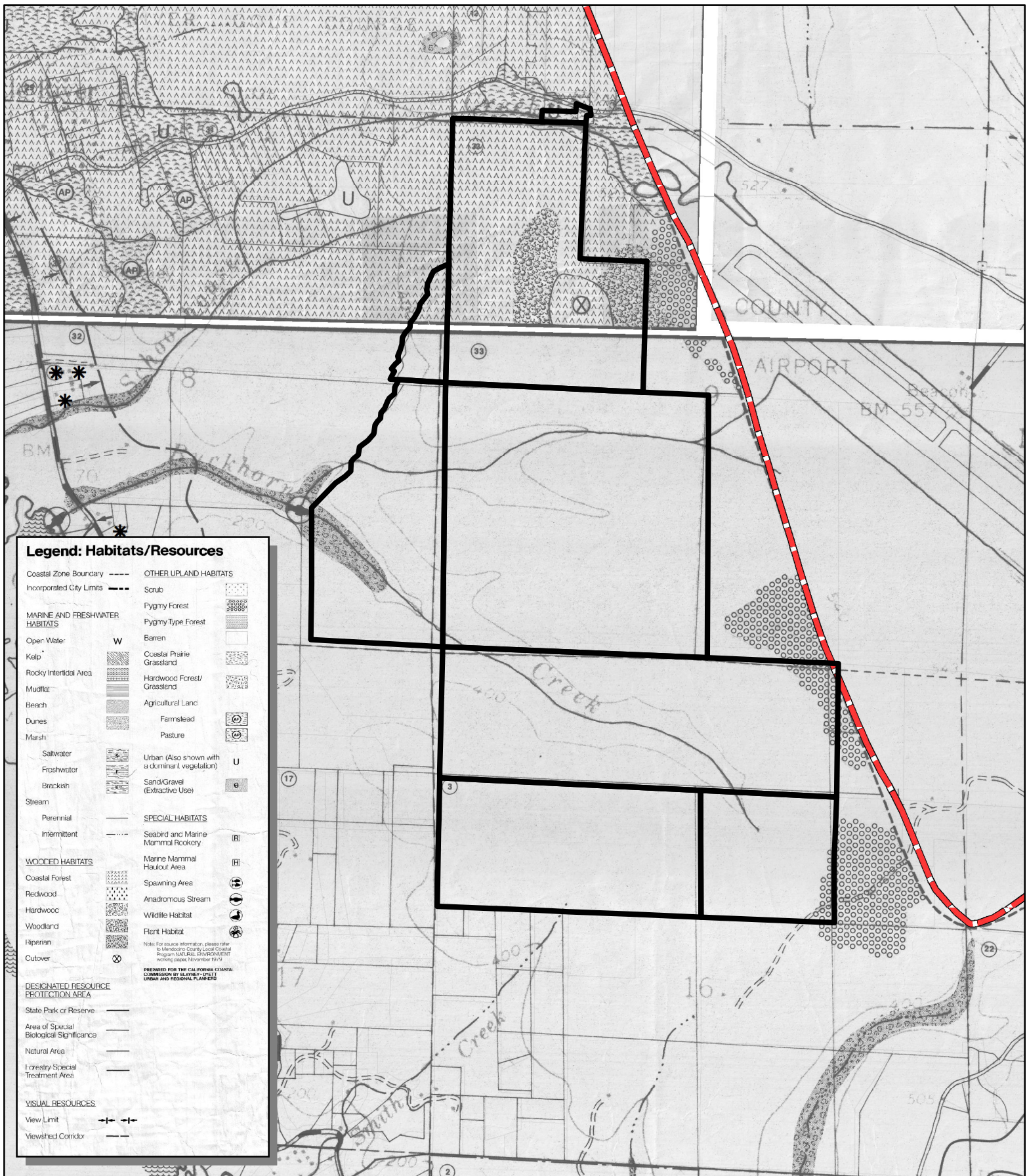
[Symbol] Coastal Zone Boundary

[Symbol] Assessors Parcels

* Visitor_Accommodation_&_Services

LCP LAND CAPABILITIES & NATURAL HAZARDS

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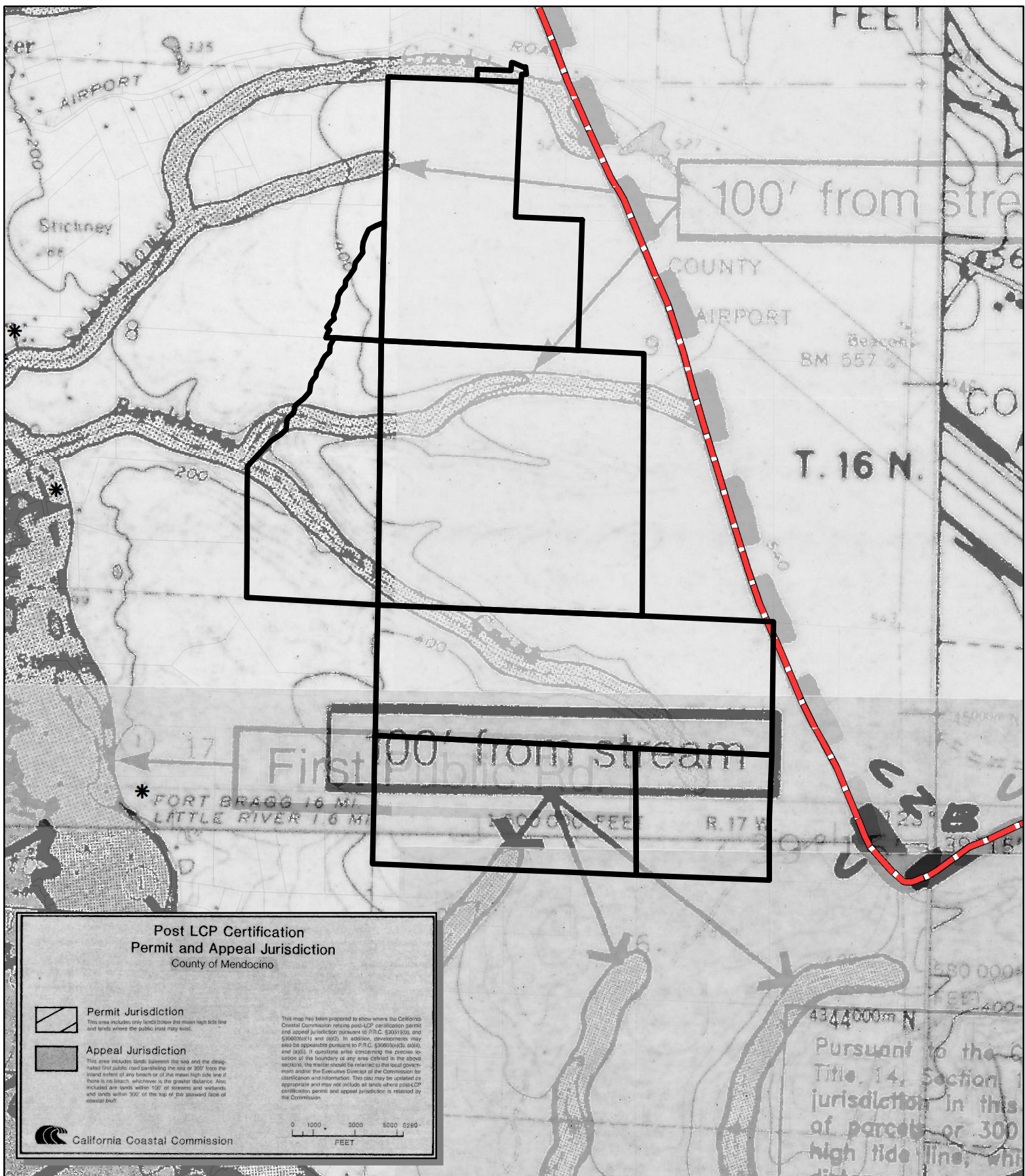


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Coastal Zone Boundary
Assessor's Parcels
Visitor Accommodation & Services

0 650 1,300 Feet
 0 0.1 0.2 Miles
 1:15,000
LCP HABITATS & RESOURCES

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Coastal Zone Boundary

Assessors Parcels

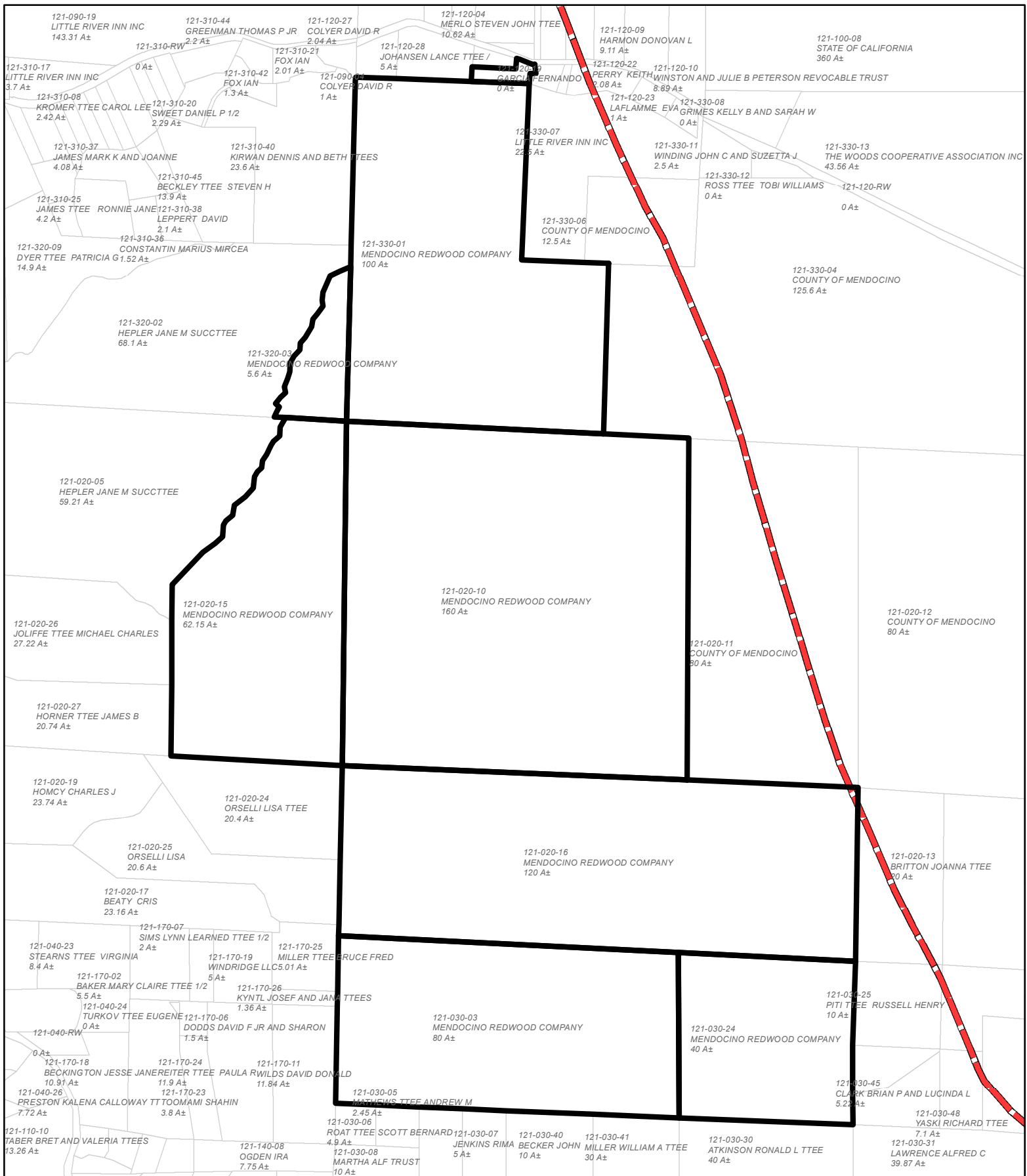
Visitor Accommodation & Services

0 650 1,300 Feet
 0 0.1 0.2 Miles
 1:15,000



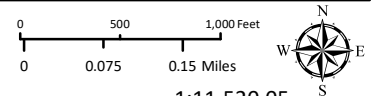
POST LCP CERTIFICATION & APPEAL JURISDICTION

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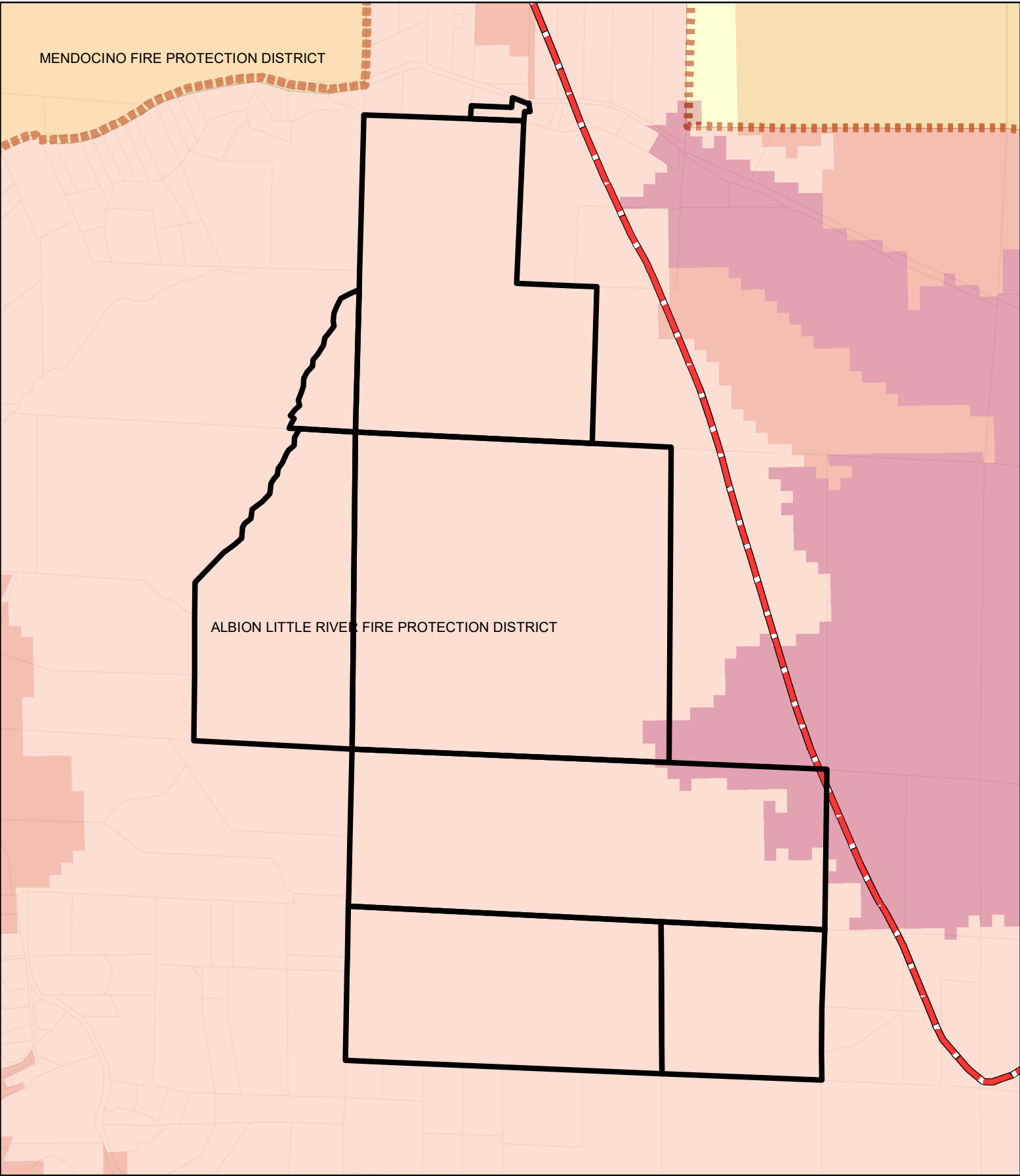
 Coastal Zone Boundary
 Assessors Parcels



1:11,520.05

ADJACENT PARCELS

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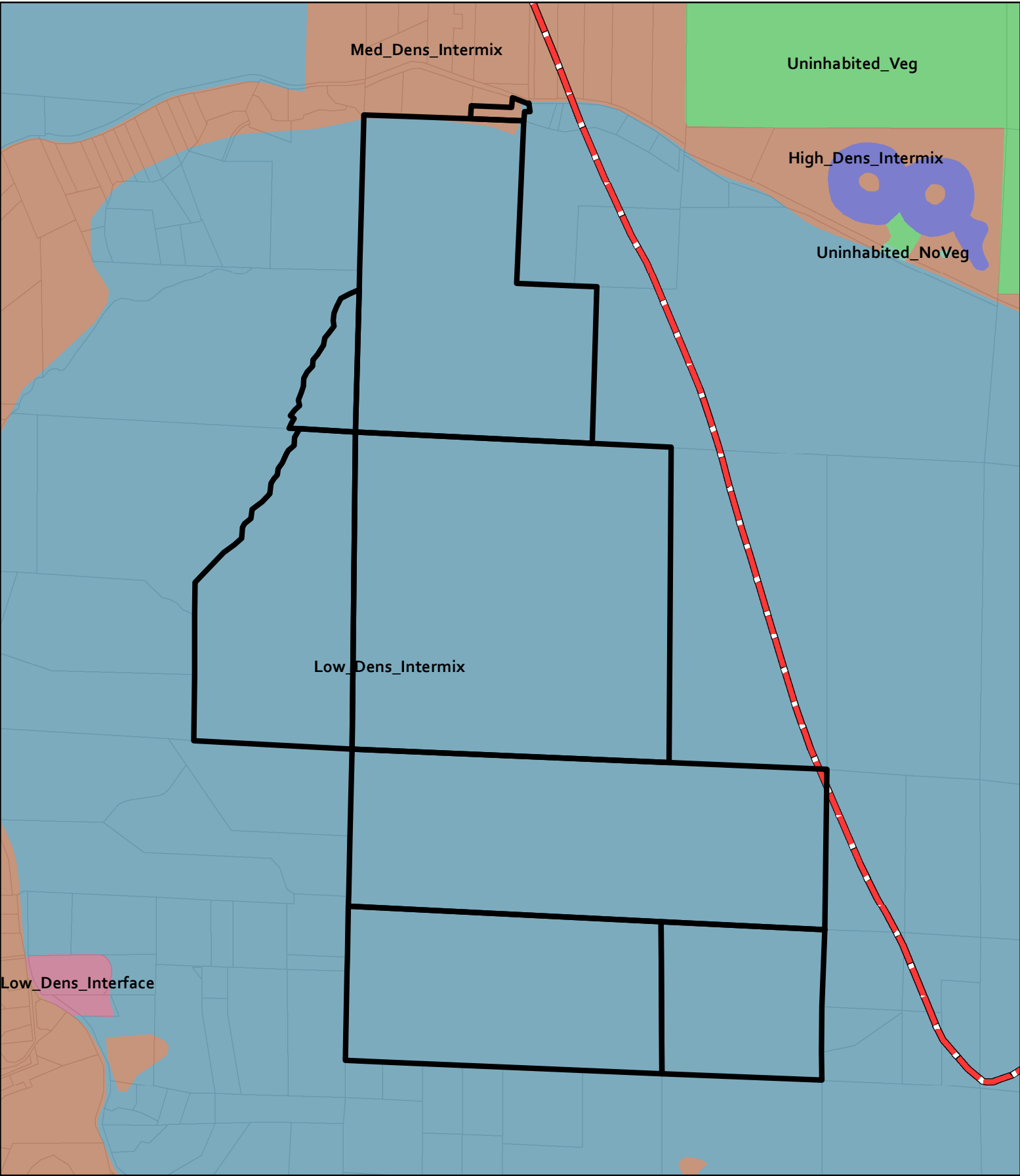
Coastal Zone Boundary
Very High Fire Hazard
High Fire Hazard

Moderate Fire Hazard
County Fire Districts
Assessor's Parcels

0 550 1,100 Feet
0 0.1 0.2 Miles

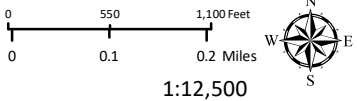
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FIRE HAZARD ZONES & RESPONSIBILITY AREAS
STATE RESPONSIBILITY AREA

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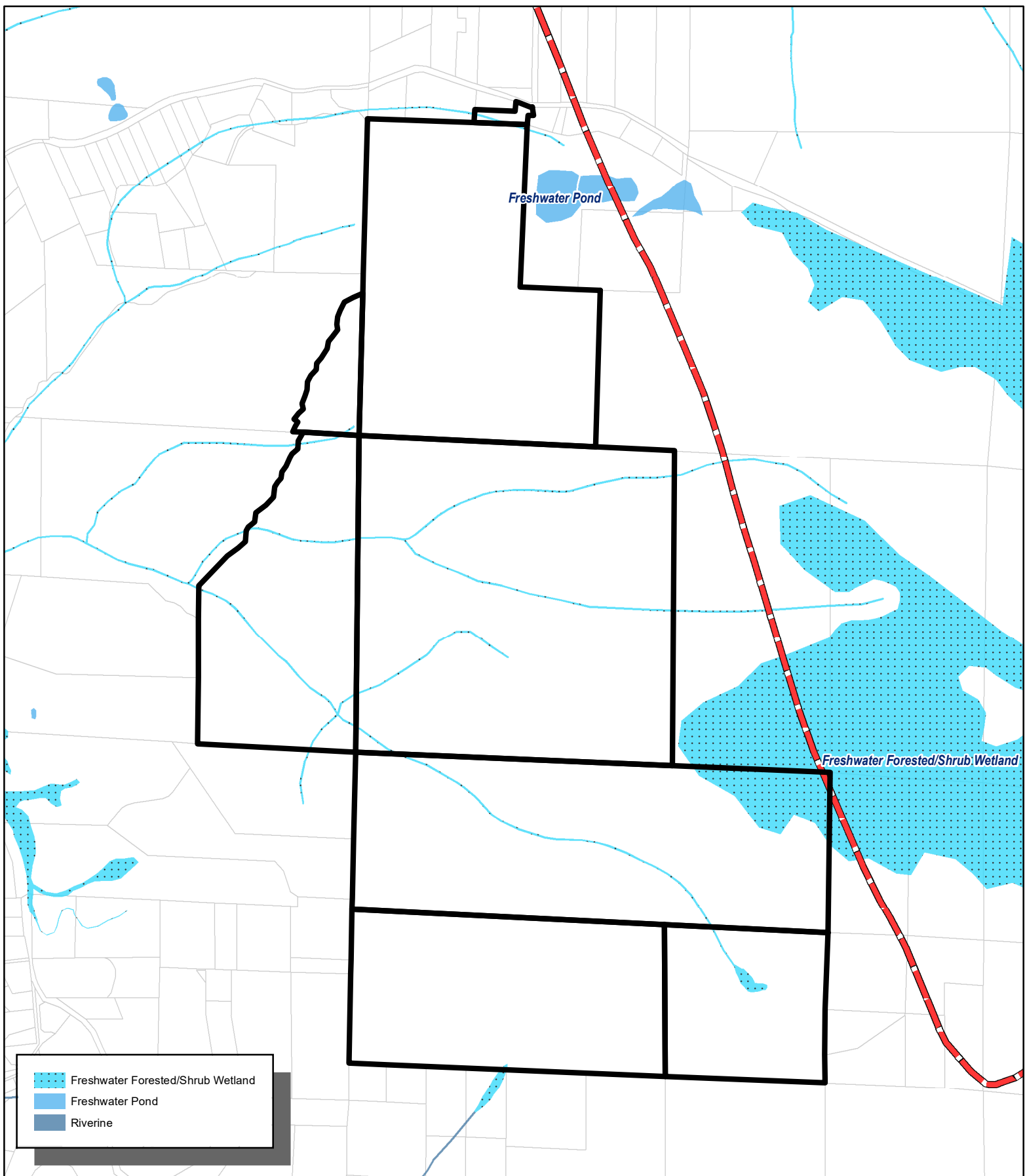
 Coastal Zone Boundary
 Assessors Parcels



1:12,500

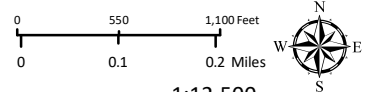
WILDLAND-URBAN INTERFACE

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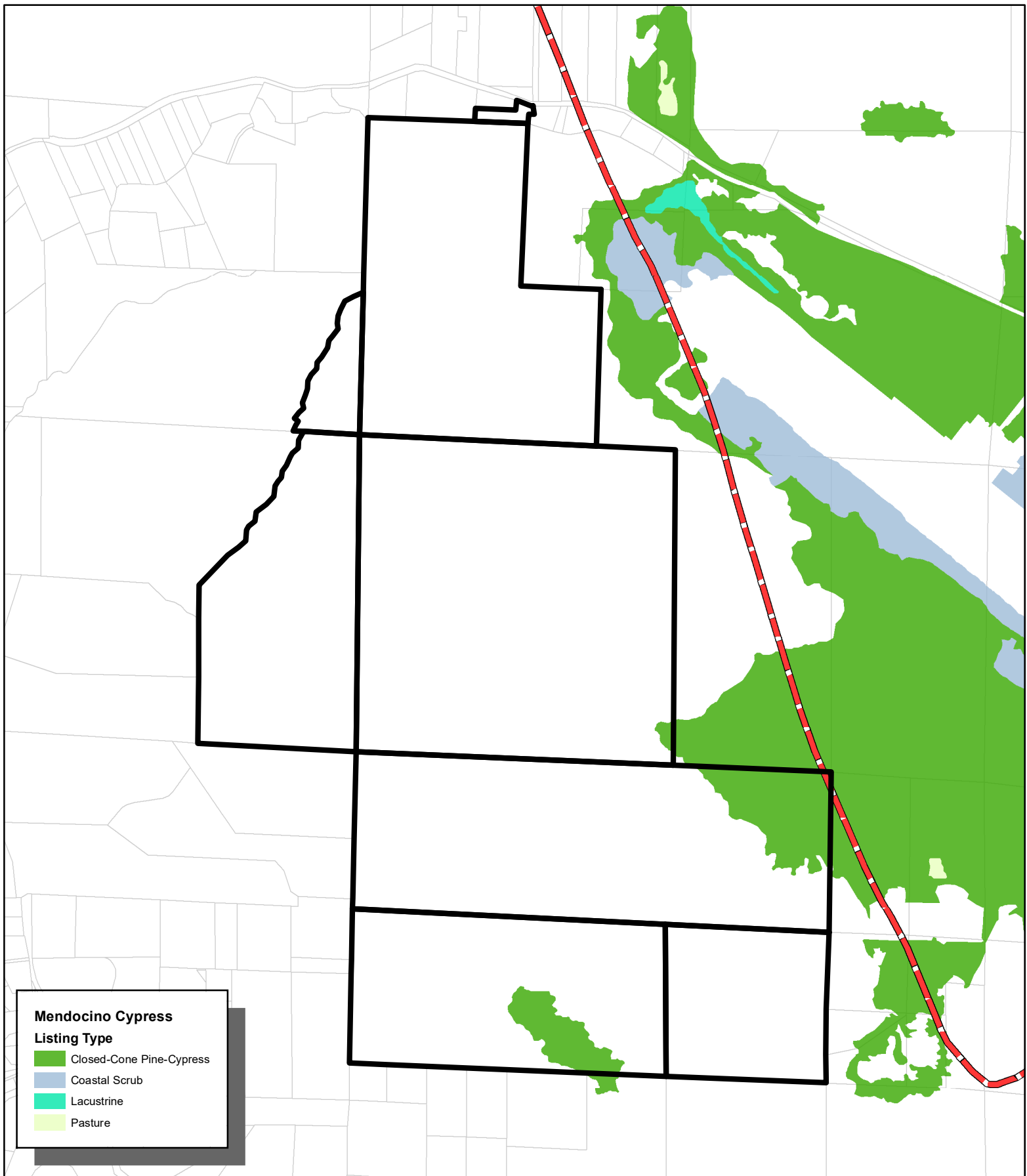
Coastal Zone Boundary
 Assessors Parcels



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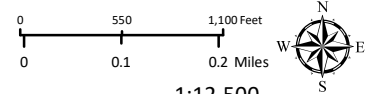
WETLANDS

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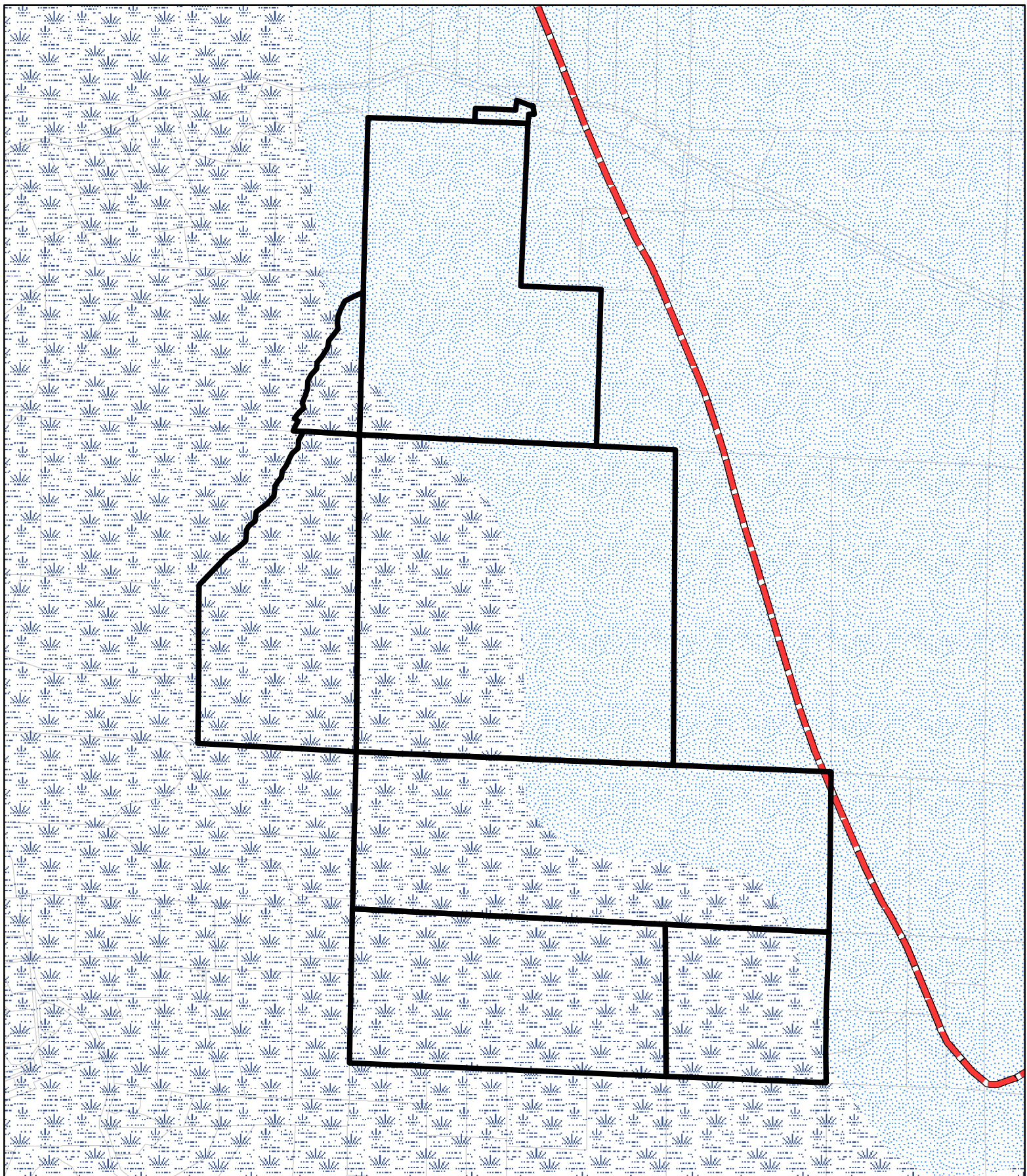
 Coastal Zone Boundary
 Assessors Parcels



1:12,500

MENDOCINO CYPRESS

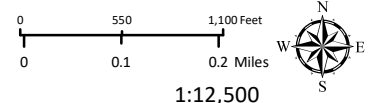
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ADDRESS: None

 Coastal Zone Boundary
 Marginal Water Resources
 Sufficient Water Resources

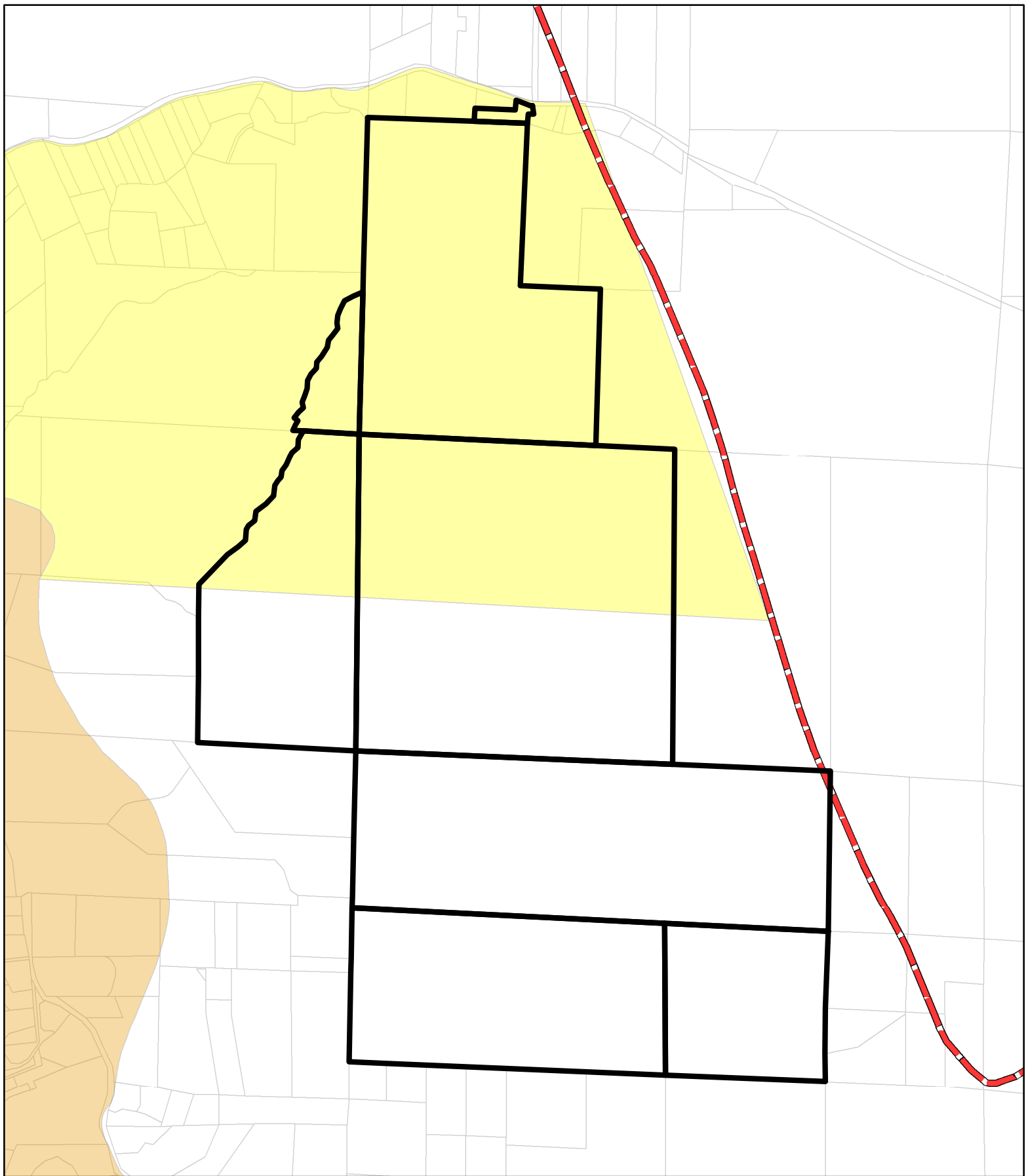
 Assessors Parcels



1:12,500

COASTAL GROUND WATER RESOURCE

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 DO NOT USE THIS MAP TO DETERMINE LEGAL PROPERTY BOUNDARIES



CASE: R 2025-0002
OWNER: Mendocino Redwood Company, LLC
APN: Various
APLCT: Mendocino Redwood Company, LLC
AGENT: John W. Kuhry
ADDRESS: None

 Coastal Zone Boundary

 Highly Scenic

 Highly Scenic (Conditional)

 Assessor's Parcels

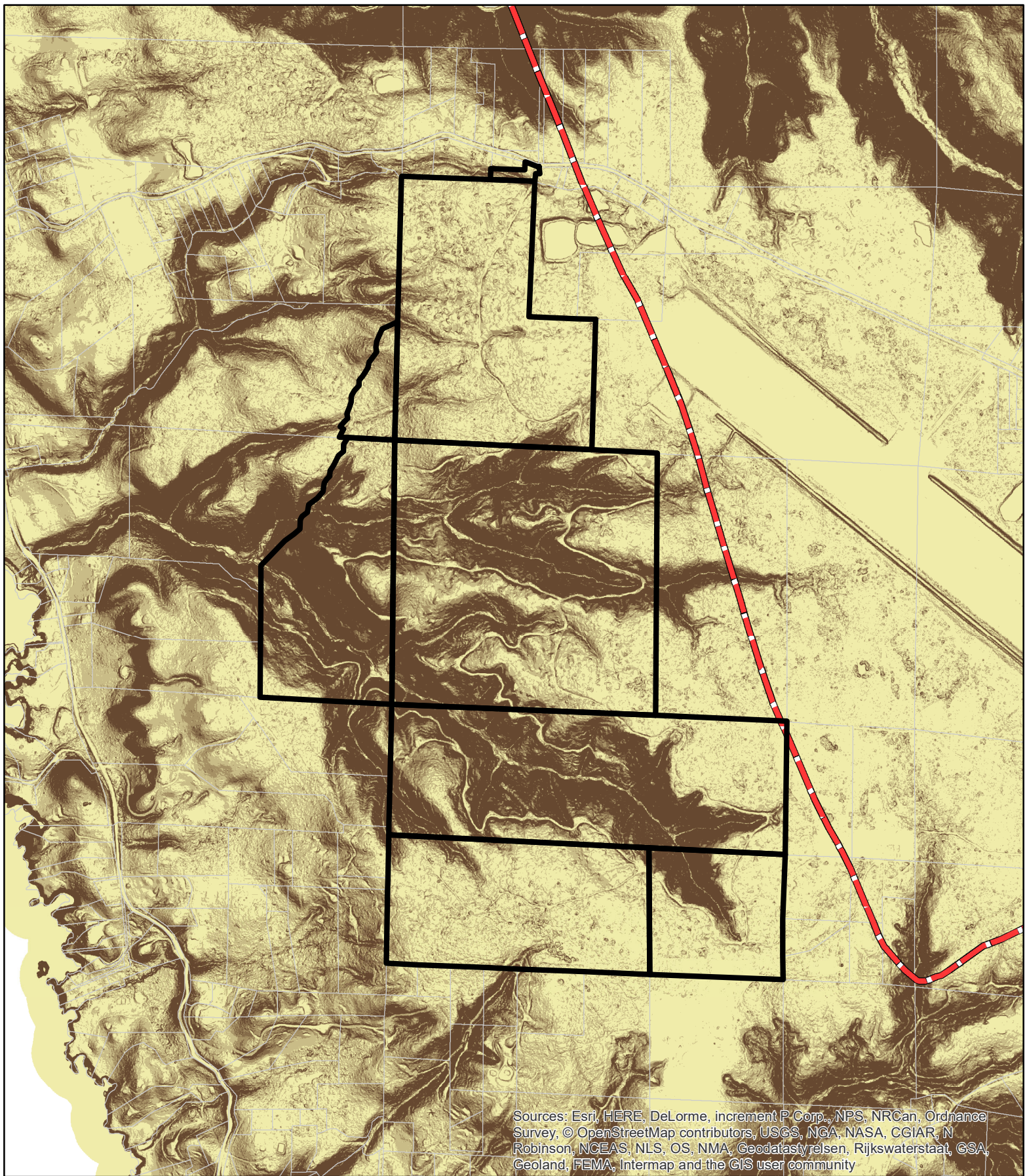
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0 0.1 0.2 Miles

1:12,500



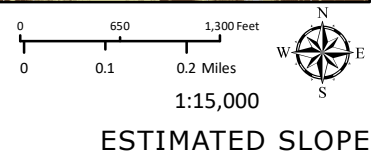
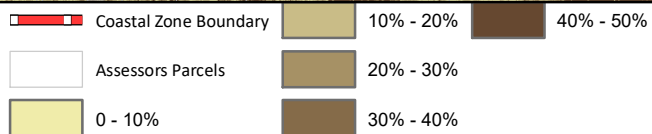
HIGHLY SCENIC AREAS

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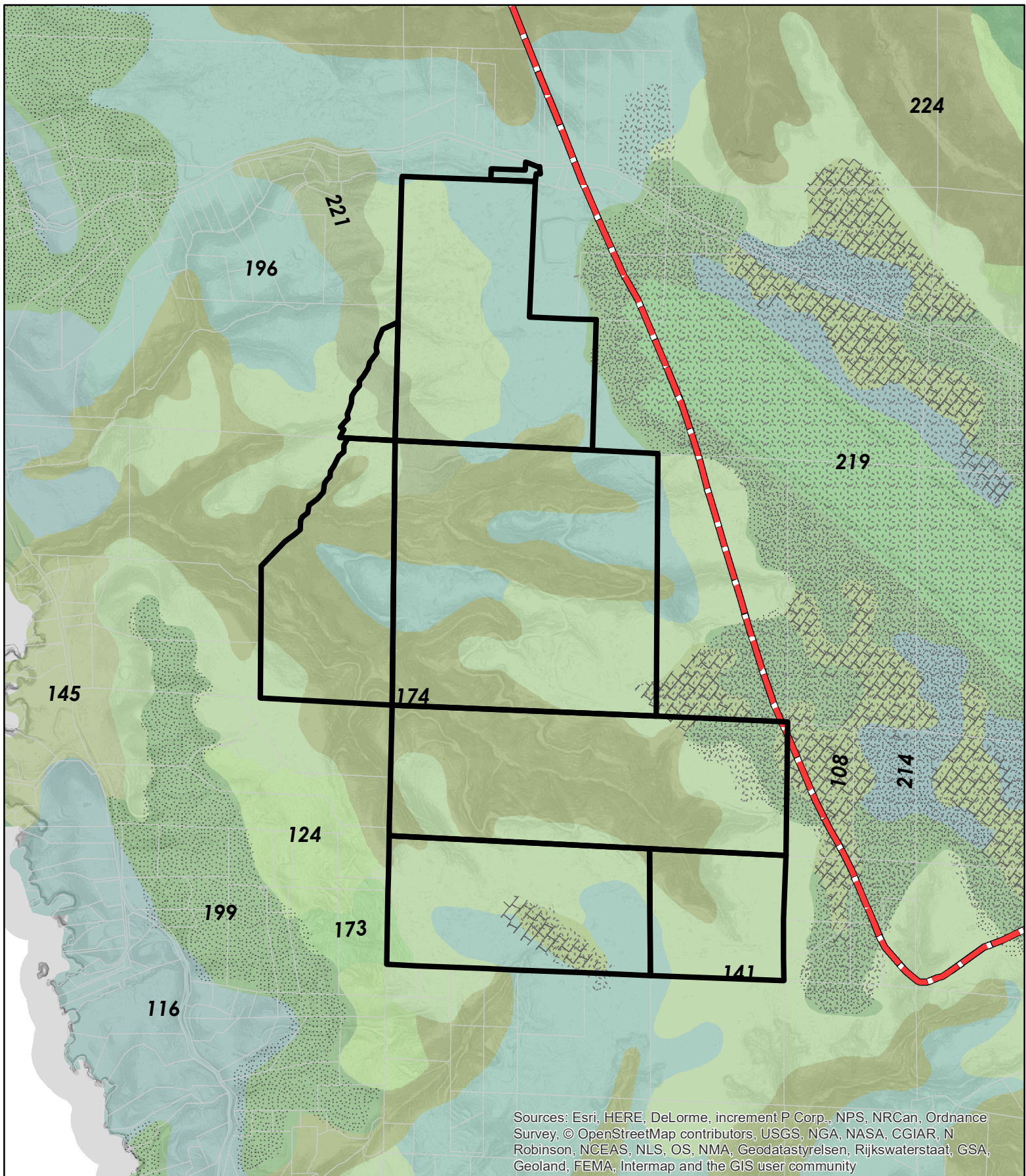


Sources: Esri, HERE, DeLorme, increment P Corp., NPS, NRCAn, Ordnance Survey, © OpenStreetMap contributors, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatasys, reisen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community

CASE: R 2025-0002
OWNER: Mendocino Redwood Company, LLC
APN: Various
APLCT: Mendocino Redwood Company, LLC
AGENT: John W. Kuhry
ADDRESS: None



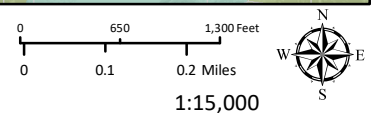
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DO NOT USE THIS MAP TO DETERMINE LEGAL PROPERTY BOUNDARIES



CASE: R 2025-0002
OWNER: Mendocino Redwood Company, LLC
APN: Various
APLCT: Mendocino Redwood Company, LLC
AGENT: John W. Kuhry
ADDRESS: None

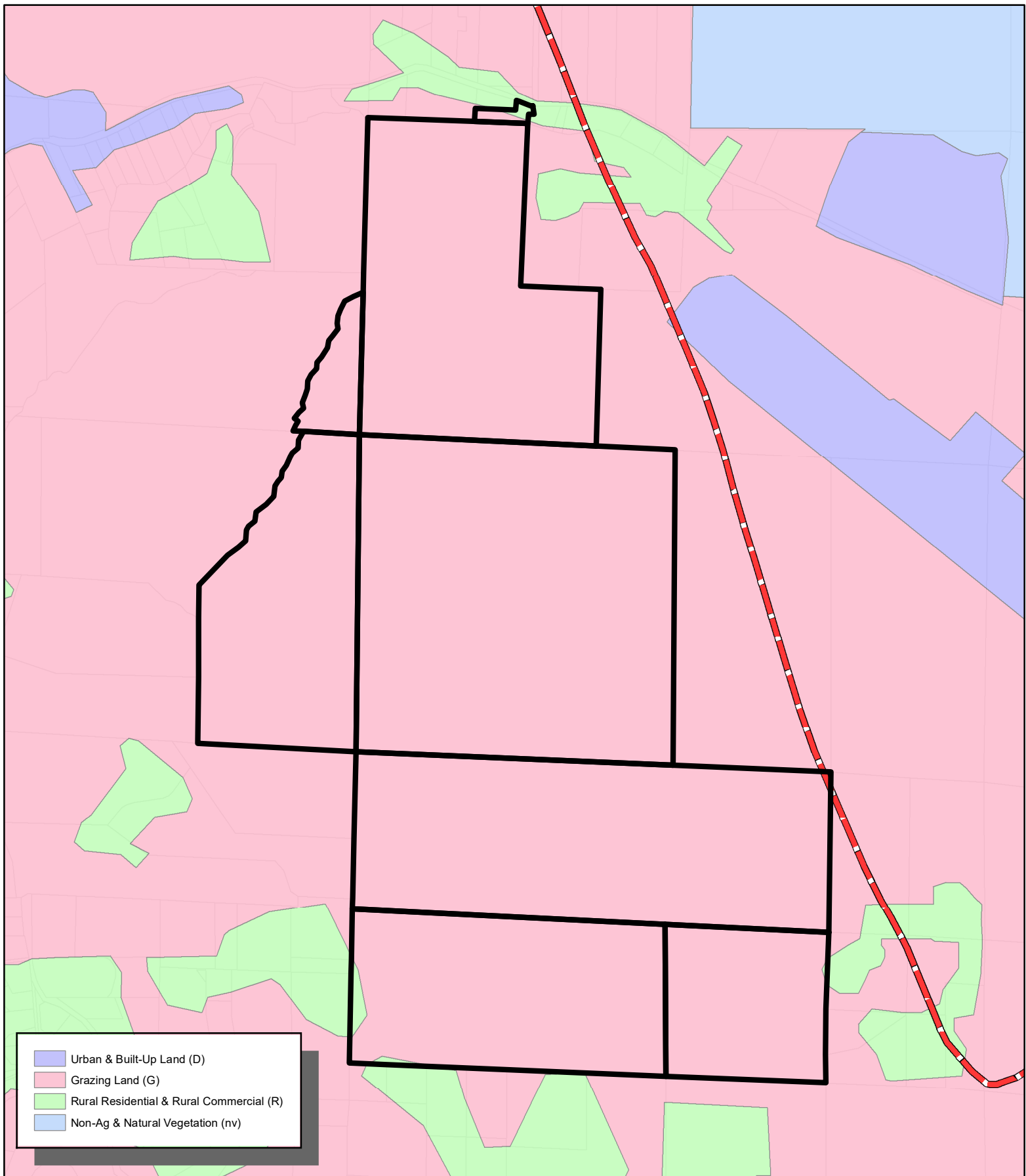
-  Coastal Zone Boundary
-  Assessors Parcels
-  Mendocino Cypress 110922

-  Blacklock & Aborigine
-  Shinglemill-Gibney Complex



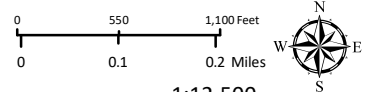
WESTERN SOIL CLASSIFICATIONS

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CASE: R 2025-0002
OWNER: Mendocino Redwood Company, LLC
APN: Various
APLCT: Mendocino Redwood Company, LLC
AGENT: John W. Kuhry
ADDRESS: None

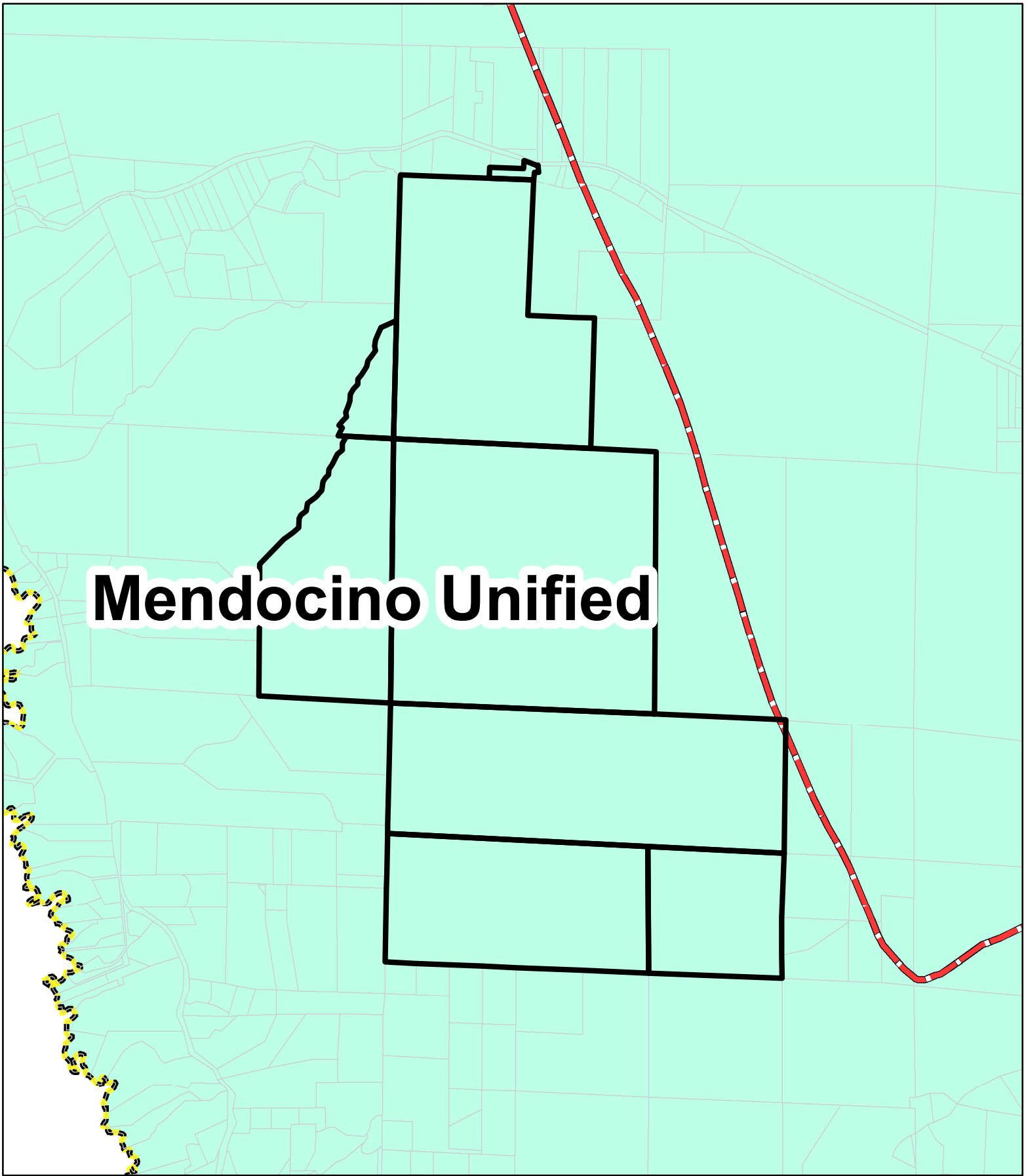
 Coastal Zone Boundary
 Assessors Parcels



1:12,500

IMPORTANT FARMLAND

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Mendocino Unified

CASE: R 2025-0002
OWNER: Mendocino Redwood Company, LLC
APN: Various
APLCT: Mendocino Redwood Company, LLC
AGENT: John W. Kuhry
ADDRESS: None

 Coastal Zone Boundary
 Assessors Parcels

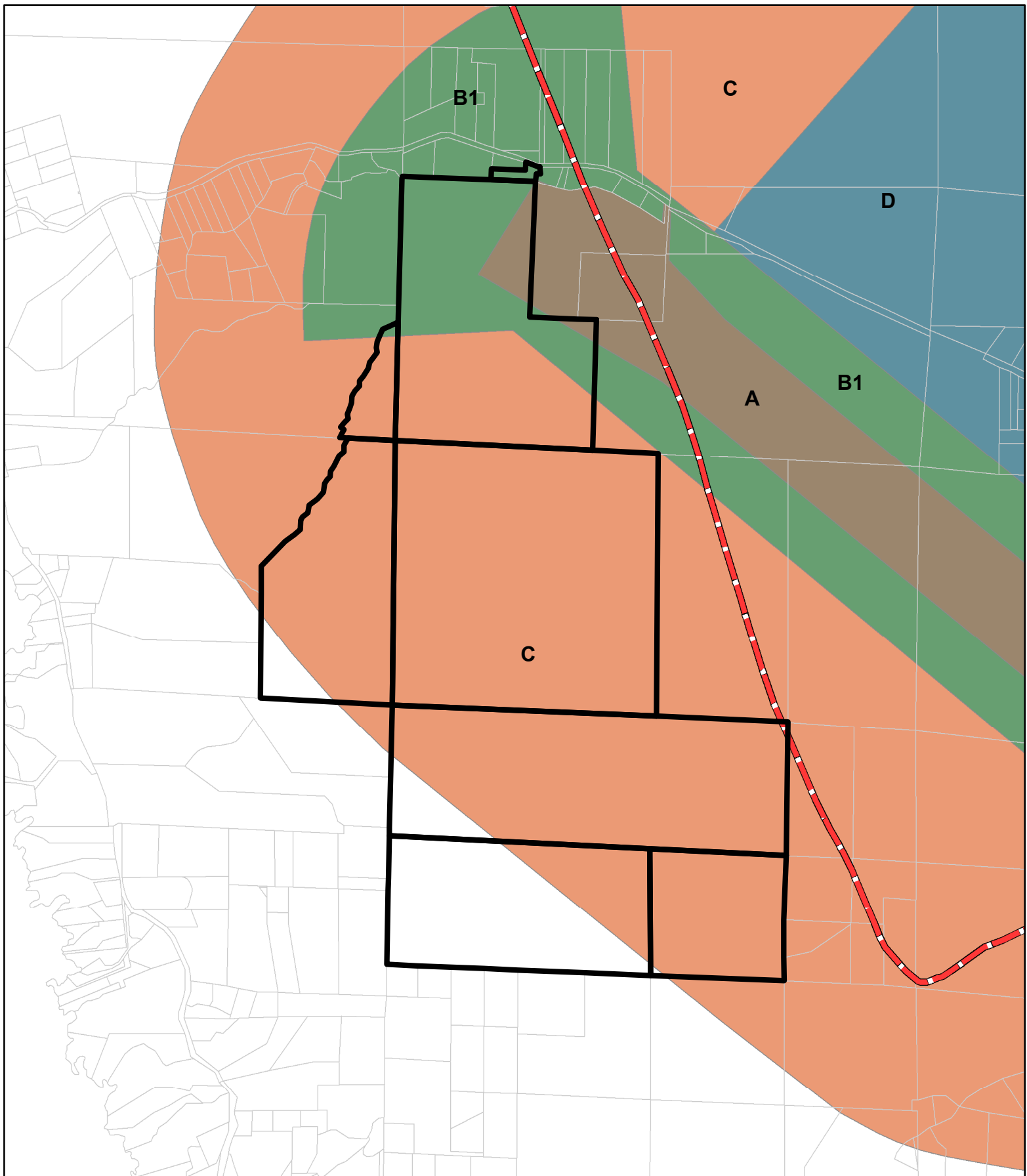
0 650 1,300 Feet
0 0.1 0.2 Miles



1:15,000

SCHOOL DISTRICT

THIS MAP AND DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND.
DO NOT USE THIS MAP TO DETERMINE LEGAL PROPERTY BOUNDARIES



CASE: R 2025-0002
OWNER: Mendocino Redwood Company, LLC
APN: Various
APLCT: Mendocino Redwood Company, LLC
AGENT: John W. Kuhry
ADDRESS: None

 Coastal Zone Boundary
 Assessor's Parcels

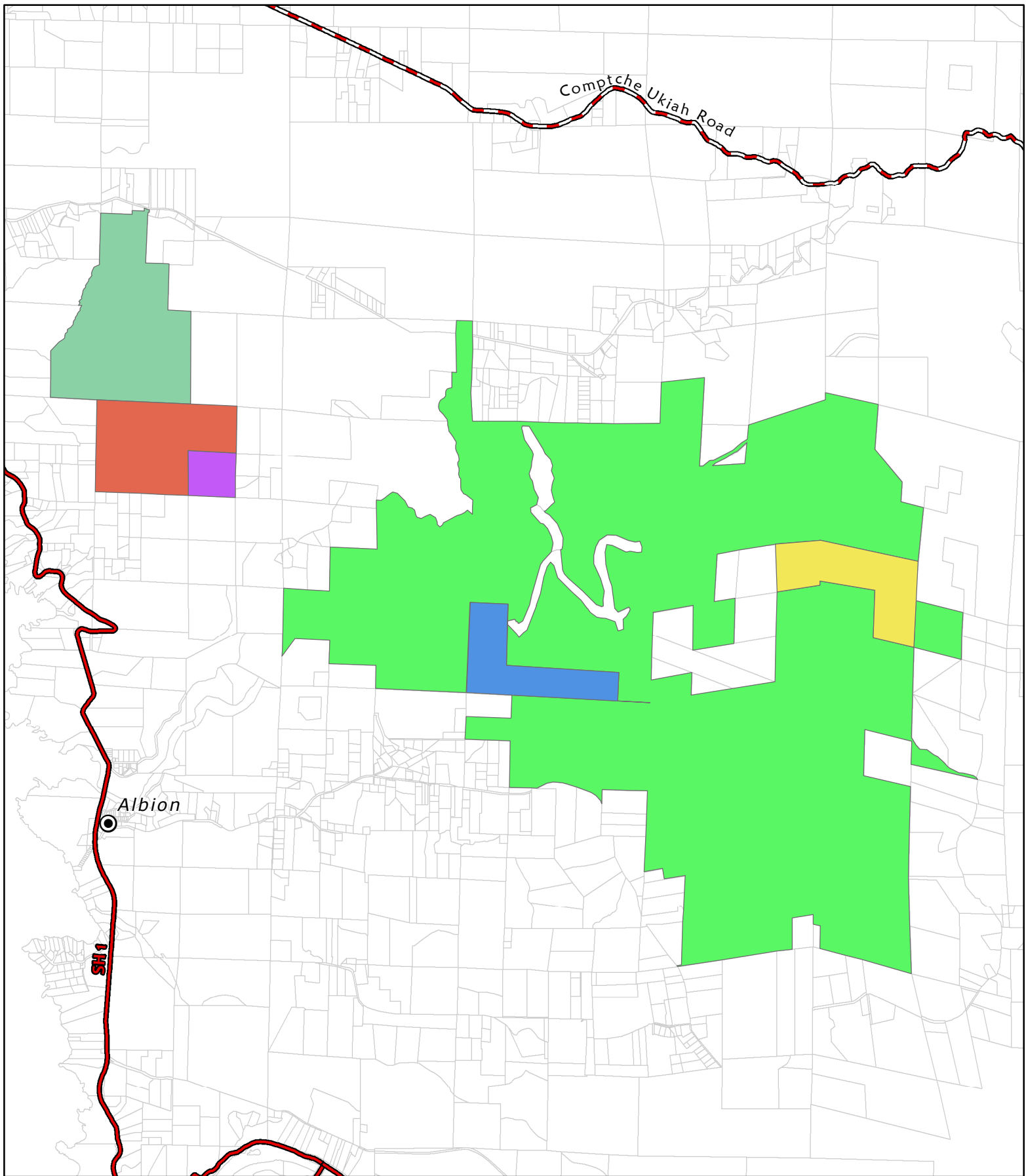
0 650 1,300 Feet
 0 0.1 0.2 Miles



1:15,000

AIRPORT ZONES

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 DO NOT USE THIS MAP TO DETERMINE LEGAL PROPERTY BOUNDARIES



CASE: CC 2025-0001
OWNER: Mendocino Redwood Company, LLC
APN: Various
APLCT: Mendocino Redwood Company, LLC
AGENT: John Kuhry
ADDRESS: Various

 Major Towns & Places
  Assessors Parcels
 Highways
 Major Roads

0 1,875 3,750 Feet
 0 0.35 0.7 Miles

1:42,419.72

N
W E
S

PROPOSED LOT CONFIGURATION

THIS MAP AND DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND.
 DO NOT USE THIS MAP TO DETERMINE LEGAL PROPERTY BOUNDARIES

Parcel Size: 60 acres. All agricultural ownerships 100 acres or larger may be eligible for Williamson Act contracts; parcels smaller than 100 acres may be eligible in combination with adjoining parcels so that total area equals at least 100 acres.

Maximum Dwelling Density: One dwelling per sixty acres.

FOREST LANDS - COASTAL

Map Code: FL

Intent: The Forest Lands classification is intended to be applied to lands which are suited for and are appropriately retained for the growing, harvesting and production of timber and timber-related products. The classification includes lands eligible to be zoned Timberland Production (TPZ); intermixed smaller parcels and other contiguous lands, the inclusion of which is necessary for the protection and efficient management of timber resource lands.

Principal Permitted Use on Forest Lands Designated Timber Production Zone: Forest production and processing and associated uses including: one single family dwelling and home occupations.

Conditional Permitted Uses on Forest Lands Designated Timber Production Zone: Light agriculture; cottage industry; dwelling groups; campgrounds where designated by an * on the Land Use Maps; major impact services and utilities (i.e. power generating facilities, sewage disposal facilities, sanitary landfills and water treatment plants); farm employee housing, farm labor camps; extraction of sand, shale and gravel. Uses determined to be related to and compatible with forestry; conservation, processing and development of natural resources; recreation and utility installations.

No use permit shall be granted for areas designated FL in TPZ until a specific finding has been made that the proposed use is compatible with the growing and harvesting of timber and timber products.

Principal Permitted Use on Forest Lands Not Designated Timber Production Zone: Forest production and processing and associated uses including: one single family dwelling, home occupations and light agriculture.

Conditional Permitted Uses on Forest Lands Not Designated Timber Production Zone: Cemetery; animal sales and services (i.e. horse stables, kennels); farm employee housing and farm labor camps (for tree farming purposes); cottage industry; dwelling groups; major impact services and utilities (i.e. power generating facilities, sewage disposal facilities, sanitary landfills and water treatment plants); onshore oil and gas development; off-site alternative energy facilities; electrical transmission and distribution lines (see Policy 3.11-9), natural gas pipelines (see Policy 3.11-5); campgrounds where designated by an * on the Land Use Maps; outdoor sports and recreation; extraction of sand, shale and gravel. Uses determined to be related to and compatible with forestry; conservation processing and development of natural resources; recreation and utility installations.

No use permit shall be granted for areas designated FL until a specific finding has been made that the proposed use is compatible with the long term protection of timber resource lands.

Maximum Dwelling Density: One dwelling unit per 160 acres not to exceed four dwelling units in TPZ district.

Minimum Parcel Size: 160 acres

RANGE LANDS

Map Code: RL

Intent: The Range Lands classification is intended to be applied to lands which are suited for and are appropriately retained for the grazing of livestock and which may also contain some timber producing areas. The classification includes land eligible for incorporation into Type II Agricultural Preserves, other lands generally in range use, intermixed smaller parcels and other contiguous lands, the inclusion of which is necessary for the protection and efficient management of range lands.

Principal Permitted Use: Grazing and forage for livestock, including: raising of crops, wildlife habitat improvement; one single family dwelling per legally created parcel, harvesting of firewood for the residents personal use, home occupations.

Conditional Uses: Residential clustering, (as allowed by CL combining district.) Cottage industry; visitor accommodations where designated by an * on the Land Use Maps; processing of natural resources (i.e. harvesting of hardwood, small electrical generating facilities and cutting and milling of lumber), recreational uses determined to be related to and compatible with ranching, conservation and the development of natural resources; extraction of sand, shale and gravel in conjunction with an approved permit, which shall include a restoration plan on shore oil and gas development, off-site alternative energy facilities, electrical transmission and distribution lines (see Policy 3.11-9), natural gas pipelines (see Policy 3.11-5); and farm worker housing consistent with Policy 3.2-1.

Parcel Size: 160 acres.

Maximum Dwelling Density: One dwelling per 160 acres.

OPEN SPACE - COASTAL

Map Code: OS

Intent: The Open Space classification is intended to be applied to lands not suited for development or to lands most valuable in their undeveloped natural state. Factors limiting the development potential of land would include such constraints as unstable soils, high fire hazard, remote location, poor access, scenic qualities, and susceptibility to flooding. Valuable natural areas could include rare and endangered species and habitat, riparian vegetation zones, or wild and scenic rivers.

3.3 FORESTRY AND SOILS RESOURCES

Coastal Act Requirements

The Coastal Act protects timberlands for timber production. The Coastal Act requirements do not overlap or conflict with timber harvesting practices regulated by the California Division of Forestry.

Section 30243. The long-term productivity of soils and timberlands shall be protected, and conversions of coastal commercial timberlands in units of commercial size to other uses or their division into units of noncommercial size shall be limited to providing for necessary timber processing and related facilities.

Section 30106. "Development" means ...the removal or harvesting of major vegetation other than for agricultural purposes... and timber operations which are in accordance with a timber harvesting plan submitted pursuant to the provisions of the Z'berg-Nejedly Forest Practice Act of 1973.

Section 30417 of the Coastal Act. Provided for the Coastal Commission to identify special treatment areas within the coastal zone and to make "recommendations designed to assist the State Board of Forestry in adopting rules and regulations which adequately protect the natural and scenic qualities of such special treatment areas."

Definitions

Coastal Commercial Timberland. Two definitions are used in California law. The Coastal Element employs a third definition suited to administration of the Land Use Plan.

In Government Code Section 51100 on TPZ eligibility, "Timberland" means privately owned land, or land acquired for state forest purposes, which is devoted to and used for growing and harvesting timber, or timber and compatible uses, and which is capable of producing an average annual volume of wood fiber of at least 15 cubic feet per acre.

In Public Resources Code 4526 on Board of Forestry management purposes, "Timberland" means land, other than land owned by the federal government, and land designated by the Board of Forestry as experimental forest land, which is available for, and capable of, growing a crop of trees of any commercial species used to produce lumber and other forest products, including Christmas trees.

For the Coastal Element, commercial timberland is defined as coastal (mixed coniferous) or redwood forest on sites rated IV or better. Resources maps delineating timberland for the Coastal Element were prepared from 1951 Soil-Vegetation Maps, California Division of Forestry and May, 1976 NASA U-2 color infrared photography. When new soils maps have been completed, they will replace the 1951 Soil-Vegetation Maps for the purpose of determining

Coastal Commercial Timberland.

Timber Site Designations. The U.S. Forest Service and the California Department of Forestry have developed rankings for timberland areas based on the height that the dominant species reach at 100 years. The sites are classified in terms of their productive capability, i.e., the potential for growth and volume of deliverable timber. The classification system designates sites by Roman numerals in the following manner:

Timber Site Designation	Height at 100 Years (Feet)	Productive Capability
I	200	Extremely High
II	170	Very High
III	140	High
IV	110	Medium
V	80	Low

Coastal Timberland Unit of Commercial Size. See discussion under "Issues."

Conversion means the transforming of timberlands to uses other than timber growing.

Timber Processing and Related Facilities include sawmills, pulp mills, veneer mills, other timber processing plants, log decks, by-product storage sites, and related operating areas required for product processing.

Timberland Production Zone (TPZ). In 1976, the California Legislature passed the Z'berg-Warren-Keene-Collier Forest Taxation Reform Act (AB 1258) to preserve commercial timberland and lessen pressures for conversion by changing the method of timberland taxation. AB 1258 required the County to establish zoning districts within which only timber harvesting, the production of forest products, and compatible uses are permitted and within which taxes levied against the land are based on the timber yield rather than on the value of standing timber. Compatible uses are defined as uses which do not significantly detract from growing and harvesting timber, including but not limited to:

- Management for watershed;
- Management for fish and wildlife habitat or hunting and fishing;
- Roads, landings, log storage areas, or other uses integrally related to the growing, harvesting and processing of forest products;
- Erection, construction, alteration, or maintenance of gas, electric, water, or communication transmission facilities;
- Grazing.

In Mendocino County, the minimum TPZ parcel size specified by the zoning ordinance is 160 acres, but smaller adjoining parcels, a few smaller than 40 acres, were placed in the TPZ when the County Assessor prepared the initial property lists in 1977 and 1978. Since that time, no parcels have been added or removed from the TPZ because zoning changes are not permitted until the new General Plan is adopted.

As rezoning occurs in the County, owners of eligible land can request inclusion in the TPZ. An owner wishing his property removed from the TPZ must obtain rezoning from the Board of Supervisors following a public hearing and then must wait 10 years or, if permission for immediate withdrawal is granted, by the Board of Supervisors and Board of Forestry, pay a tax penalty.

Forestry Issues

Commercial timberland outside state parks covers 26 percent of the coastal zone. The forest products industry is the Mendocino coast's largest single employer, accounting for about 1,550 jobs in 1979. Large industrial forest products companies, including Georgia-Pacific, Louisiana-Pacific, and Masonite, own 3/5 of the private timberland between the Humboldt County line and Elk. Sixty percent of the private acreage is in TPZ and is assumed by the plan to be committed to management as timberland. For the remaining 14,200 timberland acres outside the TPZ, the Coastal Element must include a policy to limit division and conversion to other uses. If owners of timberlands smaller than 160 acres are to be prevented from converting their lands, it is reasonable that they be accorded the same tax benefits as owners of larger properties, now eligible for TPZ status.

Preservation of Commercial Timberland Units. Conversions of timberland are regulated by the State Board of Forestry (BOF). Regardless of zoning, an owner wishing to convert more than three acres of commercial timberland after harvesting but before meeting mandated stocking standards must file an application with the BOF and meet California Environmental Quality Act (CEQA) requirements. In reviewing the conversion application, the BOF considers such factors as the value of the timberland, potential adverse impacts on nearby timber or open space land, environmental constraints, and the feasibility of the proposed and new use. The BOF generally has approved applications for conversion unless strong objections are raised during the environmental review process.

Within the coastal zone, conversion of commercial timberland is subject to further restriction by the BOF. Section 1103.7 of the California Administrative Code, effective July 13, 1980, allows conversion of coastal commercial timberland only if:

- such conversion will not introduce or significantly intensify uses that are incompatible with timber growing on adjacent parcels, (per Cal. Administrative Code Section 1103.7)
- the parcel is not within 500 feet of a TPZ parcel, or
- the parcel proposed for conversion conforms to applicable provisions of this plan and subsequent implementing ordinances.

The Coastal Act calls for protection, but even if there were no limitation on conversion, little existing timberland could be put to another use consistent with the coastal zone's environmental limitations and highway capacity.

Thus conversions of parcels, regardless of size are not to be permitted, however, the new BOF rules allow some conversions when the parcel is consistent with provisions of the Land Use Plan. The BOF could vary its requirements if a private landowner or the County appealed them as inappropriate, or it could amend its rules to make them consistent with the Local Coastal Plan.

The critical issue in regulating conversions is determining what constitutes a timberland unit of commercial size. The definition of a timberland unit of commercial size should operate to preserve more rather than less timberland. If no commercial timberland or agricultural land, including all grazing land, were developed, 15,000 acres of hardwood, scrub, and woodland would remain available for building homes--enough to house triple the current coastal population if one housing unit were built on each acre of open land.

Forty acres of commercial timberland is recommended as a minimum unit of commercial size by the LCP forestry consultant and is the minimum proposed by the Humboldt County LCP. However, the new BOF rules allow conversion only on parcels smaller than 15 acres.

Timberland-Residential Conflicts. Related to the issue of minimum parcel size is the problem of conflicts between forest management activities and adjacent land uses, primarily residential. Problems can include visual effects, noise, dust, traffic, water supply and access. A buffer is needed which shall be located on parcels slated for residential development. Since the Coastal Act established that timber production has priority over residential use in the coastal zone and since permissible population growth will not be large enough to necessitate building homes close to commercial timberlands, it is reasonable that the buffer be located on land adjacent to timberlands rather than on timberland.

The BOF policy of disapproving conversion of timberland parcels within 500 feet of a TPZ works both to create a buffer and to preserve the maximum amount of timberland in production. If parcels that cannot be converted are granted TPZ status, these TPZ eventually could include the entire timber resource area. Owners of the smaller parcels often intend them for residential use and they should not be in the TPZ. However, owners of larger parcels should not be prevented from making the same use of their land as their neighbors on smaller residential parcels. An alternative approach to the BOF's 500-foot development limit would be to establish a 200-foot building setback along the TPZ boundary. This setback would accomplish some of the buffer function of the BOF rule, while allowing owners of timberland parcels some flexibility in use of their land.

Soil Erosion. Protection of forest soils from erosion and elimination of erosion's adverse effects on coastal resource is a shared goal of industrial forest managers and environmentalists, but there is disagreement on the adequacy of the standards designed to prevent erosion. Some environmentalists claim that inadequate standards and enforcement of timber harvest rules are allowing unnecessary erosion, stream degradation, and disruption of wildlife habitat. Industrial

forest managers believe that current practices are sufficient, pointing out that they have a stake in maintaining the productivity of forest lands.

In June, 1980, the BOF completed its report to the State Water Resources Control Board mandated by Section 208 of the Clean Water Act. The BOF found a need for changes in existing forest practice rules, changes in procedures for implementing and enforcing the rules, revised or new legislation, and a significantly expanded research effort. The BOF recommends itself as the agency responsible for administering Section 208 for silvicultural activities (#32, California State Board of Forestry).

Section 30240 of the Coastal Act requires that "environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values,..." while Section 30404 calls on the Coastal Commission to periodically "submit recommendations (to the BOF and other state agencies) designed to encourage it to carry out its functions in a manner consistent with (the Act)." If the recommendations are not implemented, the agency must explain why. If there is evidence that current practices are causing significant disruption of habitat values, agency rules should be amended by the BOF or Mendocino County should enact supplemental regulations to halt disruptive practices.

Coastal Element Policies: Forestry and Soils

- 3.3-1 Coastal commercial timberlands (Coastal Act Section 30243) shall be defined as coastal (mixed conifers) or redwood forest on sites rated IV or better.
- 3.3-2 Timberlands of commercial size have been designated FL on the Land Use Plan Maps.
- 3.3-3 A timberland unit of commercial size shall not be divided into parcels smaller than 160 acres, and shall not be converted to uses other than the growing of timber and those compatible uses as identified in Chapter 2 under the Forest Land Classification.
- 3.3-4 Parcels in timberland designated Forest Lands (FL) shall be eligible for incorporation into a timber preserve after meeting specific qualifications as defined by Mendocino County Code Sections 20.10.02, 20.10.04 (Ordinance 1780, 1976) and 22.07.010 as amended (Ordinance 3453, 1983) and Rule 1021, Title 18, California Administrative Code.
- 3.3-5 TPZ lands or parcels entirely occupied by timberlands of commercial size shall have not more than one housing unit per 160 acres, county review and approval required for more than one dwelling per legally created parcel. Housing units on a timberland parcel, portions of which are not timberland, shall be subject to the density regulations prescribed for the land use shown on the Land Use Maps. Such housing units shall be located, when feasible, on non-Timberland soils.
- 3.3-7 The County shall support and promote reforestation and rehabilitation of understocked timberlands through:

- technical assistance available from the Mendocino County Resource Conservation District, the U.S. Soil Conservation Service, U.C. Cooperative Extension Service, California Department of Forestry and other interests with appropriate expertise.
- financial assistance available from various sources, including California Department of Forestry, U.S. Agricultural Stabilization and Conservation Service.

3.3-8 In order to minimize forest land-residential conflicts, site plans in a residential area shall not result in a residential structure being closer than 200 feet from a parcel designated for forest lands use, unless there is no other feasible building site on an existing residential parcel.

3.3-9 Limit residential uses and subdivisions adjacent to Commercial Timberlands to a low density standard to provide a buffer to minimize the conflicts between commercial timber management operations and residential land uses. New parcels created adjacent to a Timber Preserve Zone (TPZ) shall be limited to a ten (10) acre minimum. For parcels beyond the 10-acre minimum buffer (parcels which would be separated from the timberland by the buffer), the minimum parcel size would be dictated by the General Plan Land Use classification.

If parcels adjacent to Commercial Timberland are designated Clustering (:CL) or Planned Development (:PD), the density will be dictated by the General Plan Land Use classification provided that the residential development is located not closer than 200 feet from the property line(s) of the protected timberland or at the farthest feasible point from said property line(s). For residential development within 200 feet of the Timberland parcel(s), density shall not exceed one dwelling unit per 10-acres. (There shall be a minimum of 10-acres of lot area for each dwelling unit located within the 200-foot limit). Approval of any land divisions shall be consistent with Policy 3.9-2 and only when the creation of new parcels at the proposed acreages will not adversely affect the long term productivity of the timberlands.

CHAPTER 20.360 - FL—FOREST LANDS DISTRICT

Sec. 20.360.005 - Intent.

This district is intended to encompass lands within the Coastal Zone which are suited for and are appropriately retained for the growing, harvesting and production of timber and timber-related products. The district includes lands eligible to be zoned Timberland Production (TP), as well as intermixed smaller parcels and other contiguous lands necessary for the production and efficient management of timber resource lands.

(Ord. No. 3785 (part), adopted 1991)

Sec. 20.360.010 - Principal Permitted Uses for FL Districts.

The following use types are permitted in the Forest Lands District:

(A) Coastal Residential Use Types.

Family Residential: Single-family Vacation Home Rental.

(B) Coastal Agricultural Use Types.

Forest Production and Processing: Limited;

Light Agriculture;

Tree Crops.

(C) Coastal Open Space Use Types.

Passive Recreation

(Ord. No. 3785 (part), adopted 1991)

Sec. 20.360.015 - Conditional Uses for FL Districts.

The following are permitted uses upon the issuance of a coastal development use permit:

(A) Coastal Residential Use Types.

Family Residential: Dwelling Groups;

Family Residential: Cluster Development;

Farm Employee Housing;

Farm Labor Housing.

(B) Coastal Civic Use Types.

Alternative Energy Facilities: On-site;

Alternative Energy Facilities: Off-site;

Cemetery Services;

Community Recreation;

Major Impact Services and Utilities;

Minor Impact Utilities.

(C) Coastal Commercial Use Types.

Agricultural Sales and Services;

Animal Sales and Services: Auctioning;

Animal Sales and Services: Horse Stables;

Animal Sales and Services: Kennels;

Animal Sales and Services: Veterinary (Large Animals);

Animal Sales and Services: Veterinary (Small Animal);

Commercial Recreation: Outdoor Sports and Recreation;

Cottage Industries.

(D) Coastal Agricultural Use Types.

Forest Production and Processing: General;

Forest Production and Processing: Commercial Woodlots;

General Agriculture;

Horticulture;

Row and Field Crops;

Packing and Processing: Fisheries Byproducts.

(E) Coastal Open Space Use Types.

Active Recreation.

(F) Coastal Extractive Use Types.

Mining and Processing;

Onshore Oil and Gas Development Facilities.

(G) Coastal Natural Resource Use Types.

Fish and Wildlife Habitat Management;

Watershed Management.

(Ord. No. 3785 (part), adopted 1991)

Sec. 20.360.020 - Minimum Lot Area for FL Districts.

One hundred sixty (160) acres.

(Ord. No. 3785 (part), adopted 1991)

Sec. 20.360.025 - Maximum Dwelling Density for FL Districts.

One (1) unit per one hundred sixty (160) acres except as provided pursuant to Section 20.316.020 (Farm Employee Housing), Section 20.316.025 (Farm Labor Housing), Section 20.456.015 (Accessory Uses), Section 20.460.035 (Use of a Trailer Coach) and Section 20.460.040 (Family Care Unit). In no case shall there be more than four (4) dwellings per parcel whether single family residential, farm employee housing, farm labor housing, accessory living unit or family care unit, except where Chapter 20.412 "Clustering Development Combining District" applies.

(Ord. No. 3785 (part), adopted 1991)

Sec. 20.360.030 - Minimum Front, Rear and Side Yards for FL Districts.

Fifty (50) feet each.

(Ord. No. 3785 (part), adopted 1991)

Sec. 20.360.035 - Setback Exception.

Any nonconforming parcel which is less than five (5) acres shall observe a minimum front, side and rear yard of twenty (20) feet.

(Ord. No. 3785 (part), adopted 1991)

Sec. 20.360.040 - Building Height Limit for FL Districts.

Twenty-eight (28) feet above natural grade for non-Highly Scenic Areas and for Highly Scenic Areas east of Highway One. Eighteen (18) feet above natural grade for Highly Scenic Areas west of Highway One unless an increase in height would not affect public views to the ocean or be out of character with surrounding structures. Thirty-five (35) feet above natural grade for uninhabited accessory structures not in an area designated as a Highly Scenic Area (See Section 20.504.015(C)(2)).

(Ord. No. 3785 (part), adopted 1991)

Sec. 20.360.045 - Maximum Lot Coverage for FL Districts.

Twenty (20) percent for parcels less than two (2) acres in size. Fifteen (15) percent for parcels from two (2) acres to five (5) acres in size. Ten (10) percent for parcels over five (5) acres in size.

(Ord. No. 3785 (part), adopted 1991)

CHAPTER 20.364 - TP—TIMBERLAND PRODUCTION DISTRICT

Sec. 20.364.005 - Intent.

This district is intended to encompass lands within the Coastal Zone which because of their soil types and timber growing capabilities are suited for and should be devoted to the growing, harvesting, and production of timber and timber related products and are taxed as such.

(Ord. No. 3785 (part), adopted 1991)

Sec. 20.364.010 - Principal Permitted Uses for TP Districts.

The following use types are permitted in the Timberland Production District:

(A) Coastal Residential Use Types.

Family Residential: Single-family;

Vacation Home Rental.

(B) Coastal Agricultural Use Types.

Forest Production and Processing: Limited;

Tree Crops.

(C) Coastal Open Space Use Types.

Passive Recreation

(Ord. No. 3785 (part), adopted 1991)

Sec. 20.364.015 - Conditional Uses for TP Districts.

The following are permitted uses upon the issuance of a coastal development use permit:

(A) Coastal Residential Use Types.

Family Residential: Dwelling Groups;

Farm Employee Housing;

Farm Labor Housing.

(B) Coastal Civic Use Types.

Alternative Energy Facilities: On-site;

Alternative Energy Facilities: Off-site;

Community Recreation;

Major Impact Services and Utilities;

Minor Impact Utilities.

(C) Coastal Commercial Use Types.

Cottage Industries.

(D) Coastal Agricultural Use Types.

Forest Production and Processing: General;

Forest Production and Processing: Commercial Woodlots;

General Agriculture;

Horticulture;

Light Agriculture;

Row and Field Crops.

(E) Coastal Open Space Use Types.

Active Recreation.

(F) Coastal Extractive Use Types.

Mining and Processing.

(G) Coastal Natural Resource Use Types.

Fish and Wildlife Habitat Management;

Watershed Management.

(Ord. No. 3785 (part), adopted 1991)

Sec. 20.364.020 - Minimum Lot Area for TP Districts.

One hundred sixty (160) acres.

(Ord. No. 3785 (part), adopted 1991)

Sec. 20.364.025 - Maximum Dwelling Density for TP Districts.

One (1) unit per one hundred sixty (160) acres except as provided pursuant to Section 20.316.020 (Farm Employee Housing), Section 20.316.025 (Farm Labor Housing), Section 20.456.015 (Accessory Uses), Section 20.460.035 (Use of a Trailer Coach) and Section 20.460.040 (Family Care Unit). In no case shall there be more

than four (4) dwellings per parcel whether single family residential, farm employee housing, farm labor housing, accessory living unit or family care unit, except where Chapter 20.412 "Clustering Development Combining District" applies.

(Ord. No. 3785 (part), adopted 1991)

Sec. 20.364.030 - Minimum Front, Rear and Side Yards for TP Districts.

Fifty (50) feet each.

(Ord. No. 3785 (part), adopted 1991)

Sec. 20.364.035 - Setback Exception.

Any nonconforming parcel which is less than five (5) acres shall observe a minimum front, side and rear yard of twenty (20) feet.

(Ord. No. 3785 (part), adopted 1991)

Sec. 20.364.040 - Building Height Limit for TP Districts.

Twenty-eight (28) feet above natural grade for non-Highly Scenic Areas and for Highly Scenic Areas east of Highway One. Eighteen (18) feet above natural grade for Highly Scenic Areas west of Highway One unless an increase in height would not affect public views to the ocean or be out of character with surrounding structures. Thirty-five (35) feet above natural grade for uninhabited accessory structures not in an area designated as a Highly Scenic Area (See Section 20.504.015(C)(2)).

(Ord. No. 3785 (part), adopted 1991)

Sec. 20.364.045 - Maximum Lot Coverage for TP Districts.

Twenty (20) percent for parcels less than two (2) acres in size. Fifteen (15) percent for parcels from two (2) acres to five (5) acres in size. Ten (10) percent for parcels over five (5) acres in size.

(Ord. No. 3785 (part), adopted 1991)

CHAPTER 20.510 - TIMBER RESOURCES

Sec. 20.510.005 - Applicability.

This Chapter shall apply to all lands designated FL and TP, and lands adjacent to FL and TP, within the County of Mendocino's Coastal Zone.

(Ord. No. 3785 (part), adopted 1991)

Sec. 20.510.010 - Purpose.

The purpose of this Chapter is to insure that the long-term productivity of timber soils and timberlands shall be protected and maintained in timber production to assure the protection of the area's principal economic base.

(Ord. No. 3785 (part), adopted 1991)

Sec. 20.510.015 - General Criteria.

An owner of property may file an application for rezoning to Timber Production pursuant to Chapter 22.07 of the Mendocino County Code. No permit shall be issued to convert lands zoned TP to non-forest uses, without complying with Chapter 22.07 of the Mendocino County Code and making supplemental findings pursuant to Chapter 20.532.

(Ord. No. 3785 (part), adopted 1991)

Sec. 20.510.020 - Buffer Areas.

Development adjacent to lands designated as FL or TP is subject to Section 20.524.010(B)(1)(e) or Section 20.524.020(B)(5) and the following:

(A) Development Adjacent to Parcels Designated FL or TP.

- (1) No new dwellings in a residential area shall be located closer than two hundred (200) feet from a parcel designated as FL or TP unless there is no other feasible building site on the parcel.
- (2)

New parcels created adjacent to parcels designated as FL or TP shall be a minimum of ten (10) acres, however, parcels designated Clustering Development Combining District (:CL) or Planned Unit Development Combining District (:PD) may be developed at a density specified by the base zone provided that any dwelling is not closer than two hundred (200) feet from the property line of the parcel designated as FL or TP or at the furthest feasible point from said property line.

(Ord. No. 3785 (part), adopted 1991)

State of California

GOVERNMENT CODE

Section 51120

51120. (a) If the owner desires in any year to rezone a parcel from its current timberland production zone, the owner shall give written notice, naming the new zone desired, and shall follow procedures established pursuant to Sections 65854 to 65857, inclusive. Unless the written notice is given at least 90 days prior to the anniversary date of initial zoning, the zoning term shall be deemed extended.

(b) Within 120 days of receipt of the written notice of an owner's desire to rezone a parcel, the board or council, after a public hearing, shall rule on the request for rezoning.

(c) The board or council by a majority vote of the full body may remove the parcel from the timberland production zone and shall specify a new zone for the parcel.

(d) The new zone approved pursuant to subdivision (c) shall become effective 10 years from the date of approval. Upon rezoning the parcel shall be valued pursuant to Section 426 of the Revenue and Taxation Code, in the same manner as if a restriction were terminated as provided for in Section 51091 or 51245.

(e) If the board or council denies the owner's request for change of zone pursuant to subdivision (b), the owner may petition for a rehearing.

(Amended by Stats. 1982, Ch. 1489, Sec. 17.)