



COMMUNITY DEVELOPMENT AGENCY

LONG RANGE PLANNING

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Date: August 2, 2016

To: Board of Supervisors

From: Shawna Purvines, Principal Planner

Subject: Board of Supervisors Workshop – Development of a Scenic Corridor Ordinance

RECOMMENDATION

The Community Development Agency, Long Range Planning Division, recommends the Board of Supervisors (Board) direct staff to:

1. Prepare Scenic Corridor Ordinance building upon the 2008 Public Review Draft Scenic Corridor Ordinance, with incorporation of the six additional General Plan requirements outlined in this report; and
2. Prepare Scenic Corridor implementation standards and guidelines (e.g. requirements for project site review, ridgeline development standards, etc.) adopted by Board resolution similar to existing parking, landscaping, lighting standards manuals.

This memo discusses the following:

1. Background and framework for the development of a Scenic Corridor Ordinance;
2. Comparison of other rural Northern California Counties;
3. Questions for the Board to Consider and provide direction;
4. Staff Recommendation; and
5. Next Steps

BACKGROUND

Related General Plan Policies

The General Plan contains both broad and specific guidance regarding scenic resources/scenic corridors. Seven goals, seven objectives, fifteen policies and five implementation measures related to a Scenic Corridor Ordinance are included and/or referenced in the following General Plan Elements: 1) Conservation and Open Space, 2) Land Use, 3) Public Services and Utilities, and 4) Transportation. A summary of General Plan policy and implementation measures related to scenic corridors is included below. A complete list of all General Plan goals, objectives, policies and implementation measures related to a Scenic Corridor Ordinance is included as Exhibit A.

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Policy 2.6.1.2 requires that *“Until such time as the Scenic Corridor Ordinance is adopted, the County shall review all projects within designated State Scenic Highway corridors for compliance with State criteria.”* State designated Scenic Highway corridors are discussed below.

Policy 2.6.1.3 requires *“Discretionary projects reviewed prior to the adoption of the Scenic Corridor Ordinance, that would be visible from any of the important public scenic viewpoints identified in Table 5.3-1 and Exhibit 5.3-1 of the El Dorado County General Plan Draft Environmental Impact Report, shall be subject to design review...”* Project applications received since the adoption of the 2004 General Plan have been processed accordingly.

Draft Ordinance Preparation Timeline

On September 5, 1989, the Board directed the preparation of a report addressing additional means of protecting the scenic values along the U.S. Highway 50 Corridor between Placerville and the Sacramento County line.

On April 9, 1991, the Board held a public workshop to discuss staff’s research and findings and directed preparation of a draft ordinance based on the items discussed at the workshop.

On June 9, 1992, a Public Review Draft Scenic Highways Ordinance was released for public review and comment (Exhibit B). The draft ordinance included an inventory of views and viewsheds. However, unlike the countywide list of important views and viewsheds documented in the 2004 General Plan Environmental Impact Report (EIR), this list was limited to areas along the U.S. Highway 50 viewshed corridor between Placerville and the Sacramento County line in the Western County. This Draft Scenic Highways Ordinance also contained regulations and development standards for mapped areas within those identified viewshed corridors.

On October 5, 1992, the Board directed the scope of the draft ordinance be expanded to address development along any potential scenic highway/roadway, and also address other issues including simplifying the permit process, ridgetops, agricultural lands, (the) variance process and commercial (building) setbacks. In addition, the Board directed the ordinance be renamed from the “Scenic Highways Ordinance” to the “Scenic Corridor Ordinance”. The Board further directed that the revised document be brought to the Board at a future time, and requested the Planning Department work with the (then sitting) Highway 50 Scenic Corridor Committee to develop a design review process with design standards for consideration by the Board. This was the last documented Board action on this project prior to the adoption of the 1996 General Plan.

After adoption of the 1996 General Plan, a brief outline for a draft Scenic Corridor Ordinance was developed. This brief outline took a broader approach from the previously released June 1992 Public Review Draft Scenic Highways Ordinance, consistent with Board direction in late 1992. The Draft outline was limited to six proposed subchapters: 1) Purpose and Intent, 2) Designation of Scenic Corridor Districts, 3) Permitted Uses, 4) Prohibited Uses, 5) Development Standards, and 6) Utility Lines.

Further work on the ordinance was postponed as a result of the 1999 General Plan lawsuit, which largely suspended implementation of the 1996 General Plan.

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On July 19, 2004, the Board adopted the 2004 General Plan (“General Plan”) and certified the General Plan Final Environmental Impact Report. Work on the Zoning Ordinance Update (including the Scenic Corridor Ordinance) remained suspended until the General Plan lawsuit was settled in July 2005.

In July of 2006, work recommenced on the Zoning Ordinance Update. Public workshop(s) for scenic corridor components were held with the Planning Commission in early 2007.

Since most of the 2004 General Plan policies regarding scenic corridors were taken directly from the 1996 General Plan, most of the previous (uncirculated) revisions from late October 1992 were carried forward to the Planning Commission workshops in 2007 and 2008. Notable changes to scenic corridor policies from those in the 1996 General Plan included text changes for clarification, the removal of Policy 2.6.1.7 (*separate and distinct scenic corridor standards for Community Regions and Rural Centers*) and the addition of Policy 2.6.1.8 (*pursue nomination of portions of Highway 49 for scenic highway designation*).

On January 11 and January 17, 2007, the Planning Commission held public workshops to develop the draft Scenic Corridor Ordinance. The Commission was provided with a list of key questions as well as a copy of the previous draft 1992 Scenic Highways Ordinance, applicable 2004 General Plan policies, (then current) Caltrans Scenic Highways Guidelines, sample ordinances from four other jurisdictions and also Table 5.3-1 of the 2004 General Plan EIR (*Important Public Scenic Viewpoints*) as a starting point for discussion. The staff report to the Planning Commission, including the above attachments, is included as Exhibit C.

In September of 2008, the Planning Commission released a Public Review Draft (PRD) Scenic Corridor Design Review (-Ds) Combining Zone (Scenic Corridor Ordinance) for public review (Exhibit D).

On October 18, 2010, The Board directed that further work on the Scenic Corridor Ordinance be deferred until after completion of the Zoning Ordinance Update (ZOU). A revised “administrative draft” of the ZOU was released without Scenic Corridor components (see Legistar file No. 10-1086, Attachments B-1 through B-8).

General Plan Guidelines for Development of a Scenic Corridor Ordinance

The General Plan directs that 19 specific items be addressed in the development of a Scenic Corridor Ordinance. Most of these items have either been completed or were incorporated into the previously released 2008 Public Review Draft Scenic Corridor Ordinance. Only six items have not been completed or addressed in the 2008 draft ordinance and are discussed below.

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General Plan Requirements Completed or Incorporated into the 2008 Public Review Draft Scenic Corridor Ordinance

1. “Design control combining zone districts shall be expanded for commercial and multiple family zoning districts to include identified Communities, Rural Centers, historic districts, and scenic corridors.” [Policy 2.4.1.1]

Discussion: This policy has been incorporated into the 2008 Public Review Draft Scenic Corridor Ordinance.

2. “All development on ridgelines shall be reviewed by the County for potential impacts on visual resources. Visual impacts will be assessed and may require methods such as setbacks, screening, low-glare or directed lighting, automatic light shutoffs, and external color schemes that blend with the surroundings in order to avoid visual breaks to the skyline.” [General Plan EIR Mitigation Measure 5.3-1(c); Policy 2.6.1.5]

The General Plan defines ridgelines as: “(1) A line connecting the highest points along a ridge and separating drainage basins or small-scale drainage systems from one another; (2) The intersection of two roof surfaces forming the highest horizontal line of the roof.” (2004 General Plan Glossary, p. 252)

Discussion: This policy has been implemented for discretionary development. Implementing this policy for ministerial development (e.g. building permits) would require new criteria to address such ministerial developments that are visible from designated scenic roadways/scenic features, development within a specified distance from the top of a ridgeline, or potentially other visual impacts associated with the ministerial project. In addition, development standards would need to be adopted and applied to ministerial development. Development and design standards applied to ministerial projects would require a high degree of specificity to ensure ministerial projects do not elevate a ministerial review to a discretionary review, requiring potentially greater environmental review, project time review and increase cost to the applicant.

An example of ministerial development standards is Napa County’s Viewshed Protection Program. (Exhibit E).

3. “A Scenic Corridor (-SC) Combining Zone District shall be applied to all lands within an identified scenic corridor. Community participation shall be encouraged in identifying those corridors and developing the regulations.” [General Plan EIR Mitigation Measure 5.3-1(b); Policy 2.6.1.6]

Discussion: This policy has been incorporated into the 2008 Public Review Draft Scenic Corridor Ordinance.

4. “In addition to the items referenced in Policy 2.6.1.1, the Scenic Corridor Ordinance shall consider those portions of Highway 49 through El Dorado County that are appropriate for

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scenic highway designation and pursue nomination for designation as such by Caltrans.”
[Policy 2.6.1.8]

Discussion: This policy has been incorporated into the 2008 Public Review Draft Scenic Corridor Ordinance.

5. “Promote and coordinate efforts with utilities for the undergrounding of existing and new utility distribution lines in accordance with current rules and regulations of the California Public Utility Commission and existing overhead power lines within scenic areas and existing Community Regions and Rural Centers.” [Policy 5.6.1.1, Implementation Measure PS-N]

Discussion: This policy has been incorporated into the 2008 Public Review Draft Scenic Corridor Ordinance.

6. Modify Sign Ordinance Standards for scenic corridors [Implementation Measure LU-A].

Discussion: Following or concurrent with the adoption of the Scenic Corridor Ordinance, revisions may be necessary to the Sign Ordinance for consistency.

In addition, General Plan Policy 2.6.1.1 - Scenic Corridor Ordinance, requires the County to:

7. Map an inventory of sensitive views and viewsheds within the entire County;

Discussion: An inventory of sensitive views and viewsheds was mapped as part of the 2004 General Plan EIR (EIR Exhibit 5.3-1).

8. Include State Scenic Highway criteria;

Discussion: This policy has been incorporated into the 2008 Public Review Draft Scenic Corridor Ordinance. The Caltrans Scenic Highway Program webpage - [Frequently Asked Questions about the Scenic Highway Program](#) explains how a [State] Corridor Protection Program works:

“Scenic corridors consist of land that is visible from the highway right of way, and is comprised primarily of scenic and natural features. Topography, vegetation, viewing distance, and/or jurisdictional lines determine the corridor boundaries. The city or county must also adopt ordinances, zoning and/or planning policies to preserve the scenic quality of the corridor or document such regulations that already exist in various portions of local codes. They should be written in sufficient detail to avoid broad discretionary interpretation and demonstrate a concise strategy to effectively maintain the scenic character of the corridor. These ordinances and/or policies make up the Corridor Protection Program (California Department of Transportation, Scenic Highway Program webpage.” (Last accessed 6/29/16).

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The following state highway segments within El Dorado County are officially designated Scenic Highways:

- U.S. Highway 50 from the County Government Center interchange near Placerville to South Lake Tahoe City limit.
- State Route 89 (SR 89) from the Alpine County line to the Placer County line.

9. Develop limitations on incompatible land uses;

Discussion: This policy has been incorporated into the 2008 Public Review Draft Scenic Corridor Ordinance.

10. Create design guidelines for project site review, with the exception of single family residential and agricultural uses;

Discussion: This policy has been incorporated into the 2008 Public Review Draft Scenic Corridor Ordinance.

11. Identify long distance viewsheds within the built environment;

Discussion: This has been completed. Significant long distance viewsheds were identified in the 2004 General Plan EIR (Table 5.3-1).

12. Regulate placement of public utility distribution and transmission facilities and wireless communication structures [General Plan EIR Mitigation Measure 5.3-1(b)];

Discussion: This has been completed; implementation and regulation is ongoing subject to applicable provisions of state and federal law.

13. Develop a program for visual resource management for various landscape types, including guidelines for and restrictions on ridgeline development [General Plan EIR Mitigation Measure 5.3-1(b)];

Discussion: This policy has been incorporated into the 2008 Public Review Draft Scenic Corridor Ordinance.

General Plan Guidelines Not Completed or Addressed in the 2008 Public Review Draft Scenic Corridor Ordinance

1. Create criteria for designation of Scenic Corridors [Policy 2.6.1.1];

Discussion: The County is to determine preferred criteria for designating local roadways/ state highways, or segment(s) of those roadways, as Scenic Corridors. With the exception of site-specific Policies 7.5.2.6 (Identify the Viewshed of Coloma State Park and establish guidelines for development within the viewshed) and 2.2.6.2 (Discretionary design review

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in Villages P, Q and V of the El Dorado Hills Specific Plan [Exhibit F]), the General Plan does not specifically provide what criteria shall be used to designate local roads and state highways as Scenic Corridors. The 2004 General Plan EIR includes a list (Table 5.3-1) and a map (Exhibit 5.3-1) of important scenic views and resources for consideration as part of a future Scenic Corridor Ordinance. The 2004 General Plan EIR states:

“A list of the county’s significant scenic views and resources is presented in Table 5.3-1. This list consists of viewpoints identified through a series of public workshops that were held during the development of a Scenic Highway Ordinance [Scenic Corridor Ordinance] as called for in the 1996 General Plan. This ordinance was never adopted by the County. Many of these viewpoints are areas along highways where viewers can see large water bodies (e.g. Lake Tahoe and Folsom Reservoir), river canyons, rolling hills, or forests. Other viewpoints are the locations of historic structures or districts that are reminiscent of El Dorado County’s heritage. Table 5.3-1 indicates where the scenic viewpoints are located and the scenic views and resources that can be seen from those viewpoints. Exhibit 5.3-1 shows the scenic highways and viewpoints in El Dorado County, using the location numbers provided in Table 5.3-1. (El Dorado County General Plan EIR, Page 5.3-2).”

Example criteria for designation of Scenic Corridors from two other jurisdictions, Caltrans scenic corridor designation criteria ([Caltrans Scenic Highway Guidelines](#) (Caltrans, 2008)) and Placer County (Exhibit G), is included and attached to this report. Possible options (eight in total) for scenic corridor criteria are discussed in detail in the following section: “Questions for the Board to Consider and Provide Direction (Question 1)”.

2. Identify the Viewshed of Coloma State park and develop regulations for development within the viewshed [Policy 7.5.2.6, Implementation Measure CO-T];

Discussion: In 1985, Caltrans completed the State Route 49 El Dorado County Scenic Highway Report (Segment 5), which also included a map of the viewshed boundary of Coloma State Park (Exhibit H). This map could be used by the County as the basis for implementing this policy.

3. Define “foreground” and “background” [Policy 2.6.1.1];

Discussion: Of 14 Northern California counties contacted, only one county (Tuolumne) addresses foreground and background development along designated scenic routes. However, Tuolumne County’s regulations are in the form of voluntary guidelines only, not an ordinance. This item would need to be incorporated into the Draft Ordinance.

4. Apply residential setbacks at the 60 CNEL noise contour line and along the roads within the Gold Rush Parkway and Action Program for identified scenic roadways [Policy 2.6.1.1];

Discussion: This item would need to be incorporated into the draft Ordinance and/or into a separate scenic corridor design standards manual. Note: The 1972 Gold Rush Parkway and Action Program (“Program”), planned for the greater Sacramento area and adjacent

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foothill communities along the American River, was originally designed as a scenic route linking the recreational, historic and scenic features of the Sacramento area with similar features in the Sierra Foothills. To date, the Program not been implemented by the County or by any other jurisdictions within the Program area.

5. Restrict sound walls along the foreground area of identified scenic corridors [Policy 2.6.1.1];

Discussion: This item would need to be incorporated into the draft Ordinance and/or into a separate scenic corridor design standards manual.

6. Develop grading/earthmoving standards for the foreground area of identified scenic corridors [Policy 2.6.1.1].

Discussion: This item would need to be incorporated into the draft Ordinance and/or into a separate scenic corridor design standards manual.

COMPARISON OF OTHER RURAL NORTHERN CALIFORNIA COUNTIES

Fourteen other rural counties in Northern California were contacted for information regarding scenic corridor related General Plan policies and/or ordinances. While most counties were found to have broad General Plan policy guidance and/or ordinances regarding scenic corridors and/or scenic resources, none of the counties contacted were found to have ordinances and/or other regulations with a level of specificity similar to the County's 2008 Public Review Draft Scenic Corridor Ordinance.

While 13 of the 14 counties contacted have General Plan policies related to scenic resources and/or scenic corridors, only six counties have adopted typical Scenic Corridor Ordinances (Alpine, Butte, Nevada, Placer, Sierra and Mariposa). Of the remaining counties contacted, five have either limited scenic corridor regulations, or regulations that defer to state law (Amador, Calaveras, Tehama, Yolo, Yuba). The remaining three regulate scenic resources via alternate means such as Special Plan areas (Plumas), a Viewshed Protection Program (Napa) or design guidelines (Tuolumne). A discussion of differing rural county ordinances and regulations follows below:

- Scenic Corridor Ordinances: Six counties have an adopted Scenic Corridor Ordinance (Alpine, Butte, Mariposa, Nevada, Placer, Sierra). These counties' regulations primarily focus on zoning overlays that govern development adjacent to and/or visible from identified scenic roadways, and a discretionary application is typically required for new development within each scenic corridor overlay zone district. Placer County has a broader Scenic Design Review (-Ds) Combining Zone District which includes regulations for both scenic roadways and other identified scenic resources within the same zoning overlay (Placer County Code, Sec. 17.52.070).
- Special Plan (SP) Combining Zone District: In contrast, Plumas County regulations are highly localized and resource-specific by including both scenic roads and scenic areas within Special Plan (SP) Combining Zone Districts. Each of several identified Special Plans contains specific regulations unique to each resource to be protected, including scenic resources. Plumas County code states: "No physical aspect of a property regulated

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by a Special Plan Area shall be altered in any way without special plan review and approval [by either the Special Plan Review Committee or Planning Department as applicable] (Sec. 9-2.3703).” In addition, Calaveras County also promotes the creation of Special Plans as needed in order to protect specific scenic resources.

- Viewshed Protection Program: Napa County uses a visual approach to scenic resources with a Viewshed Protection Program (“Program”), containing a series of mapped viewshed areas. Within mapped viewsheds, the Program focuses on development activities with potential visual impacts to identified scenic resources, rather than a broad “one size fits all” zoning overlay within a scenic area. The Program regulates hillside grading as well as other development with potential impacts to views of ridgelines and other identified scenic resources from designated public roads. The program also promotes architecture and designs compatible with hillside terrain and the natural environment (Sec. 18.106.010).
- Design Guidelines: Tuolumne County regulates scenic resources in the form of two separate design guidelines instead of a typical ordinance. General Plan policies and implementation measures related to development impacting scenic corridors/scenic resources are integrated into two design manuals: 1) *The Hillside and Hilltop Development Guidelines*, and 2) *Guidelines for Development Along Scenic Routes*.
- Deferral to State Law: As stated above, several counties have scenic highway regulations that either substantially or completely defer to state law. For example, development along Tehama County’s designated scenic highways (four total) is entirely regulated by provisions of state law, as summarized in [Caltrans Scenic Highway Guidelines](#) (Caltrans, 2008).

A comparison of El Dorado County’s 2008 Public Review Draft Scenic Corridor Ordinance with scenic corridor ordinances/regulations of six comparable counties is summarized in Exhibit I. A summary of these counties regulations is also included as Exhibit J.

QUESTIONS FOR THE BOARD TO CONSIDER AND PROVIDE DIRECTION

Staff recommends the Board consider and offer preliminary direction regarding the following questions:

- 1. Should Policy 2.6.1.5 (County review of ridgeline development) apply to ministerial development?**
- 2. Should the County use Caltrans’ 1985 State Route 49 (Scenic Highway) Corridor Boundary map to identify the viewshed of Coloma State Park (Policy 7.5.2.6)?**
- 3. What is the criteria for determining boundaries of the –SC Combining Zone?**

Several options for Board consideration related to establishing scenic corridor boundaries for roadways, rivers and ridgeline development, which may be implemented either alone or in combination with each other are discussed below:

Roadways

A. Existing State-Designated Scenic Highways (Existing State Regulations)

The boundaries of scenic corridors would be defined by state law. Scenic corridor regulation would be limited to state criteria along existing designated roadways/roadway segments as described in the current edition of the Caltrans Scenic Highway Guidelines (e. g., U.S. Highway 50 east of Placerville, the County segment of State Highway 89). Rural Northern California counties currently using this method include Amador, Calaveras, Tehama, Yolo and Yuba.

Pros: The scenic corridor ordinance would simply reference state law for boundaries of scenic corridor districts. Development along existing state-designated scenic highways would continue to be regulated by state criteria.

Cons: Limits the County’s ability to provide additional protection for specific scenic resources or views beyond what is specified in state law; scenic corridor boundaries would be fixed and unmovable.

B. State-Eligible Scenic Highways

Under the Caltrans Scenic Highway Program, two state highways, or segments of state highways, are eligible for Scenic Highway status in El Dorado County: Highway 88 along the common border with Amador County and all of State Route 49. The Board could elect to nominate all or portions of both of these roadways/segments for state designation under the process established by state law. Under state law, the status of a state scenic highway changes from “eligible” to “officially designated” only when a local jurisdiction adopts a scenic corridor protection program (e.g. the proposed Scenic Corridor Ordinance), applies to Caltrans for scenic highway approval, and receives approval notification from Caltrans. Upon completion of the designation process, development along these designated roadways would also be subject to state regulations, the same as Option A (see previous discussion).

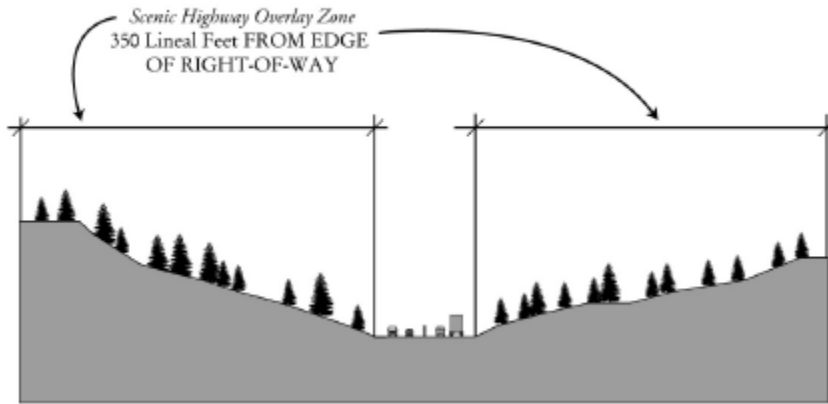
County Road Options: In addition to existing state-designated or state-eligible roadways discussed above, the Board’s criteria for the Scenic Corridor zone boundary may also include all or parts of the county roadway segments specified in Table 3.5-1 and mapped on Exhibit 3.5-1 of the 2004 General Plan EIR (Exhibit K).

Along these county roadways, a zone boundary could be created by measuring a specified buffer distance (e.g. by using GIS technology) from each mapped/listed road or road segment. Below are three options for determining the size of this buffer area (Options C, D and E):

C. Zone Boundary Consisting of Parcels Adjoining Specified County Roadways

Consists of all parcels physically touching or bounding the edge of an identified scenic roadway. Butte County is a good example of a local jurisdiction using this method. Butte County’s Scenic Highway (-SH) Overlay Zone begins at both edges of the road right-of-way and extends outward to a distance of 350 linear feet. (See Figure 24-42-1 below:)

FIGURE 24-42-1 SCENIC HIGHWAY OVERLAY ZONE



Source: Butte County Zoning Ordinance

Pros: Allows for the greatest mapping accuracy, as the vast majority of parcels directly adjoining an identified scenic roadway, or roadway segment, would have potential impacts to identified scenic resources; could potentially protect foreground views from significant impacts.

Cons: May not protect long-distance views and viewsheds from significant impacts; large variations in parcel sizes would make the size of the zone boundary highly irregular and unpredictable.

D. Zone Boundary Consisting of 0.25 Mile Buffer from Specified County Roadways

Pros: Could protect foreground views significantly better than Option B by expanding the distance included in the zone boundary; allows for a standard zone boundary width, regardless of parcel sizes.

Cons: Due to variations in topography, some parcels with no scenic impact may inadvertently be included in the zone boundary, and some scenic resources outside this buffer may not be adequately protected.

E. Zone Boundary Consisting of 1.5 Mile Buffer from Specified County Roadways

Pros: Most, if not all, identified scenic views/scenic resources would be protected from new impacts.

Cons: Due to variations in topography, it is likely that a large number of parcels with no scenic impact would be included in the zone boundary and would be subject to scenic corridor regulations. Significant portions of the County would be included within the zone boundary.

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Number of Parcels Affected by Options A-E: The number of parcels within the Scenic Corridor zone boundary would vary greatly depending on the Board’s preference for scenic roadway criteria. For example, a potentially very large number of parcels could be affected by Option E, while comparatively few parcels would be affected by Option A. The approximate number of affected parcels for Options A through E is shown in the following table. Potentially affected parcels are shown by General Plan Land Use Designation and arranged by Community Regions (CR), Rural Centers (RC) and the remaining Rural Area (RA).

Number of Parcels Affected by Scenic Roadway Criteria¹

| | General Plan Land Use Designation | | | | | | | | | | | |
|------------------|-----------------------------------|-----|-----|-----|-----|----|---------|-------|-------|------------------------|-------|-------|
| | C/I/R&D | | | MFR | | | HDR/MDR | | | LDR/RR/AL ² | | |
| | CR | RC | RA | CR | RC | RA | CR | RC | RA | CR | RC | RA |
| Option A: | 22 | 169 | 31 | 5 | 80 | - | 45 | 774 | 184 | 1 | 25 | 127 |
| Option B: | 228 | 77 | 8 | 88 | 1 | - | 257 | 88 | 191 | 2 | 3 | 323 |
| Option C: | 54 | 183 | 19 | 1 | 17 | - | 324 | 238 | 135 | 4 | 125 | 817 |
| Option D: | 21 | 242 | 373 | 77 | 11 | 24 | 827 | 143 | 2,052 | 1,132 | 112 | 675 |
| Option E: | 1,220 | 490 | 63 | 557 | 168 | - | 11,948 | 1,662 | 2,555 | 145 | 1,065 | 8,220 |

Option A: Existing State-Designated Scenic Highways (Existing State Regulations)

Option B: State-Eligible Scenic Highways

Option C: Parcels Adjoining Specified County Roadways

Option D: 0.25 Mile Buffer from Specified County Roadways

Option E: 1.5 Mile Buffer from Specified County Roadways

¹All numbers are approximate and are included for reference purposes only. Actual numbers of affected parcels will depend on regulations adopted as part of the new ordinance.

Source: El Dorado County Surveyor’s Office, June 2016.

²The Natural Resource (NR), Tourist Recreational (TR) and Open Space (OS) General Plan Land Use Designations were not included, and therefore, additional parcels may be affected.

County Rivers

Similar to scenic roadways, the 2004 General Plan EIR Table 5.3-5 (Exhibit K) listed major river corridors that could be considered for scenic protections under the Scenic Corridor Ordinance. Although major rivers were described in detail, they were not mapped as part of the 2004 General Plan EIR; listed rivers have been mapped by the County Surveyor’s office for purposes of this ordinance. These river corridors include the portions of the American River, Cosumnes River, Rubicon River and Upper Truckee River that flow through the County. As with scenic roadways, the Scenic Corridor zone boundary could also incorporate three options:

- 1) Parcels adjoining specified rivers (Option F),
- 2) Parcels within 0.25 mile of specified rivers (Option G), or
- 3) Parcels within 1.5 miles of specified rivers (Option H).

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Number of Parcels Affected by Scenic River Criteria: As with roadways, the size of the Scenic Corridor zone boundary along specified rivers would vary greatly depending on the Board’s preferred criteria for designation. The approximate number of parcels affected by each option (F through H) is shown below.

Number of Parcels Affected by Scenic River Criteria¹

| | General Plan Land Use Designation | | | | | | | | | | | |
|------------------|-----------------------------------|-----|----|-----|----|----|---------|-------|-------|------------------------|-----|-------|
| | C/I/R&D | | | MFR | | | HDR/MDR | | | LDR/RR/AL ² | | |
| | CR | RC | RA | CR | RC | RA | CR | RC | RA | CR | RC | RA |
| Option F: | - | 28 | 7 | - | - | - | - | 265 | 223 | - | 3 | 323 |
| Option G: | - | 88 | 16 | - | - | - | - | 896 | 450 | - | 13 | 879 |
| Option H: | - | 204 | 39 | - | - | - | 104 | 2,797 | 3,068 | 4 | 123 | 7,434 |

- Option F:** Adjoining Specified County Rivers
- Option G:** 0.25 Mile Buffer from Specified County Rivers
- Option H:** 1.5 Mile Buffer from Specified County Rivers

¹All numbers are approximate and are included for reference purposes only. Actual numbers of affected parcels will depend on regulations adopted as part of the new ordinance.

Source: El Dorado County Surveyor’s Office, June 2016.

²The Natural Resource (NR), Tourist Recreational (TR) and Open Space (OS) General Plan Land Use Designations were not included, and therefore, additional parcels may be affected.

Ridgeline Development

Similar to roadways and rivers, the Board has several options for developing scenic corridor regulations for ridgeline development. These options include, but are not limited to:

- 1) Limiting review of ridgeline development to discretionary projects only (current practice),
- 2) Providing specific development standards and guidelines allowing for separate review paths for both ministerial and discretionary development (e.g. Napa County), or
- 3) Requiring discretionary review for most ridgeline development (e. g. Sierra County).

For a detailed discussion of ridgeline development regulations, see discussion item No. 2 in the previous section “General Plan Requirements Completed or Incorporated into the 2008 Public Review Draft Scenic Corridor Ordinance”.

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STAFF RECOMMENDATION

1. Prepare Scenic Corridor Ordinance building upon the 2008 Public Review Draft Scenic Corridor Ordinance, with incorporation of the six additional General Plan requirements outlined in this report; and
 - The ordinance will be based on the preferred criteria components and approach for designating roadways, rivers and ridgeline development as Scenic Corridors. Staff recommends the following criteria based on consistency with comparable rural northern California counties.
 1. Roads:
 - a. Specified County Roads/Road Segments: Designate a Scenic Corridor (-SC) Combining Zone boundary from both edges of the road right-of-way extending outward to a distance of 350 linear feet (e.g. Butte County);
 - b. Highways Eligible for State Scenic Highway Designation: Upon completion of the designation process for eligible roadways/roadway segments, development along these designated roadways would be subject to state criteria (e.g. Amador County).
 - c. Existing State Scenic Highways: Development will continue to be subject to state criteria (current practice).
 2. Rivers: Designate a Scenic Corridor (-SC) Combining Zone boundary adjacent to both sides of specified rivers and extending outward for a linear distance of 0.25 miles.
 3. Ridgelines: Create a Viewshed Protection Program to apply to all ridgeline development (e.g. Napa County); standards and guidelines for ridgeline development would be established for both ministerial and discretionary development.
 4. Coloma State Park Viewshed: Use Caltrans 1985 State Route 49 (Scenic Highway) Corridor Boundary map to identify the viewshed of Coloma State Park, in accordance with Policy 7.5.2.6.

Alternatives:

- A. Prepare a Scenic Corridor Ordinance based on the 2008 Public Review Draft Scenic Corridor Ordinance, with incorporation of the six additional General Plan requirements outlined in this report. Include all Scenic Corridor implementation standards and guidelines in the new ordinance.

Note: This approach would be inconsistent with prior Board direction for the Zoning Ordinance Update. On August 20, 2012, the Board directed development standards be

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removed from the draft Zoning Ordinance and instead be placed into a site planning and design standards manual.

- B. Prepare a draft Scenic Corridor Ordinance that does not rely on previously completed draft work, and may allow for, or require, amendments to General Plan policies.
2. Prepare Scenic Corridor implementation standards and guidelines (e.g. requirements for project site review, ridgeline development standards, etc.) adopted by Board resolution similar to existing parking, landscaping, lighting standards manuals.

NEXT STEPS

- 1) Present the Planning Commission with an informational item summarizing this presentation to the Board and the Board's direction to staff.
- 2) Prepare draft Resolution of Intention, preliminary drafts of the ordinance and implementation standards and guidelines based on Board discussion.
- 3) Based on preliminary draft ordinance and implementation standards and guidelines, prepare environmental review checklist to determine level of environmental review necessary.
- 4) Return to the Board with public review drafts of the proposed ordinance and implementation standards and guidelines, and recommendation for environmental document. The level of environmental review and associated cost can range from no environmental review required to a full Environmental Impact Report at an average cost of \$100,000 to \$150,000.

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Attachments

- Exhibit A 2004 General Plan Goals, Objectives, Policies and Implementation Measures Related to a Scenic Corridor Ordinance
- Exhibit B 1992 Public Review Draft Scenic Highways Ordinance
- Exhibit C January 2007 Staff Report to the Planning Commission
- Exhibit D September 2008 Public Review Draft Scenic Corridor Ordinance
- Exhibit E Napa County Zoning Ordinance Chapter 18.106 (Viewshed Protection Program)
- Exhibit F 1988 El Dorado Hills Specific Plan Zoning Map (*Including Villages P, Q and V*)
- Exhibit G Placer County Criteria for Designation of Scenic Corridors
- Exhibit H (Scenic Highway) Corridor Boundary Map showing Coloma State Park viewshed (*El Dorado County Scenic Highway Study Segment 5- Placerville to Placer County Line, Caltrans, 1985*)
- Exhibit I Comparison of the 2008 Public Review Draft Scenic Corridor Ordinance with Ordinances/Regulations of Six Comparable Counties
- Exhibit J Summary of Scenic Corridor Regulations Adopted/Codified by Alpine, Nevada, Plumas, Tuolumne Napa and Tehama Counties
- Exhibit K 2004 General Plan EIR Exhibit 5.3-1 and Table 5.3-1: *Important Public Scenic Viewpoints [unincorporated El Dorado County]*

Contact

Shawna Purvines, Principal Planner
Community Development Agency, Long Range Planning Division

EXHIBIT A

General Plan Goals, Objectives, Policies and Implementation Measures Related to Scenic Resources

| Goal, Objective, Policy, Measure | Description | Page No. | Related Measure | Page No. |
|---|---|----------|-----------------|----------|
| <i>Conservation and Open Space Element</i> | | | | |
| GOAL 7.5 | CULTURAL RESOURCES | 155 | | |
| Objective 7.5.2 | Visual Integrity | 156 | | |
| Policy 7.5.2.6 | “The County...shall identify the viewshed of Coloma State Park...” | 158 | | |
| GOAL 7.6 | OPEN SPACE CONSERVATION | 158 | | |
| Objective 7.6.1 | Importance of Open Space | 158 | | |
| Policy 7.6.1.1 (C) | “...Maintaining areas of importance for outdoor recreation including...scenic highway corridors.” | 159 | | |
| Measure CO-T | Identify the viewshed of Marshall Gold Discovery State Historic Park | 166 | | |
| <i>Land Use Element</i> | | | | |
| GOAL 2.2 | LAND USE DESIGNATIONS | 14 | | |
| Objective 2.2.6 | Site Specific Policy Section | 35 | | |
| Policy 2.2.6.2 | “...(Discretionary design review for) El Dorado Hills Specific Plan... Villages P, Q and V shall be subject to the applicable provisions of the...draft Scenic Highway Ordinance...” | 35 | | |
| GOAL 2.4 | EXISTING COMMUNITY IDENTITY | 38 | | |
| Objective 2.4.1 | Community Identity | 38 | | |
| Policy 2.4.1.1 | “Design control combining zone districts shall be expanded for commercial and multiple family zoning districts to include...scenic corridors.” | 38 | | |
| Policy 2.4.1.2 | “The County shall develop community design guidelines...(including but not limited to)...maintenance of existing scenic road and riparian corridors...” | 38-39 | | |
| GOAL 2.6 | CORRIDOR VIEWSHEDS | 41 | | |
| Objective 2.6.1 | Scenic Corridor Identification | 41 | | |
| Policy 2.6.1.1 | “A Scenic Corridor Ordinance shall be prepared and adopted for the purpose of establishing standards for the protection of identified scenic local roads and State highways. The ordinance shall incorporate standards that address at a minimum the following (12 standards specified)...” | 41-42 | Measure LU-I | 50 |
| Policy 2.6.1.2 | “Until such time as the Scenic Corridor Ordinance is adopted, the County | 42 | Measure LU-I | 50 |

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General Plan Goals, Objectives, Policies and Implementation Measures Related to Scenic Resources

| Goal, Objective, Policy, Measure | Description | Page No. | Related Measure | Page No. |
|---|--|----------|------------------------------|--------------|
| | shall review all projects within designated State Scenic Highway corridors for compliance with State criteria.” | | | |
| Policy 2.6.1.3 | Discretionary projects reviewed prior to the adoption of the Scenic Corridor Ordinance...” | 42 | Measure LU-I | 50 |
| Policy 2.6.1.4 | “Commercial designations on U.S. Highway 50 interchanges will be considered for commercial development...pursuant to Policy 2.9.1.2” | 42 | Measure LU-I | 50 |
| Policy 2.6.1.5 | “All development on ridgelines will be reviewed by the County for potential impacts on visual resources...” | 42 | Measure LU-I | 50 |
| Policy 2.6.1.6 | “A Scenic Corridor (-SC) Combining Zone District shall be applied to all lands within an identified scenic corridor...” | 42 | Measure LU-A Measure LU-I | 46-47, 50 |
| Policy 2.6.1.8 | “...The Scenic Corridor Ordinance shall consider those portions of Highway 49 through El Dorado County...” | 43 | Measure LU-J | 50 |
| Measure LU-A | Establish and Scenic Corridor (-SC) Combining Zone District | 46-47 | | |
| | Modify Sign Ordinance standards for scenic corridors | 46-47 | | |
| Measure LU-I | Inventory potential scenic corridors and prepare a Scenic Corridor Ordinance. | 50 | | |
| Measure LU-J | Consider segments of State Route 49 for Scenic Highway status | 50 | | |
| GOAL 2.7 | SIGNS | 43 | | |
| Objective 2.7.1 | Signs Regulation | 43 | | |
| Policy 2.7.1.1 | “The Sign Ordinance shall include design review for signs within the foreground and background of the designated scenic corridors...” | 43 | Measure LU-A | 46-47 |
| Policy 2.7.1.2 | “Existing billboards within designated scenic corridors shall be considered for removal or relocation...in accordance with state and federal law.” | 43 | Measure LU-A | 46-47 |
| <i>Public Services and Utilities Element</i> | | | | |
| GOAL 5.6 | GAS ELECTRIC, AND OTHER UTILITY SERVICES | 97 | | |
| Objective 5.6.1 | Provide Utility Services | 97 | | |
| Policy 5.6.1.1 | “Promote and coordinate efforts with utilities for the undergrounding of...utility distribution lines...” | 97 | Measure PS-N | 106 |
| Measure PS-N | “Establish...a long-term planning process with private utility providers...” | 106 | | |

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General Plan Goals, Objectives, Policies and Implementation Measures Related to Scenic Resources

| Goal, Objective, Policy, Measure | Description | Page No. | Related Measure | Page No. |
|--|--|-------------|--------------------|-------------|
| <i>Transportation and Circulation Element</i> | | | | |
| GOAL TC-1 | “PLAN FOR AND PROVIDE A UNIFIED, COORDINATED AND COST-EFFICIENT...ROAD AND HIGHWAY SYSTEM...” | 66 | | |
| Policy TC-1a (Table TC-1, Note 2) | “...Additional right-of-way may be required for...a scenic highway.” | 67 | | |

PRESERVATION OF CULTURAL RESOURCES

GOAL 7.5: CULTURAL RESOURCES

Ensure the preservation of the County’s important cultural resources.

OBJECTIVE 7.5.1: PROTECTION OF CULTURAL HERITAGE

Creation of an identification and preservation program for the County’s cultural resources.

Policy 7.5.1.1 The County shall establish a Cultural Resources Ordinance. This ordinance shall provide a broad regulatory framework for the mitigation of impacts on cultural resources (including historic, prehistoric and paleontological resources) by discretionary projects. This Ordinance should include (but not be limited to) and provide for the following:

- A. Appropriate (as per guidance from the Native American Heritage Commission) Native American monitors to be notified regarding projects involving significant ground-disturbing activities that could affect significant resources.
- B. A 100-foot development setback in sensitive areas as a study threshold when deemed appropriate.
- C. Identification of appropriate buffers, given the nature of the resources within which ground-disturbing activities should be limited.
- D. A definition of cultural resources that are significant to the County. This definition shall conform to (but not necessarily be limited to) the significance criteria used for the National Register of Historic Places (NRHP) and the California Register of Historical Resources (CRHR) and Society of Vertebrate Paleontology.
- E. Formulation of project review guidelines for all development projects.
- F. Development of a cultural resources sensitivity map of the County.

Policy 7.5.1.2 Reports and/or maps identifying specific locations of archaeological or historical sites shall be kept confidential in the Planning Department but shall be disclosed where applicable.

Policy 7.5.1.3 Cultural resource studies (historic, prehistoric, and paleontological resources) shall be conducted prior to approval of discretionary projects. Studies may include, but are not limited to, record searches through the North Central Information Center at California State University, Sacramento, the Museum of Paleontology, University of California,

Berkeley, field surveys, subsurface testing, and/or salvage excavations. The avoidance and protection of sites shall be encouraged.

Policy 7.5.1.4 Promote the registration of historic districts, sites, buildings, structures, and objects in the National Register of Historic Places and inclusion in the California State Office of Historic Preservation's California Points of Historic Interest and California Inventory of Historic Resources.

Policy 7.5.1.5 A Cultural Resources Preservation Commission shall be formed to aid in the protection and preservation of the County's important cultural resources. The Commission's duties shall include, but are not limited to:

- A. Assisting in the formulation of policies for the identification, treatment, and protection of cultural resources (including historic cemeteries) and the curation of any artifacts collected during field collection/excavation;
- B. Assisting in preparation of a cultural resources inventory (to include prehistoric sites and historic sites and structures of local importance);
- C. Reviewing all projects with identified cultural resources and making recommendations on appropriate forms of protection and mitigation; and
- D. Reviewing sites for possible inclusion in the National Register of Historic Places, California Register, and other State and local lists of cultural properties.

The County shall request to become a Certified Local Government (CLG) through the State Office of Historic Preservation. Certification would qualify the County for grants to aid in historic preservation projects. The Cultural Resources Preservation Commission could serve as the Commission required for the CLG program.

Policy 7.5.1.6 The County shall treat any significant cultural resources (i.e., those determined California Register of Historical Resources/National Register of Historic Places eligible and unique paleontological resources), documented as a result of a conformity review for ministerial development, in accordance with CEQA standards.

OBJECTIVE 7.5.2: VISUAL INTEGRITY

Maintenance of the visual integrity of historic resources.

Policy 7.5.2.1 Create Historic Design Control Districts for areas, places, sites, structures, or uses which have special historic significance.

Policy 7.5.2.2 The County shall define Historic Design Control Districts (HDCDs). HDCD inclusions and boundaries shall be determined in a manner

and appearance to a degree that would preclude their continued listing on these registers. If avoidance of such modifications on privately owned listed properties is deemed infeasible, mitigation measures commensurate with NRHP/CRHR standards shall be formulated in cooperation with the property owner.

Policy 7.5.2.5 In cases where the County permits the demolition or alteration of an historic building, such alteration or new construction (subsequent to demolition) shall be required to maintain the character of the historic building or replicate its historic features.

Policy 7.5.2.6 The County, in cooperation with the State, shall identify the viewshed of Coloma State Park and establish guidelines to be used for development within the viewshed. In addition, the County shall continue to support the relocation of State Route 49 to bypass the Park in order to protect its visual and physical integrity.

OBJECTIVE 7.5.3: RECOGNITION OF PREHISTORIC/HISTORIC RESOURCES

Recognition of the value of the County’s prehistoric and historic resources to residents, tourists, and the economy of the County, and promotion of public access and enjoyment of prehistoric and historic resources where appropriate.

OBJECTIVE 7.5.4: PROTECTION OF CEMETERIES

Preservation and protection of existing cemeteries including access and parking.

Policy 7.5.4.1 Protect access routes and parking at existing cemeteries. Development proposals will be evaluated to ensure that they do not interfere with cemeteries or their access and parking.

PRESERVATION OF OPEN SPACE

GOAL 7.6: OPEN SPACE CONSERVATION

Conserve open space land for the continuation of the County’s rural character, commercial agriculture, forestry and other productive uses, the enjoyment of scenic beauty and recreation, the protection of natural resources, for protection from natural hazards, and for wildlife habitat.

OBJECTIVE 7.6.1: IMPORTANCE OF OPEN SPACE

Consideration of open space as an important factor in the County’s quality of life.

Policy 7.6.1.1 The General Plan land use map shall include an Open Space land use designation. The purpose of this designation is to implement the goals and

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objectives of the Land Use and the Conservation and Open Space Elements by serving one or more of the purposes stated below. In addition, the designations on the land use map for Rural Residential and Natural Resource areas are also intended to implement said goals and objectives. Primary purposes of open space include:

- A. Conserving natural resource areas required for the conservation of plant and animal life including habitat for fish and wildlife species; areas required for ecologic and other scientific study purposes; rivers, streams, banks of rivers and streams and watershed lands;
- B. Conserving natural resource lands for the managed production of resources including forest products, rangeland, agricultural lands important to the production of food and fiber; and areas containing important mineral deposits;
- C. Maintaining areas of importance for outdoor recreation including areas of outstanding scenic, historic and cultural value; areas particularly suited for park and recreation purposes including those providing access to lake shores, beaches and rivers and streams; and areas which serve as links between major recreation and open space reservations including utility easements, banks of rivers and streams, trails and scenic highway corridors;
- D. Delineating open space for public health and safety including, but not limited to, areas which require special management or regulation because of hazardous or special conditions such as earthquake fault zones, unstable soil areas, flood plains, watersheds, areas presenting high fire risks, areas required for the protection of water quality and water reservoirs, and areas required for the protection and enhancement of air quality; and
- E. Providing for open spaces to create buffers which may be landscaped to minimize the adverse impact of one land use on another.

Policy 7.6.1.2 The County will provide for Open Space lands through:

- A. The designation of land as Open Space;
- B. The designation of land for low-intensity land uses as provided in the Rural Residential and Natural Resource land use designations;
- C. Local implementation of the Federal Emergency Management Agency's National Flood Insurance Program;
- D. Local implementation of the State Land Conservation Act Program; and
- E. Open space land set aside through Planned Developments (PDs).

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MEASURE CO-T

Work with the State of California Department of Parks and Recreation to identify the viewshed of Marshall Gold Discovery State Historic Park (Coloma) and establish guidelines for development within that viewshed. [Policy 7.5.2.6]

| | |
|-----------------|---|
| Responsibility: | Planning Department |
| Time Frame: | Identify viewshed within four years of General Plan adoption. Adopt standards within six years. |

MEASURE CO-U

Mitigation under Policy 7.4.1.6 shall include providing sufficient funding to the County's conservation fund to acquire and protect important habitat at a minimum 2:1 ratio. The cost associated with acquisition, restoration, and management of the habitat protected shall be included in the mitigation fee. For larger development projects (i.e., those that exceed a total of 10 acres), in addition to contributing to the conservation fund at a minimum 2:1 ratio, onsite preservation and/or restoration of important habitat shall be required at a 1:1 ratio. Impacts on important habitat and mitigation requirements shall be addressed in a Biological Resources Study and an Important Habitat Mitigation Program (described below).

- A. Biological Resources Study. The County shall adopt biological resource assessment standards that apply to all discretionary projects that would result in disturbance of soil and native vegetation in areas that include important habitat as defined in the INRMP. The assessment of the project site must be in the form of an independent Biological Resources Study, and must be completed by a qualified biologist. The evaluation shall quantify the amount of important habitat, by habitat type, as defined in the General Plan and delineated on maps included in the INRMP. The Biological Resources Study shall also address the potential for the project to adversely affect important habitat through conversion or fragmentation. This requirement shall not apply to projects that are on lands that either (1) have already been the subject of a study and for which all mitigation requirements are being implemented or (2) have been evaluated by the County and found to not possess any important habitat resources.

- B. Important Habitat Mitigation Program. The Biological Resource Study shall include an Important Habitat Mitigation Program that identifies options that would avoid, minimize, or compensate for impacts on important habitats in compliance with the standards of the INRMP and the General Plan. All mitigation programs shall include a monitoring and reporting component requiring reports to the County not less than once each year for a period of not less than 10 years. The report will include a description of the lands included in the mitigation program (including location and size), a summary of the evaluation criteria established at the time the mitigation program was approved, an evaluation of the mitigation program based on those criteria, and recommendations for action during the following year. The County shall adopt standards for evaluating mitigation programs proposed as part of the Biological

OBJECTIVE 2.1.3: RURAL REGIONS

Provide a land use pattern that maintains the open character of the County, preserves its natural resources, recognizes the constraints of the land and the limited availability of infrastructure and public services, and preserves the agricultural and forest/timber area to ensure its long-term viability for agriculture and timber operations.

Policy 2.1.3.1 All lands not contained within the boundaries of a Community Region or a Rural Center are classified as Rural Regions.

OBJECTIVE 2.1.4: OPPORTUNITY AREAS

Encourage development and revitalization within designated opportunity areas with a mix of uses that support the County’s jobs/housing balance.

Policy 2.1.4.1 Facilitate increased density and intensity of development and revitalization in identified Opportunity Areas.

Policy 2.1.4.2 When setting priorities for public infrastructure spending, give particular attention to improvements that will support development and redevelopment within designated Opportunity Areas.

Policy 2.1.4.3 Utilize incentives to promote infill development, revitalization, rehabilitation, and mixed-use projects in designated Opportunity Areas.

Policy 2.1.4.4 Require that projects within Opportunity Areas develop at or above the midpoint of the allowed density unless one or more of the following findings are made:

- The proposed project does not include residential development.
- Residences are integrated vertically in a mixed-use project.
- Site considerations such as parcel size, configuration, environmental resources, or other features make achieving the midpoint infeasible or undesirable.
- Infrastructure constraints make achieving the midpoint impractical.

GOAL 2.2: LAND USE DESIGNATIONS

A set of land use designations which provide for the maintenance of the rural and open character of the County and maintenance of a high standard of environmental quality.

adjoining uses shall be designed in a manner that avoids any incompatibility or shall be located on a different site.

Policy 2.2.5.22 Schools and other public buildings and facilities shall be directed to Community Regions and Rural Centers where feasible and shall be considered compatible outside of Community Regions and Rural Centers when facilities will be located and designed in a manner that avoids any substantial incompatibility with land uses permitted on adjoining lands.

OBJECTIVE 2.2.6: SITE SPECIFIC POLICY SECTION

Establishment of site specific policies are given to provide additional, specific direction for the development of land where circumstances apply to areas of special interest.

Policy 2.2.6.1 Those lands within the El Dorado Hills Specific Plan known as Villages P, Q, and V shall be rezoned to include the Planned Development Overlay (-PD) as part of any development application.

Policy 2.2.6.2 Those lands within the El Dorado Hills Specific Plan known as Villages P, Q, and V shall be subject to the applicable provisions of the El Dorado Hills Specific Plan Design Criteria, the draft (most recent version) Village P Design Guidelines, and the draft (most recent version) Scenic Highway Corridor Ordinance as part of any discretionary design review.

Policy 2.2.6.3 Any rezone of the property identified as Assessor’s Parcel No. 112-100-44 (number valid as of September 1997) shall include the Planned Development (-PD) Combining Zone District.

Policy 2.2.6.4 Future subdivision in the area around Fallen Leaf Lake shall be precluded (Policy 6.3.2.2).

Policy 2.2.6.5 The creation of new parcels adjacent to the Texas Hill Reservoir Take Line as shown on the General Plan land use map shall maintain a minimum size of ten (10) acres. Lands designated Low-Density Residential and Rural Residential adjacent to the Texas Hill Reservoir Take Line shall provide a minimum setback of 200 feet from the boundary of the Take Line.

Policy 2.2.6.6 Within Village T as shown in the El Dorado Hills Specific Plan, the development and implementation of extensive commercial, residential and office development provides a unique opportunity to serve the needs of residential uses sited within a short enough distance to allow biking, walking and other alternative modes of transportation to avail themselves of goods and services. This Specific Policy designates the approximately ±4.565 acre site comprised of Parcels 1, 2 and 3 as shown on parcel map for Town Center East. Parcel 3.4 filed September 29, 2008 in Book 50 of

VISUAL RESOURCES AND COMMUNITY DESIGN

GOAL 2.3: NATURAL LANDSCAPE FEATURES

Maintain the characteristic natural landscape features unique to each area of the County.

OBJECTIVE 2.3.1: TOPOGRAPHY AND NATIVE VEGETATION

Provide for the retention of distinct topographical features and conservation of the native vegetation of the County.

Policy 2.3.1.1 The County shall continue to enforce the tree protection provisions in the Grading Erosion and Sediment Control Ordinance and utilize the hillside road standards.

Policy 2.3.1.2 The Zoning Ordinance shall include consideration of a standard for parking lot shading and provision of street trees in all new development projects.

OBJECTIVE 2.3.2: HILLSIDES AND RIDGE LINES

Maintain the visual integrity of hillsides and ridge lines.

Policy 2.3.2.1 Disturbance of slopes thirty (30) percent or greater shall be discouraged to minimize the visual impacts of grading and vegetation removal.

GOAL 2.4: EXISTING COMMUNITY IDENTITY

Maintain and enhance the character of existing rural and urban communities, emphasizing both the natural setting and built design elements which contribute to the quality of life, economic health, and community pride of County residents.

OBJECTIVE 2.4.1: COMMUNITY IDENTITY

Identification, maintenance, and enhancement of the unique identity of each existing community.

Policy 2.4.1.1 Design control combining zone districts shall be expanded for commercial and multiple family zoning districts to include identified Communities, Rural Centers, historic districts, and scenic corridors.

Policy 2.4.1.2 The County shall develop community design guidelines in concert with members of each community which will detail specific qualities and features unique to the community as Planning staff and funds are

available. Each plan shall contain design guidelines to be used in project site review of all discretionary project permits. Such plans may be developed for Rural Centers to the extent possible. The guidelines shall include, but not be limited to, the following criteria:

- A. Historic preservation
- B. Streetscape elements and improvements
- C. Signage
- D. Maintenance of existing scenic road and riparian corridors
- E. Compatible architectural design
- F. Designs for landmark land uses
- G. Outdoor art

Policy 2.4.1.3 All properties located within the historic townsite known as Clarksville, El Dorado and Diamond Springs shall be designated on the zoning maps as Design Historic (-DH) combining zone district. Other historical townsites may apply for a historical overlay per guidelines in the Zoning Ordinance.

Policy 2.4.1.4 Strip commercial development shall be precluded in favor of clustered contiguous facilities. Existing strip commercial areas shall be developed with common and continuous landscaping along the street frontage, shall utilize common driveways, and accommodate parcel-to-parcel internal automobile and non-automobile circulation where possible.

Policy 2.4.1.5 The County shall implement a program to promote infill development in existing communities.

- A. Projects site must be consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
- B. Project sites may not be more than five acres in size and must demonstrate substantially development has occurred on 2 or more sides of the site.
- C. Project site has no value as habitat for endangered, rare or threatened species.
- D. Approval of a project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
- E. The site can be adequately served by all required utilities and public services.

OBJECTIVE 2.5.2: COMMERCIAL FACILITIES

Designate lands to provide greater opportunities for El Dorado County residents to shop within the County.

Policy 2.5.2.1 Neighborhood commercial centers shall be oriented to serve the needs of the surrounding area, grouped as a clustered, contiguous center where possible, and should incorporate but not be limited to the following design concepts as further defined in the Zoning Ordinance:

- A. Maximum first floor building size should be sized to be suitable for the site;
- B. Allow for Mixed Use Developments;
- C. No outdoor sales or automotive repair facilities;
- D. Reduced setback with landscaping and walkways;
- E. Interior parking, or the use of parking structure;
- F. Bicycle access with safe and convenient bicycle storage area;
- G. On-street parking to reduce the amount of on-site parking;
- H. Community bulletin boards/computer kiosks;
- I. Outdoor artwork, statues, etc., in prominent places; and
- J. Pedestrian circulation to adjacent commercial centers.

Policy 2.5.2.2 New commercial development should be located near by existing commercial facilities to strengthen existing shopping locations and avoid strip commercial.

Policy 2.5.2.3 New community shopping centers should also contain the applicable design features of Policy 2.5.2.1.

GOAL 2.6: CORRIDOR VIEWSHEDS
Protection and improvement of scenic values along designated scenic road corridors.

OBJECTIVE 2.6.1: SCENIC CORRIDOR IDENTIFICATION

Identification of scenic and historical roads and corridors.

Policy 2.6.1.1 A Scenic Corridor Ordinance shall be prepared and adopted for the purpose of establishing standards for the protection of identified scenic local roads and State highways. The ordinance shall incorporate standards that address at a minimum the following:

- A. Mapped inventory of sensitive views and viewsheds within the entire County;

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- B. Criteria for designation of scenic corridors;
- C. State Scenic Highway criteria;
- D. Limitations on incompatible land uses;
- E. Design guidelines for project site review, with the exception of single family residential and agricultural uses;
- F. Identification of foreground and background;
- G. Long distance viewsheds within the built environment;
- H. Placement of public utility distribution and transmission facilities and wireless communication structures;
- I. A program for visual resource management for various landscape types, including guidelines for and restrictions on ridgeline development;
- J. Residential setbacks established at the 60 CNEL noise contour line along State highways, the local County scenic roads, and along the roads within the Gold Rush Parkway and Action Program;
- K. Restrict sound walls within the foreground area of a scenic corridor; and
- L. Grading and earthmoving standards for the foreground area.

Policy 2.6.1.2 Until such time as the Scenic Corridor Ordinance is adopted, the County shall review all projects within designated State Scenic Highway corridors for compliance with State criteria.

Policy 2.6.1.3 Discretionary projects reviewed prior to the adoption of the Scenic Corridor Ordinance, that would be visible from any of the important public scenic viewpoints identified in Table 5.3-1 and Exhibit 5.3-1 of the El Dorado County General Plan Draft Environmental Impact Report, shall be subject to design review, and Policies 2.6.1.4, 2.6.1.5, and 2.6.1.6 shall be applicable to such projects until scenic corridors have been established.

Policy 2.6.1.4 Commercial designations on U.S. Highway 50 interchanges will be considered for commercial development as part of the General Plan review pursuant to Policy 2.9.1.2.

Policy 2.6.1.5 All development on ridgelines shall be reviewed by the County for potential impacts on visual resources. Visual impacts will be assessed and may require methods such as setbacks, screening, low-glare or directed lighting, automatic light shutoffs, and external color schemes that blend with the surroundings in order to avoid visual breaks to the skyline.

Policy 2.6.1.6 A Scenic Corridor (-SC) Combining Zone District shall be applied to all lands within an identified scenic corridor. Community participation shall be encouraged in identifying those corridors and developing the regulations.

Policy 2.6.1.7 *intentionally blank*

Policy 2.6.1.8 In addition to the items referenced in Policy 2.6.1.1, the Scenic Corridor Ordinance shall consider those portions of Highway 49 through El Dorado County that are appropriate for scenic highway designation and pursue nomination for designation as such by Caltrans.

GOAL 2.7: SIGNS

Regulation of the size, quantity, and location of signs to maintain and enhance the visual appearance of the County.

OBJECTIVE 2.7.1: SIGNS REGULATION

Regulation of the location, number and size of highway signs and potential relocation or elimination of billboards along designated scenic corridors and historic routes (as may be designated in the future) in accordance with state and federal law.

Policy 2.7.1.1 The Sign Ordinance shall include design review for signs within the foreground and background of the designated scenic corridors commensurate with the goal of scenic corridor viewshed protection.

Policy 2.7.1.2 Existing billboards within designated scenic corridors shall be considered for removal or relocation out of the corridor in accordance with state and federal law.

GOAL 2.8: LIGHTING

Elimination of high intensity lighting and glare consistent with prudent safety practices.

OBJECTIVE 2.8.1: LIGHTING STANDARDS

Provide standards, consistent with prudent safety practices, for the elimination of high intensity lighting and glare.

Policy 2.8.1.1 Development shall limit excess nighttime light and glare from parking area lighting, signage, and buildings. Consideration will be given to design features, namely directional shielding for street lighting, parking lot lighting, sport field lighting, and other significant light sources, that could reduce effects from nighttime lighting. In addition, consideration will be given to the use of automatic shutoffs or motion sensors for lighting features in rural areas to further reduce excess nighttime light.

GOAL 2.10: LAKE TAHOE BASIN

To coordinate the County’s land use planning efforts in the Tahoe Basin with those of the Tahoe Regional Planning Agency.

- Policy 2.10.1.1 The County shall apply the standards of the Regional Plan for the Tahoe Basin and the Code of Ordinances and other land use regulations adopted by Tahoe Regional Planning Agency in acting on applications for proposed land uses in the Tahoe Basin.
- Policy 2.10.1.2 The County shall work with the Tahoe Regional Planning Agency (TRPA) and other appropriate state and federal agencies to identify lands capable of supporting affordable housing development without jeopardizing attainment of the Environmental Thresholds identified by TRPA.
- Policy 2.10.1.3 The County shall work with the Tahoe Regional Planning Agency to identify and prioritize the completion of additional Community Plans within the County’s jurisdictional area of the Tahoe Basin.
- Policy 2.10.1.4 The County shall cooperate with TRPA in the implementation of actions recommended in TRPA’s periodic threshold evaluation reports.
- Policy 2.10.1.5 The County may impose more stringent regulations where TRPA does not limit the County’s authority to do so.

IMPLEMENTATION PROGRAM**MEASURE LU-A**

Review the Zoning Ordinance (Title 17 of the El Dorado County Code) to identify revisions that accomplish the following:

- Provide for mixed commercial and residential uses [Policy 2.1.1.3];
- Provide consistency between the General Plan land use designations and the Zoning Ordinance [Policy 2.2.1.2];
- Identify needed revisions to and improved application of the Planned Development combining zone district [Policies 2.2.3.1, 2.2.3.2, 2.2.3.3, 2.2.3.4, 2.2.5.4, and 8.1.5.1];
- Develop a density bonus program [Policy 2.2.4.1];
- Provide a Neighborhood Services zone district [Policy 2.2.5.8]
- Establish provisions for extended family support services and institutional uses in residential areas [Policy 2.2.5.9];
- Allow support services for agricultural and timber production in Rural Regions, including agricultural employee housing, feed and supply stores, veterinary services, agricultural

EXHIBIT A

- and timber processing, and sales of agricultural and timber products [Policies 2.2.5.10 and 2.2.5.11];
- Provide flexibility for minimum parcel size with boundary line adjustments [Policy 2.2.5.12];
 - Identify and separate incompatible uses (including public facilities) by setbacks and buffering [Policies 2.2.5.14 and 2.2.5.18];
 - Establish standards for parking lot shading and street trees in all new development projects [Policy 2.3.1.2];
 - Establish standards for providing visual separation between Community Regions where existing land use patterns do not facilitate physical separation [Policies 2.5.1.1 and 2.5.1.2];
 - Provide standards and incentives for commercial development [Policies 2.5.2.1, 2.5.2.2, and 2.5.2.3];
 - Establish criteria for schools and places of worship in residential zone districts [Policy 2.5.5.17];
 - Establish a Scenic Corridor (-SC) Combining Zone District [Policy 2.6.1.6];
 - Modify Sign Ordinance standards for scenic corridors [Policies 2.7.1.1 and 2.7.1.2];
 - Strengthen limitations on light and glare [Policy 2.8.1.1];
 - Establish buffers around solid waste handling and disposal sites [Policy 5.5.2.2];
 - Provide incentives for indoor and outdoor art [Policy 5.9.2.2];
 - Establish siting criteria for placement of new structures for fire hazard protection [Policy 6.2.1.1];
 - Create an avalanche overlay zone [Policy 6.3.2.3];
 - Create a dam failure inundation overlay zone [Policies 6.4.2.1 and 6.4.2.2];
 - Establish open space protection measures [Policies 7.6.1.1 and 7.6.1.3]; and
 - Promote tourist lodging facilities. [Policy 9.3.9.1]

| | |
|-----------------|---|
| Responsibility: | Planning Department and Department of Transportation |
| Time Frame: | Begin Zoning Ordinance rewrite immediately upon adoption of General Plan. By tiering off the General Plan EIR and relying on previous work completed for 1996 General Plan, adoption should occur within one year of General Plan adoption. |

MEASURE LU-B

Incorporate General Plan consistency review for all development proposals and capital improvement projects. [Policies 2.2.5.2, 2.2.5.3, 2.2.5.5, 2.2.5.7, 2.2.5.16, and 2.2.5.19]

EXHIBIT A

MEASURE LU-I

Inventory potential scenic corridors and prepare a Scenic Corridor Ordinance, which should include development standards, provisions for avoidance of ridgeline development, and off-premise sign amortization. [Policies 2.6.1.1 through 2.6.1.7]

| | |
|-----------------|--|
| Responsibility: | Planning Department and Department of Transportation, |
| Time Frame: | Begin inventory immediately following General Plan adoption. Adopt ordinance within 18 months. |

MEASURE LU-J

If segments of State Route 49 are identified as appropriate for State Scenic Highway status during preparation of the Scenic Corridor Ordinance (see Measure LU-I above), prepare documentation in support of having those segments of State Route 49 identified as a State Scenic Highway [Policy 2.6.1.8]

| | |
|-----------------|--|
| Responsibility: | Department of Transportation and Planning Department |
| Time Frame: | Prepare supporting information within three years of General Plan adoption in coordination with Implementation Measure LU-I. |

MEASURE LU-K

Develop and maintain an inventory of vacant lands within each Community Region and Rural Center. Work with community groups to identify appropriate uses for such parcels, including residential development and establishment of community amenities. [Policy 2.9.1.1]

| | |
|-----------------|---------------------|
| Responsibility: | Planning Department |
| Time Frame: | Ongoing |

MEASURE LU-L

Develop a program to monitor development, population, and employment trends and to provide periodic updates to the Board of Supervisors. [Policy 2.9.1.1]

Also refer to Implementation Measures in the Economic Development Element.

| | |
|-----------------|--|
| Responsibility: | Planning Department and Office of Economic Development |
| Time Frame: | Develop program within three years of General Plan adoption. Give first report to the Board of Supervisors within five years of General Plan adoption. Additional reports will be presented every five years thereafter. |

OBJECTIVE 5.5.2: RECYCLING, TRANSFORMATION, AND DISPOSAL FACILITIES

Ensure that there is adequate capacity for solid waste processing, recycling, transformation, and disposal to serve existing and future users in the County.

- Policy 5.5.2.1 Concurrent with the approval of new development, evidence will be required that capacity exists within the solid waste system for the processing, recycling, transformation, and disposal of solid waste.
- Policy 5.5.2.2 Facility sites shall be protected from the encroachment of sensitive and/or incompatible land uses.
- Policy 5.5.2.3 The County shall adopt a Construction and Demolition Debris Diversion Ordinance requiring that a minimum of 50 percent of the debris from construction and demolition projects be reused or recycled. The County shall encourage a higher rate of diversion.

UTILITY SERVICES

GOAL 5.6: GAS, ELECTRIC, AND OTHER UTILITY SERVICES

Sufficient utility service availability consistent with the needs of a growing community.

OBJECTIVE 5.6.1: PROVIDE UTILITY SERVICES

Community Regions shall be provided with adequate and reliable utility services such as gas, electricity, communication facilities, satellite and/or cable television, and water distribution facilities, while recognizing that levels of service will differ between Community Regions, Rural Centers, and Rural Regions.

- Policy 5.6.1.1 Promote and coordinate efforts with utilities for the undergrounding of existing and new utility distribution lines in accordance with current rules and regulations of the California Public Utility Commission and existing overhead power lines within scenic areas and existing Community Regions and Rural Centers.
- Policy 5.6.1.2 Reserve adequate rights-of-way to facilitate expansion of services in a timely manner.
- Policy 5.6.1.3 *intentionally blank*
- Policy 5.6.1.4 Special use permits shall be required for the installation of community telecommunication facilities (e.g., microwave towers) in residential areas to ensure that siting, aesthetics, environmental issues, surrounding land uses, and health and safety are considered.

EXHIBIT A

- Funding for maintenance and operation of regional drainage facilities. [Objectives 5.4.1 and 7.3.4 and Policies 7.3.1.1, 7.3.2.1, and 7.3.2.3]

| | |
|-----------------|--|
| Responsibility: | Department of Transportation |
| Time Frame: | Develop program within three years of General Plan adoption. |

MEASURE PS-M

Prepare a Construction and Demolition Debris Diversion Ordinance for inclusion in the County Code. [Policy 5.5.2.3]

| | |
|-----------------|---|
| Responsibility: | Environmental Management |
| Time Frame: | Present ordinance to Board of Supervisors within five years of General Plan adoption. |

MEASURE PS-N

Establish a means, either through formal agreement or through the identification of formal contacts, to coordinate a long-term planning process with private utility providers regarding the location and types of future utility delivery facilities, including the following:

- Undergrounding of utilities [Policy 5.6.1.1];
- Reservation of rights-of-way [Policy 5.6.1.2];
- Use of open space/greenbelts for transmission lines [Policy 5.6.1.3]; and
- Appropriate distances from school sites. [Policy 5.6.1.5]

| | |
|-----------------|---|
| Responsibility: | Planning Department, Department of Transportation, and Environmental Management |
| Time Frame: | Establish agreement or contacts within two years of General Plan adoption. |

MEASURE PS-O

Develop standards for energy-efficient site development and construction. [Policies 5.6.2.1 and 5.6.2.2]

| | |
|-----------------|--|
| Responsibility: | Planning Department, Department of Transportation, and Building Department |
| Time Frame: | Develop standards within four years of General Plan adoption. |

EXHIBIT A

GOAL TC-1: To plan for and provide a unified, coordinated, and cost-efficient countywide road and highway system that ensures the safe, orderly, and efficient movement of people and goods.

Policy TC-1a The County shall plan and construct County-maintained roads as set forth in Table TC-1. Road design standards for County-maintained roads shall be based on the American Association of State Highway and Transportation Officials (AASHTO) standards, and supplemented by California Department of Transportation (Caltrans) design standards and by County Department of Transportation standards. County standards include typical cross sections by road classification, consistent with right-of-way widths summarized in Table TC-1.

EXHIBIT A

| TABLE TC-1 GENERAL ROADWAY STANDARDS FOR NEW DEVELOPMENT BY FUNCTIONAL CLASS | | | | |
|---|---|--|----------------------|--------------------------|
| Functional Class | ACCESS CONTROL | | CROSS SECTION | |
| | Public Roads Intersections (Or interchanges) | Abutting Property Driveways and Private Roads | ROW | Roadway Width |
| Six-Lane Divided Road | ½ mile minimum spacing | Restricted | 130' | 108' |
| Four-Lane Divided Road | ½ mile minimum spacing | Limited | 100' | 84' |
| Four-Lane Undivided Road | | | | |
| Community Regions | ½ mile minimum spacing | Limited | 80' | 64' |
| Rural Centers and Rural Regions | ½ mile minimum spacing | Limited | 80' | 64' |
| Major Two-Lane Road | | | | |
| Community Regions | ¼ mile minimum spacing | Limited | 60' | 40' |
| Rural Centers and Rural Regions | ¼ mile minimum spacing | Permitted | 60' | 40' |
| Local Road | ¼ mile minimum spacing | Permitted | 60' | Varies |
| Notes: | | | | |
| <ol style="list-style-type: none"> 1. Access control and cross sections are desired standards. Details and waiver provisions shall be incorporated to the Design and Improvement Standards Manual (El Dorado County 1990). 2. Notwithstanding these highway specifications, additional right-of-way may be required for any classification when a road coincides with an adopted route for an additional public facility (e.g., transit facilities, bikeways, or riding and hiking trails), or a scenic highway. 3. The County may deviate from the adopted standards in circumstances where conditions warrant special treatment of the road. Typical circumstances where exceptions may be warranted include: <ol style="list-style-type: none"> a. Extraordinary construction costs due to terrain, roadside development, or unusual right-of-way needs; or b. Environmental constraints that may otherwise entirely preclude road improvement to the adopted standards, as long as environmental impacts are mitigated to the extent feasible. 4. Travel ways for all highways should be 12 feet wide. Turning lanes should be 12 feet wide, but may be reduced to 10 feet based on topographical or right-of-way constraints. All travel ways on roads should be paved. | | | | |

Policy TC-1b In order to provide safe, efficient roads, all roads should incorporate the cross sectional road features set forth in Table TC-1.

Policies TC-1c through TC-1j intentionally blank

Policy TC-1k The County shall continue to work with the El Dorado County Transportation Commission, Sacramento Area Council of Governments, California Department of Transportation, Tahoe Regional Planning Agency, and other agencies to maintain a current Regional Transportation Plan, to identify funding priorities, and to develop expenditure plans for available regional transportation funds in accordance with regional, state, and federal transportation planning and programming procedures. Such regional programming may include improvements to state highways, city streets, and county road.

EXHIBIT B

Scenic Highways Ordinance
El Dorado County

Review Draft

ORDINANCE NO. _____

THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO DOES
ORDAIN AS FOLLOWS:

Section 1. Chapter 17.76 is hereby added to Title 17 of the El Dorado County
Ordinance Code to read as follows:

CHAPTER 17.76

SCENIC CORRIDOR (SC) OVERLAY ZONE

Sections:

| | |
|-------------------|-----------------------------------|
| Section 17.76.010 | Purpose |
| Section 17.76.020 | Designation of Scenic Corridors |
| Section 17.76.030 | Permitted Uses |
| Section 17.76.040 | Uses Prohibited |
| Section 17.76.050 | Uses requiring special use permit |
| Section 17.76.060 | Design Review Required |
| Section 17.76.070 | Development Standards |
| Section 17.76.080 | Parking |
| Section 17.76.090 | Landscaping |
| Section 17.76.100 | Earthmoving and Grading |
| Section 17.76.110 | Outdoor Advertizing |
| Section 17.76.120 | Utility Lines |
| Section 17.76.130 | Lighting |
| Section 17.76.140 | Definitions |

EXHIBIT B

Scenic Highways Ordinance
El Dorado County

Review Draft

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| Section 17.76.100 | Earthmoving and Grading |
| Section 17.76.110 | Outdoor Advertizing |
| Section 17.76.120 | Utility Lines |
| Section 17.76.130 | Lighting |
| Section 17.76.140 | Definitions |

EXHIBIT B

Section 17.76.010 Purpose

The purpose of the standards and regulations established in this chapter is to:

- A. Protect and enhance the scenic quality and visual appearance of historical areas and views from the roadways, retain unusual and attractive natural features within the scenic corridors along designated scenic highways, byways and roads in El Dorado County;
- B. Protect and enhance the beauty, amenities, and quality of life of El Dorado County;
- C. Protect agricultural, rural, and residential districts adjoining county scenic highways from adverse impacts of excessive development, excessive number or sizes of nearby signs, and unsightly conditions;
- D. Prevent incompatible and uncontrolled alterations of existing land forms and vegetative habitats by grading, excavation, development and uncontrolled land management practices;
- E. Eliminate unsightly conditions which may be unduly distracting to, and may impair the safety of, highway users;
- F. Create a favorable public image that will encourage economic development and tourism within the county and to; and
- G. Insure the enhancement of property values in areas through which the scenic highway is located.

All these purposes are intended to spur community pride and contribute to the well being and enjoyment of residents and visitors to El Dorado County.

EXHIBIT B

Section 17.76.020 Designation of Scenic Corridors

The Scenic Corridor (SC) Zone shall be combined with one or more base zones and shall apply in addition to the regulations of the base zone. The provisions of this Chapter shall govern in those cases where they differ with the regulations in the base zone.

A. The Scenic Corridor Zone shall apply to all land as described below:

| <u>Scenic Highways</u> | <u>Designated Scenic Corridors</u> <u>Min. Corridor Width</u> |
|----------------------------|--|
| 1. All of State Highway 50 | All areas as shown on the Scenic Highway 50 SC Overlay Map as adopted by El Dorado County, which is here/by incorporated by reference. |

EXHIBIT B

Scenic Highways Ordinance
El Dorado County

Review Draft

1 **Section 17.76.030 Permitted Uses**
2

3 All uses permitted in the base zone district with which the SC District is
4 combined except as prohibited in Section 17.76.040.

5 A. All uses shall be subject to design review except single family homes and
6 accessory structures.
7

EXHIBIT B

1 **Section 17.76.040 Uses Prohibited**

2
3 The following uses shall be prohibited within the Scenic Corridor Zone:

- 4
5 (1) Outdoor maintenance yards, auto storage yards, and storage of
6 inoperable motorized equipment;
- 7 (2) Outdoor storage yards for building supplies, garden supplies, or
8 any other supplies;
- 9 (3) Billboards or off-site, outdoor advertizing signs and displays;
- 10 (4) Auto repair, muffler shop, radiator repair, auto painting and auto
11 body repair uses except for incidental auto repair where in
12 conjunction with automotive sales and where contained completely
13 indoors and screened from public view;
- 14 (5) Truck transfer stations;
- 15 (6) Junk yards;
- 16 (7) Dumps, landfills, and trash incinerators;
- 17 (8) Scrap metal processing facilities;
- 18 (9) Automotive dismantling facilities;
- 19 (10) Commercial slaughter houses and rendering plants;
- 20 (11) Auto rental and truck rental storage lots;
- 21 (12) Mini storage and warehouses;
- 22 (13) Temporary structures except those used in conjunction with and
23 during construction projects;
- 24 (14) Mineral extraction, mining, quarrying, excavation, and drilling;
- 25 (15) Processing and stockpiling of rock, sand, gravel, decomposed
26 granite, and similar materials;
- 27 (16) Rock crushing plants, washing, screening, and drying facilities and
28 equipment, and concrete batching plants;
- 29 (17) Any other use which is determined by the County Board of
30 Supervisors to be of the same general character of other prohibited
31 uses or to be in conflict with the intent of this zone.

EXHIBIT B

1 **Section 17.76.050 Uses requiring special use permit**
2

3 **Uses permitted with a special use permit in a SC District are all those use**
4 **conditionally permitted by the underlying base zone district with which the SC**
5 **District is combined, and in addition, those uses listed herein.**
6

- 7 (1) **Communications and transmission towers;**
 (2) **Development on ridge tops and hillside areas with slopes over**
 20%;
 (3) **Multifamily housing developments;**
 (4) **Cattle, hog feed lots, animal stock yards, corrals and high-density**
12 **livestock uses;**
13 (5) **Manufacturing industries;**
14 (6) **Mobile home parks;**
15 (7) **Auto rental lots;**
16 (8) **Growing or harvesting of forest products, whether planted or of**
17 **natural growth, including Christmas trees and nursery stock for**
18 **restocking commercial forest land, or for retail trade.**

EXHIBIT B

Scenic Highways Ordinance
El Dorado County

Review Draft

1 **Section 17.76.060 Design Review Required**

2
3 Prior to the issuance of a building permit in the SC Zone, all development
4 proposals, except individual single family homes, shall submit a development
5 plan to be approved through the design review process.

- 6
7 A. All applications for design review shall submit development plans which
8 shall include landscaping; signs; visual screens; the number, location and
9 extent of access points from the street(s); the location and design of all
10 buildings, structures, and off-street parking; and any other conditions
11 deemed essential to insure the compatibility of the proposed uses with the
12 intent of this Chapter.

EXHIBIT B

Section 17.76.070 Development Standards

The following property development standards shall apply to all land and structures in the SC Zone. In all cases, the minimum standard shall be that of the base zone or the SC Combining Zone, whichever is more restrictive.

A. Development Types

All property within the scenic highway overlay zone shall be identified as rural, semi-rural, or non-rural development types according to the base zone designation.

Table 17.76.070-A: Development Typology

| Base Zone | Foreground | | | Back-ground |
|--------------|-------------------------------------|-------------|---|----------------|
| | Rural | Semi-Rural | Non-Rural | |
| Agricultural | AE, PA | A | — | All Base Zones |
| Residential | R-20, R-40 R-60, RA-80 RA-160 | RE-10, RE-5 | R1, R1A, R2 RM, RT, R2A R20, 000, R3A MH, MP | |
| Commercial | | | C, CPO, CP CG | |
| Industrial | | | R&D, I | |
| Other | O.S., Cons. TC, TPZ, MR TP | TC | AA, TC, RF, C, CPO, CP | |

EXHIBIT B

2 **B. Development Standards.** The minimum development standards for each
3 development types shall be as follows.

4
5 **Table 17.76.070-B. Development Standards**

6 (1) Building Setbacks

7

| | Foreground | | | Background | |
|--|------------|------------|-----------|------------|------------------------------------|
| | Rural | Semi-Rural | Non-Rural | | |
| 8 9 10 11 12 13 14 15 16 17 18 | Frontyard | 35' | 35' | 20'* | Base zone requirements shall apply |
| | Backyard | 35' | 35' | 20' | Base zone requirements shall apply |
| | Sideyard | 10' | 10' | 5' * | Base zone requirements shall apply |

* Except for designated historic districts, where the base zone applies.

EXHIBIT B

Scenic Highways Ordinance
El Dorado County

Review Draft

(2) Building Setbacks from Scenic Highway Rights-of-Way

| Type of Road | Foreground | | | | Background |
|--|-------------|----------------------|-------------|--------------|------------------------------------|
| | Ru- ral | Semi- -Ru- ral | Non-Rural | | |
| | | | Res. | Com. | |
| Four-lane divid- ed scenic high- way-limited ac- cess | 200' | 200' | 200' | 35' | Base zone requirements shall apply |
| Four-lane scenic highway or county road | 100' | 100' | 100' | 35' | Base zone requirements shall apply |
| Two or three lane scenic highway or county road | Min. 35' | Min. 35' | Min. 20' | Min. 20'* | Base zone requirements shall apply |

* Except for designated historic districts, where the Base zone applies.

(3) Minimum Lot Size

| Type of Road | Foreground | | | | Background |
|--------------------------|------------|----------------|-----------|-----------------------|------------------------------------|
| | Rural | Semi- Rural | Non-Rural | | |
| | | | Res. | Com. | |
| Mini- mum lot size | 10 ac. | 5 ac. | 3 ac. | 10,000 sq. ft.* | Base zone requirements shall apply |

* Except for designated historic districts, where the base zone applies.

EXHIBIT B

(4) Minimum Lot Width

| | Foreground | | | | Background |
|-------------------|------------|------------|-----------|------|------------------------------------|
| | Rural | Semi-Rural | Non-Rural | | |
| | | | Res. | Com. | |
| Minimum lot width | 150' | 150' | 100' | 50'* | Base zone requirements shall apply |

* Except for designated historic districts, where the Base zone applies.

(5) Maximum Lot Coverage

| | Foreground | | | | Background |
|----------------------|------------|------------|-----------|------|------------------------------------|
| | Rural | Semi-Rural | Non-Rural | | |
| | | | Res. | Com. | |
| Maximum lot coverage | 5% | 10% | 35% | 35% | Base zone requirements shall apply |

(6) Maximum Height

The maximum height of buildings, structures or accessory structure shall not exceed 35 feet or 3 stories, measured from finish grade, except for chimneys, belltowers, steeples, or other special architectural features which may extend beyond the 35-foot height limit, but shall not exceed 50-feet. Signs and sign heights shall be limited in height per Section 17.76.110.

(7) Required Landscape Screening

A 20-foot landscaped setback is required adjacent to scenic highways, except for designated historic districts where the buildings may have a 0-foot setback

EXHIBIT B

1 from the front right-of-way. Landscape screening shall be in accordance with
2 Section 17.76.090.C.

3
4
5 **C. Building design**

6
7 All buildings constructed in the scenic highway corridor or visible from a scenic
8 highway shall be designed by a licensed architect in the State of California to blend in
9 with surrounding landscape community and preserve the rural character of El Dorado
10 County.

- 11
12 (1) Building materials and colors shall not detract from the surrounding
13 landscape community. Use of earth tone colors, and natural materials
14 are recommended. Use of wood, stone, concrete, marble, granite,
15 polished granite, tiles, and decorative block, brick, and/or stucco is
16 preferable. Large expanses of glass, reflective or mirror glass and steel
17 in curtain wall construction are inappropriate.
- 18
19 (2) Special consideration shall be given in the design review process to the
20 design and materials used for roofs where the scenic roadway is
21 elevated above the grade level of structures.
- 22
23 (3) All roof top equipment, air conditioning units, elevator shafts, and
24 other mechanical equipment shall be screened from view.

25
26
27 **D. Construction on steep slopes**

- 28
29 (1) No roadways, driveways or parking shall be constructed on slopes in
30 excess of 15%, except where necessary to provide access to areas of less
31 slopes.
- 32
33 (2) All cuts and fills on roadways or driveways are to be restored to blend
34 with the natural, surrounding topography.
35

EXHIBIT B

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- (3) Buildings and parking areas constructed on slopes over 15% shall conform to the following criteria:
- (i) All structures and parking located on slopes over 15% shall be constructed utilizing pier and beam techniques or shall be terraced and consolidated into the hillside.
- (ii) Structural excavation shall not exceed a maximum of eight feet in depth.
- (iii) Padding of lots for building construction is prohibited.
- (iv) Terraced fill and retaining walls shall be a maximum one to one grade, and limited to four feet in height for each terrace. More than one level of terrace is permitted.
- (v) Areas of cut and fill shall be limited to a maximum of three to one (3:1). Areas of cut and fill not hidden from view shall be effectively screened by additional landscaping.

23
24

E. Fencing

25 Fencing within the foreground of scenic corridors shall be constructed of
26 natural materials such as wood or stone, and shall be designed to maintain the
27 rural character of the scenic corridor.

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36
- (1) Chain link fencing topped with barbed wire or razor wire is not permitted.
- (2) Fencing adjacent to a designated scenic roadway in all rural and semi-rural areas shall be of an open construction that does not totally restrict views to the foreground and background unless otherwise approved by Design Review and in those cases where fencing is used for purposes of screening objectional views and uses.

EXHIBIT B

Scenic Highways Ordinance
El Dorado County

Review Draft

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3

- (3) All fencing used for screening shall be screen landscaped with appropriate landscape materials unless otherwise approved by Design Review.

EXHIBIT B

Scenic Highways Ordinance
El Dorado County

Review Draft

1 Section 17.76.080 Parking
2

- 3 A. All parking lots shall be landscaped in accordance with Section 17.76.090
4 Landscaping and the County Parking Ordinance, Chapter _____.
5
6 B. Delivery bays, loading docks, and entries to trash enclosures shall not face
7 onto, open onto, or be visible from any scenic highway.
8
9 C. Roll-up doors shall not face onto or be visible from any scenic highway.
10
11 D. A minimum of five (5) feet shall be maintained between any building or
12 structure, including any walkway, and the surface of the parking area. This
13 space shall be landscaped with appropriate plant material as approved through
14 the Design Review Process.
15
16 E. Direct access onto any scenic highway shall be limited to one point of ingress
17 and egress per lot. The maximum width of driveways is thirty (30') feet.
18
19 F. Large expanses of undefined paving areas within the front setback area with
20 cars backing onto the street right-of-way shall not be permitted. However,
21 curb-side street parking or angled street parking may be permitted on local,
22 commercial streets with designated or posted speed limits of 25 mph or less
23 when located in front of commercial establishments with store fronts adjacent
24 to the front property line.

EXHIBIT B

Section 17.76.090 Landscaping

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- A. Landscaping plans by a licensed landscape architect shall be required as part of development plans within the scenic corridor and approved through the design review process.
 - B. Landscaping shall be consistent with the predominant underlying native plant community and fit the vegetation native to the area. Plant materials are intended to minimize irrigation, care and maintenance, to be visually non-obtrusive, and to be biologically non-intrusive to the underlying native plant community.
 - (1) A minimum fifty (50%) percent of all required landscaping materials shall consist of plant species native to the underlying plant community of the area.
 - (2) Exotic or introduced plant species not consistent with the underlying plant community in the surrounding area shall be approved by Design Review.
 - C. Landscaping shall be used to screen views of development from a scenic highway. A frontage buffer zone along all scenic highways shall contain an appropriate visual screen consisting of existing or installed landscape materials comprised of approved trees, shrubbery, and ground cover.
 - (1) Screen plantings for perimeter areas shall be a minimum of ten (10') feet in width.
 - (2) Plant species shall be used so that full screening from the roadway is achieved within ten (10) years of project completion.
 - (3) Vegetation used for screening shall be equally effective at all times of the year.
 - D. Landscaping shall be required for all new or expanded parking lots. Parking lot landscaping shall provide both interior and perimeter landscaping.

EXHIBIT B

Scenic Highways Ordinance
El Dorado County

Review Draft

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- (1) All open surface parking lots shall be landscaped with a minimum of one tree for every four (4) parking stalls.
 - (2) Parking lot landscaping shall be placed on the site to screen parked cars from being visible from the scenic roadway and to provide for shading of parking stalls.
 - (3) Parking lot landscaping shall be planted to provide shade over 50% of all paved surfaces during summer months within ten (10) years of project completion.
- E. No mature trees of more than 6 inches in diameter at three feet height from grade shall be removed without approval of the Planning Director. If a mature tree is removed, trees of like kind or species shall be replaced in the area, at a ratio of 3 to 1.
- F. The property owner shall be responsible for maintaining all landscaping in good condition to present a healthy, neat and orderly appearance for the life of the development. Dead or diseased planting shall be replaced immediately.
- G. All solid fencing, screen fencing and sound walls shall be screened from view from scenic highways with screen planting materials appropriate to the underlying native plant community.
- H. All required landscaping shall use a minimum of 15 gallon tree size in all landscaped areas.

EXHIBIT B

Scenic Highways Ordinance
El Dorado County

Review Draft

Section 17.76.100 Earthmoving and Grading

2
3 A. Earthmoving, grading and alterations to the natural or artificial land contours
4 shall be limited as follows:

- 5
6 (1) No major ridge lines shall be altered.
7 (2) All roads, driveways and parking lots shall be located to keep grading
8 to a minimum and follow the natural contours of hillsides.
9 (3) Dust shall be controlled on all surfaces.
10 (4) Any contour altered by grading shall be restored by means of land
11 sculpturing and replacing a cover of top soil in such a manner as to
12 minimize runoff and erosion, and prevent ponding of water.
13 (5) Any graded area shall be planted with native plant materials consistent
14 with the underlying native plant community in the area, so as to
15 minimize care, irrigation, and to be compatible with the existing natural
16 ground cover.
17 (6) Alterations of stream beds or destruction of adjacent vegetation is not
18 permitted.
19 (7) No cut or fill shall exceed a 3:1 slope, unless as a means of preserving
20 the natural scenic quality of existing hillsides as required by the Board
21 of Supervisors.
22 (8) No exposed retaining wall, shall exceed six (6') feet in height, except
23 to preserve the natural scenic quality of the landscape as approved by
24 Design Review.

EXHIBIT B

Section 17.76.110 Signs

2
3 All signs are subject to the requirements under Chapter 17.16 Signs, except as further
4 regulated herein below.
5

6 A. On-premise signs and off-premise signs are subject to the following limitations.
7

- 8 (1) One free-standing sign may be installed on any lot to direct attention
9 exclusively to a business, profession, service, or entertainment conduct-
10 ed on the premises.
11 (2) One sign may be installed on any street frontage of any lot pertaining
12 only to the sale rental, or lease of the premises upon which displayed.
13 (3) When the sign consists of only designs, letters, or figures, the total area
14 of the sign shall be the area of the smallest rectangle or circle in which
15 all of the sign may be inscribed.
16 (4) Traffic directional signs and other signs necessary to the functioning of
17 a establishment shall be permitted whenever the type, size and location
18 of such signs are first approved through design review.
19

20 B. Informational panels providing direction and information regarding points of
21 interest, non-commercial in nature, are permitted subject to design review
22 approval.

EXHIBIT B

Section 17.76.120 Utility Lines

2
3 All new development or changes to existing structures shall underground all utilities
4 within a Scenic Corridor. All extensions or relocations of electric, cable or telecommu-
5 nication distribution and service lines visible from the scenic highway must be placed
6 underground.

7
8 A. An exception may be made if the Public Utilities Commission finds that such
9 undergrounding is infeasible because of terrain, soil, conditions or geological
10 problems.

11
12 B. Utility companies shall coordinate in the planning stage with the Planning
13 Commission on the location or relocation of all transmission lines that would
14 be within view of a scenic highway.

15
16 C. Where undergrounding would be impossible, an exception can be made by the
17 Board of Supervisors subject to the following conditions:

- 18
19 (1) Avoid prominent and barren sides of mountains or hills;
20 (2) Keep alignment along the bottom or lower slopes and valleys between
21 hills;
22 (3) Avoid crossing hill contours at right angles; and
23 (4) Avoid steep grades which expose the right-of-way to view from a
24 scenic highway, byway or county scenic road.

EXHIBIT B

Scenic Highways Ordinance
El Dorado County

Review Draft

1 **Section 17.76.130 Lighting**
2

- 3 **A.** All exterior lighting used to illuminate buildings, parking lots or landscape
4 areas shall be controlled to avoid glare or reflection on any adjoining property.
5
6 **B.** All exterior lighting for signs and landscaping shall be turned off when
7 businesses are not open.
8
9 **C.** All lighting for parking lots, parks, ball fields, streets, and driveways and other
10 on-site lighting shall be shielded to avoid glare, reflection into the sky, and
11 direct illumination visible from the Highway 50 corridor.

EXHIBIT B

Section 17.76.140

Definitions

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background

The visual areas of a scenic corridor that is beyond the immediate visual foreground area adjacent to a scenic highway. Background areas form a visual backdrop, usually in the form of expansive views of valleys, ridgelines, or distant mountains, providing harmony or contrast, which forms the surroundings or setting against which the foreground is seen.

byway

Any backway, back road, highway, historic route, leisure way, loop, parkway, rustic road or trail, or roadways of cultural or historic significance, but not a limited access highway, designated by El Dorado County because of its scenic quality and enjoyment.

foreground

That part of a scenic corridor nearest to the right-of-way of a scenic highway.

hillsides

Any area of a lot with slopes over twenty (20%) grade.

lot coverage

The percentage of the lot that is covered by all buildings, accessory structures, roofed or otherwise covered structures that are higher than three (3') feet above ground level, excluding allowable projecting eaves, balconies, open decks, patios, pools, and similar features.

non-rural

Urbanized areas of development where land is generally developed or primarily used for higher intensity residential, commercial, or industrial uses in the pattern of villages, towns, cities, or standard single family residential subdivisions.

parking coverage

The percent of a lot covered by impermeable surfaces for the use of parking, vehicular circulation and driveways exclud-

EXHIBIT B

1 ing pedestrian, paths and sidewalks, patio areas, open decks,
2 and hard surface recreation surfaces.

3
4 **proximity**

Any 660 feet from each edge of the right-of-way of designat-
5 ed state scenic highway.

6
7 **right-of-way**

An area or strip of land, either public or private, on which
8 a right-of-passage has been recorded, occupied or intended
9 to be occupied by a street for the use of vehicles or pedestri-
10 ans, crosswalk, railroad, electric transmission line, oil or gas
11 pipeline, water main, sanitary or storm sewer main, shade
12 trees, or other special uses.

13
14 **road, public**

All public property reserved or dedicated for streets,
15 pedestrian, equestrian, bicycle or vehicular traffic.

16
17 **rural**

A sparsely developed area where the land is generally
18 undeveloped or primarily used for agricultural purposes.

19
20 **scenic area**

An area of natural or human made features which are
21 visually, historically, culturally, geologically, or botanically
22 significant or unique.

23
24 **scenic corridor**

A strip of land on each side of a stream or roadway that is
25 generally visible to the public travelling on such a route.

26
27 **scenic easement**

An easement, the purpose of which is to limit development
28 in order to preserve a view or scenic area.

29
30 **scenic highway**

Any public highway, road, roadway, back road, byway, or
31 other public travel way established by the county to manage
32 development on either side in order to preserve its scenic,
33 visual or historic quality.

34
35 **screening**

The method by which a view of one site from another
36 adjacent site or roadway is shielded, concealed, obscured, or

EXHIBIT B

Scenic Highways Ordinance
El Dorado County

Review Draft

| | | |
|----|----------------|--|
| 1 | | hidden. Screening techniques include fences, walls, densely |
| 2 | | planted landscaping, berms, or other architectural or |
| 3 | | landscape features. |
| 4 | | |
| 5 | semi-rural | A sparsely developed area where the land is generally |
| 6 | | undeveloped or primarily used for large lot (of a minimum |
| 7 | | of five acres) residential development, estate homes, and |
| 8 | | agricultural purposes. |
| 9 | | |
| 10 | street | A public state, county, municipal, or private thoroughfare, |
| 11 | | vehicular way or roadway used, or intended to be used for |
| 12 | | passage or travel by motor vehicles, bicycles, or pedestrians; |
| 13 | | and which is shown upon a legal plat approved pursuant to |
| 14 | | law; or is approved by other official actions. |
| 15 | | |
| 16 | limited access | A highway with limited access points at major interchanges |
| 17 | highway | with no crossings at the street grade. |
| 18 | | |
| 19 | visible | Any area, structure, or part of a structure which can be seen |
| 20 | | from the right-of-way of a scenic highway. |

EXHIBIT B

Scenic Highways Ordinance
El Dorado County

Review Draft

| | <u>Scenic Highways</u> | <u>Designated Scenic Corridors</u> <u>Min. Corridor Width</u> |
|----|--|---|
| 1 | | |
| 2 | | |
| 3 | | |
| 4 | | |
| 5 | 2. All of State Highway 49 | All land within 660 feet on either side of the right-of-way of State Highway 49. |
| 6 | | |
| 7 | | |
| 8 | | |
| 9 | | |
| 10 | 3. All of State Highway 88 | All land within 660 feet on either side of the right-of-way of State Highway 88. |
| 11 | | |
| 12 | | |
| 13 | | |
| 14 | | |
| 15 | 4. All of State Highway 89 | All land within 660 feet on either side of the right-of-way of State Highway 89. |
| 16 | | |
| 17 | | |
| 18 | | |
| 19 | 5. All of State Highway 193 (Georgetown Road) | All land within 660 feet on either side of the right-of-way of State Highway 193. |
| 20 | | |
| 21 | | |
| 22 | | |
| 23 | | |
| 24 | 6. All of Wentworth Springs Road | All land within 660 feet on either side of the right-of-way of the road. |
| 25 | | |
| 26 | | |
| 27 | | |
| 28 | 7. All of Ice House Road | All land within 660 feet on either side of the right-of-way of the road. |
| 29 | | |
| 30 | | |
| 31 | 8. North Canyon Road | All land within 660 feet on either side of the right-of-way of the road. |
| 32 | | |
| 33 | | |
| 34 | 9. Green Valley Road | All land within 660 feet on either side of the right-of-way of the road. |
| 35 | | |
| 36 | | |

EXHIBIT B

Scenic Highways Ordinance
El Dorado County

Review Draft

1
2

10. Mormon-Emigrant Trail

All land within 660 feet on either side
of the right-of-way of the road.

DEVELOPMENT SERVICES DEPARTMENT

County of EL DORADO

<http://www.co.el-dorado.ca.us/devservices>

PLANNING SERVICES



PLACERVILLE OFFICE:

2850 FAIRLANE COURT
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(530) 642-0508 Fax
Counter Hours: 7:30 AM to 4:30 PM
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MEMORANDUM

DATE: December 6, 2006 Agenda of: January 11, 2007
TO: Planning Commission Item #: 10.b.
FROM: Lillian MacLeod, Senior Planner
SUBJECT: 2006 Zoning Ordinance Update - Scenic Corridor Ordinance

WORKSHOP ON THE DRAFT SCENIC CORRIDOR ORDINANCE

General Plan Policy 2.6.1.1 directs staff to prepare an ordinance “establishing standards for the protection of identified scenic local roads and State highways.” The policy further enumerates areas to be addressed under the ordinance including the requirement for a “mapped inventory of sensitive views and viewsheds within the entire County” (Exhibit A). Policy 2.6.1.6 requires identification of ‘scenic corridors’ and their regulation, subject to public input. Scenic corridors are defined in the *Caltrans Scenic Highways Guidelines* as “the area of land generally adjacent to and visible from the highway . . . usually limited by topography and/or jurisdictional boundaries.”

Since April 1, 1986, State Route 89 and that portion of U.S. Highway 50 between the Placerville government center and the South Lake Tahoe city limits have been designated as official scenic highways within El Dorado County. Inclusion within the State Scenic Highway System requires legislative action by the Departmental Transportation Advisory Committee (DTAC), a legislatively appointed State body. Steps the County had to take for inclusion in the system required approval of the specific highway under the nomination process, development of a scenic corridor protection program under the designation process, and continued enforcement of the protection program under the monitoring process (Exhibit B).

The nomination process required the County to demonstrate that the highways met specific scenic criteria through submission of a visual assessment in the form of a written summary addressing vividness of the landscape, intactness of the visual order, and unity of visual intrusions with the surrounding landscape. Up to one-third of the proposed scenic highway could be impacted by major intrusions, exemplified in the *Guidelines* and defined as those that “dominate the landscape, degrading or obstructing scenic views.”

The designation process required adoption of a protection program insuring that the County would maintain the scenic corridors by:

- regulating land use and developmental density,
- creating a review process for land and site planning such as design review or use permits,
- prohibiting off-site and controlling on-site advertising,
- regulating grading and landscaping, and
- requiring review of the appearance and placement of utility structures and equipment, such as cell towers.

The program, usually instituted as an ordinance, required input from affected property owners and interested groups or organizations on the proposed standards and regulations that would be placed on development within the corridor.

A draft *El Dorado County Scenic Highways Ordinance* was prepared in June 1992 (Exhibit C). The process involved community meetings and public input in compliance with State requirements for public involvement. However, the draft ordinance was never officially adopted by the Board. Existing General Plan policies insuring protection until such time as an ordinance was adopted enabled the DTAC to continue to include State Route 89 and that portion of U.S. Highway 50 referenced above into the State Scenic Highway System. Five-year monitoring by the California Department of Transportation (Caltrans) was completed in July 1997 with continued approval based on existing General Plan policies. Further monitoring was stayed under the Writ of Mandate pending the adoption of the 2004 General Plan.

The 1992 draft ordinance included an inventory of views and viewsheds along the U.S. Highway 50 and State Route 49 corridors. State Route 89, which falls under the jurisdiction of the Tahoe Regional Planning Agency (TRPA), is also subject to their design standards as well as shoreland and shorezone development restrictions intended to protect lake and other scenic views. Maintenance and monitoring of TRPA-inventoried viewsheds are currently being regulated under their authority. Once the subject Scenic Corridor Ordinance is adopted, design standards and monitoring of State Route 89 will be regulated by the stricter of the two codes.

Issue #1: What area should be designated as a Scenic Corridor?

As a general rule “if you can see the corridor or resource from the project area, the potential exists for the project to be visible from the same scenic corridor or resource” (*TRPA Basic Scenic Conditions Assessment*). While based on a logical assumption, in practice it would involve site visits by County staff on every permit application within a certain distance from the highway to determine whether a parcel should be subject to the Ordinance. Due to variations in topography, the scenic corridor overlay would have to be expansive in order to capture all parcels that might impact a viewshed. Some parcels with no scenic impact would be included in this arbitrary dimension, potentially subjecting those property owner(s) to proving they are not subject to the Ordinance.

GIS applications exist that can utilize three dimensional data to determine scenic viewsheds from existing topographical information. From this application a clearer determination could be made as to which parcels would have an impact on designated viewsheds. A scenic corridor overlay could then be designed to be parcel specific rather than a dimensioned buffer zone.

Issue #2: What is allowed in the Scenic Corridor and what development standards would be affected?

The ordinance, as it applies to the subsequent overlay district, will allow development consistent with the base zone district. Under the General Plan Draft EIR (DEIR), the ordinance must regulate development and design standards within each district in order to prevent “encroachment of incompatible land uses, maintain existing land forms and preserve important vegetative features”. The new Ordinance could include development standards for land use, limitations on slope and ridgeline development and grading, standards for color, material, architecture and landscape features, as well as retention of native vegetation and landforms in order to reduce impacts on the aesthetic value of adjacent land and scenic viewsheds. Some of these regulations can be based on existing General Plan implementation policies, such as slope development restrictions, stream setbacks, and the Integrated Natural Resource Management Plan when it becomes available. The ordinance will serve to further refine these regulations specific to the scenic corridors, incorporate them into one section of code for ease of use, and allow due process for flexibility, variations and appeals.

Under the Scenic Corridor Ordinance, design standards can either be cross-referenced to pertinent sections of the existing Ordinance, or be delineated within its own section, if different from basic standards. Specific design standards should address, at a minimum, building and roofing colors and material, window glazing, driveway construction, fencing and landscaping in an attempt to minimize visual impacts from development. Flexibility could be given on the base zone setbacks if it would allow better screening of structures. The overall goal would not be to restrict development, but to require that it blend in and be compatible with the surrounding scenic environment.

Issue #3: Does Scenic Corridor apply to single-family residences?

Analysis within the DEIR found that residential development without restrictions, “would present gaps in the County’s ability to protect and preserve scenic views and scenic resources within identified scenic viewsheds”, resulting in a significant impact on designated corridors. Therefore, the ordinance must apply the aforementioned standards to residential development on those parcels determined to be within the Scenic Corridor Overlay District. The application of standards can take the form of an administrative permit requiring staff level review for compliance with the Ordinance. Commercial and industrial development would require the current design review process to remain in effect, but the process would be streamlined under the Ordinance through clearly defined development and design standards.

Issue #4: Billboards in Scenic Corridors.

Specific regulatory direction is given in the General Plan under Objective 2.7.1, which calls for the “elimination of billboards along identified scenic and historic routes”. Policy 2.7.1.2 further specifies billboard removal or relocation outside of the scenic corridors with amortization. Concurrent with the Ordinance update, an amortization period should be established for signs

within the scenic corridor, as well as for other non-conforming signs. A County compensation fund must be established for the removal of non-conforming signs as required under State law. As an incentive for removing signs sooner rather than later, the amortization schedule and reimbursement rate could be inversely proportional.

Issue #5: Official tourist sign program.

The ordinance should encourage the use of existing sign programs offered by Caltrans, specifically the Tourist Oriented Directional Signs (TODS) program (Exhibit D). The purpose of the program is to “guide out-of-town travelers to California’s tourist attractions”, such as wineries, gift and craft shops, restaurants, and the like, if they meet certain qualifications. Under the State *Streets and Highways Code* §229.20, “no signs authorized by this chapter shall be posted on any scenic highway, unless the county board of supervisors of the county in which the sign will be placed grants approval. Approval shall be given upon a modification of, and shall be consistent with, any existing corridor protection ordinance.” The Board could consider approving the use of the TODS program concurrent with their adoption of the Ordinance.

Issue #6: What routes should be considered for scenic highway designation?

Under separate consideration, Policy 2.6.1.8 directs staff to pursue scenic highway designation for portions of State Route 49. State Route 49 in its entirety is considered eligible for scenic highway designation by the State. The nomination process will include submittal of an updated visual assessment of viewsheds listed in Table 5.3-1 of the DEIR that were based on the 1992 draft inventory (Exhibit E). A Resolution of Intention must be enacted by the Board as part of the application package. Following approval of the nomination, the Scenic Corridor Ordinance, if adopted, will be submitted to DTAC as the protection program for State Route 49 under the designation process.

Table 5.3-1 lists other scenic viewpoints along U.S. 193 and U.S. 88. U.S. 88 is already an officially designated scenic highway under Amador County’s authority. However, as a portion of the roadway lies on the boundary between both counties, those parcels along the northern side of the corridor would be subject to the El Dorado County Ordinance. The great majority of these parcels are under federal or El Dorado Irrigation District ownership. Five parcels are under separate, private ownership, and several parcels each are under ownership of both Kirkwood Mountain Resort and Sierra-Pacific Industries. As the two companies’ commercial existence relies on the use, maintenance, enhancement and replenishment of natural resources, very little impact should occur on scenic viewsheds from their parcels. However, any proposed development of private property along this corridor would be subject to review under the El Dorado County Scenic Corridor Ordinance.

Caltrans also allows local roadways to be included in the program as long as they meet the criteria for nomination. Table 5.3-1 lists other major County roadways possessing scenic qualities, as well as U.S. 193. The County needs to decide which of these roads, if any, should be included in the *State Scenic Highway System*.

RECOMMENDATION

Provide staff with comments and direction regarding the draft document, as follows:

1. The Commission should discuss whether to pursue utilizing GIS viewshed technology and whether it can be done with County GIS specialists or would require contracting private consultants.
2. The Commission should discuss hiring a consultant to develop the amortization period and rate of reimbursement schedules for billboard removal.
3. The Commission should discuss whether the TODS program is something the County wants to adopt for the scenic highway corridors.
4. The Commission should discuss when the nomination process for SR 49 should begin.
5. The Commission should discuss whether U.S. 193 or any of the major local roadways listed in Table 5.3-1 of the DEIR should be nominated for inclusion within the scenic highway program.

ATTACHMENTS

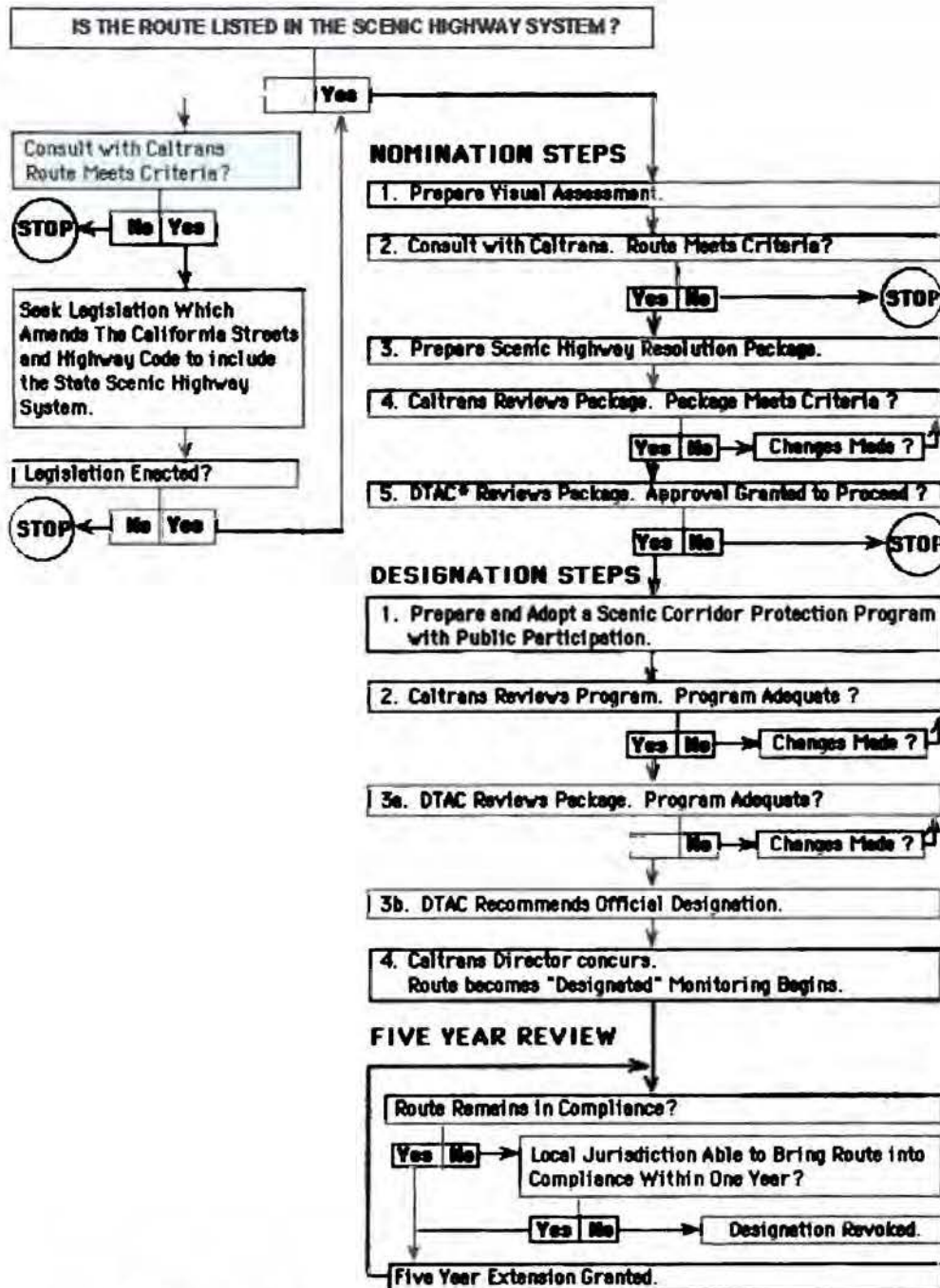
- Exhibit A: General Plan Policies
Exhibit B: Caltrans Scenic Highways Guidelines
Exhibit C: 1992 Review Draft El Dorado County Scenic Highways Ordinance
Exhibit D: Caltrans TODS program
Exhibit E: DEIR Table 5.3-1: *Important Public Scenic Viewpoints*
Exhibit F: Sample Ordinances:
- Amador County
 - Lake County
 - Nevada County
 - TRPA

ADMINISTRATIVE DRAFT

- Policy 2.6.1.1 A Scenic Corridor Ordinance shall be prepared and adopted for the purpose of establishing standards for the protection of identified scenic local roads and State highways. The ordinance shall incorporate standards that address at a minimum the following:
- A. Mapped inventory of sensitive views and viewsheds within the entire county;
 - B. Criteria for designation of scenic corridors;
 - C. State Scenic Highway criteria;
 - D. Limitations on incompatible land uses;
 - E. Design guidelines for project site review, with the exception of single family residential and agricultural uses;
 - F. Identification of foreground and background;
 - G. Long distance viewsheds within the built environment;
 - H. Placement of public utility distribution and transmission facilities and wireless communication structures;
 - I. A program for visual resource management for various landscape types, including guidelines for and restrictions on ridgeline development;
 - J. Residential setbacks established at the 60 CNEL noise contour line along State highways, the local County scenic roads, and along the roads within the Gold Rush Parkway and Action Program;
 - K. Restrict sound walls within the foreground area of a scenic corridor; and
 - L. Grading and earthmoving standards for the foreground area.
- Policy 2.6.1.2 Until such time as the Scenic Corridor Ordinance is adopted, the County shall review all projects within designated State Scenic Highway corridors for compliance with State criteria.
- Policy 2.6.1.3 Discretionary projects reviewed prior to the adoption of the Scenic Corridor Ordinance, that would be visible from any of the important public scenic viewpoints identified in Table 5.3-1 and Exhibit 5.3-1 of the El Dorado County General Plan Draft Environmental Impact Report, shall be subject to design review, and Policies 2.6.1.4, 2.6.1.5, and 2.6.1.6 shall be applicable to such projects until scenic corridors have been established.
- Policy 2.6.1.4 Commercial designations on U.S. Highway 50 interchanges will be considered for commercial development as part of the General Plan review pursuant to Policy 2.9.1.2.
- Policy 2.6.1.5 All development on ridgelines shall be reviewed by the County for potential impacts on visual resources. Visual impacts will be assessed

and may require methods such as setbacks, screening, low-glare or directed lighting, automatic light shutoffs, and external color schemes that blend with the surroundings in order to avoid visual breaks to the skyline.

- Policy 2.6.1.6 A Scenic Corridor (-SC) Combining Zone District shall be applied to all lands within an identified scenic corridor. Community participation shall be encouraged in identifying those corridors and developing the regulations.
- Policy 2.6.1.8 In addition to the items referenced in Policy 2.6.1.1, the Scenic Corridor Ordinance shall consider those portions of Highway 49 through El Dorado County that are appropriate for scenic highway designation and pursue nomination for designation as such by Caltrans.
- Policy 2.7.1.2 Existing billboards within scenic corridors shall be removed or relocated out of the corridor allowing an adequate time period for billboard owners to amortize the value of their signs pursuant to an amortization schedule to be included in the Sign Ordinance.
- Policy 6.5.1.5 Setbacks shall be the preferred method of noise abatement for residential projects located along U.S. Highway 50. Noise walls shall be discouraged within the foreground viewshed of U.S. Highway 50 and shall be discouraged in favor of less intrusive noise mitigation (e.g., landscaped berms, setbacks) along other high volume roadways.



*DTAC: Departmental Transportation Advisory Committee

ORDINANCE NO. _____

THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO DOES
ORDAIN AS FOLLOWS:

Section 1. Chapter 17.76 is hereby added to Title 17 of the El Dorado County
Ordinance Code to read as follows:

CHAPTER 17.76

SCENIC CORRIDOR (SC) OVERLAY ZONE

Sections:

| | |
|-------------------|-----------------------------------|
| Section 17.76.010 | Purpose |
| Section 17.76.020 | Designation of Scenic Corridors |
| Section 17.76.030 | Permitted Uses |
| Section 17.76.040 | Uses Prohibited |
| Section 17.76.050 | Uses requiring special use permit |
| Section 17.76.060 | Design Review Required |
| Section 17.76.070 | Development Standards |
| Section 17.76.080 | Parking |
| Section 17.76.090 | Landscaping |
| Section 17.76.100 | Earthmoving and Grading |
| Section 17.76.110 | Outdoor Advertizing |
| Section 17.76.120 | Utility Lines |
| Section 17.76.130 | Lighting |
| Section 17.76.140 | Definitions |

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| Section 17.76.110 | Outdoor Advertizing |
| Section 17.76.120 | Utility Lines |
| Section 17.76.130 | Lighting |
| Section 17.76.140 | Definitions |

Section 17.76.010 Purpose

The purpose of the standards and regulations established in this chapter is to:

- A. Protect and enhance the scenic quality and visual appearance of historical areas and views from the roadways, retain unusual and attractive natural features within the scenic corridors along designated scenic highways, byways and roads in El Dorado County;
- B. Protect and enhance the beauty, amenities, and quality of life of El Dorado County;
- C. Protect agricultural, rural, and residential districts adjoining county scenic highways from adverse impacts of excessive development, excessive number or sizes of nearby signs, and unsightly conditions;
- D. Prevent incompatible and uncontrolled alterations of existing land forms and vegetative habitats by grading, excavation, development and uncontrolled land management practices;
- E. Eliminate unsightly conditions which may be unduly distracting to, and may impair the safety of, highway users;
- F. Create a favorable public image that will encourage economic development and tourism within the county and to; and
- G. Insure the enhancement of property values in areas through which the scenic highway is located.

All these purposes are intended to spur community pride and contribute to the well being and enjoyment of residents and visitors to El Dorado County.

Section 17.76.020 Designation of Scenic Corridors

The Scenic Corridor (SC) Zone shall be combined with one or more base zones and shall apply in addition to the regulations of the base zone. The provisions of this Chapter shall govern in those cases where they differ with the regulations in the base zone.

A. The Scenic Corridor Zone shall apply to all land as described below:

| <u>Scenic Highways</u> | <u>Designated Scenic Corridors</u> <u>Min. Corridor Width</u> |
|----------------------------|--|
| 1. All of State Highway 50 | All areas as shown on the Scenic Highway 50 SC Overlay Map as adopted by El Dorado County, which is here/by incorporated by reference. |

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Section 17.76.030 Permitted Uses

All uses permitted in the base zone district with which the SC District is combined except as prohibited in Section 17.76.040.

- A. All uses shall be subject to design review except single family homes and accessory structures.

1 **Section 17.76.040 Uses Prohibited**

2
3 The following uses shall be prohibited within the Scenic Corridor Zone:

- 4
5 (1) Outdoor maintenance yards, auto storage yards, and storage of
6 inoperable motorized equipment;
- 7 (2) Outdoor storage yards for building supplies, garden supplies, or
8 any other supplies;
- 9 (3) Billboards or off-site, outdoor advertizing signs and displays;
- 10 (4) Auto repair, muffler shop, radiator repair, auto painting and auto
11 body repair uses except for incidental auto repair where in
12 conjunction with automotive sales and where contained completely
13 indoors and screened from public view;
- 14 (5) Truck transfer stations;
- 15 (6) Junk yards;
- 16 (7) Dumps, landfills, and trash incinerators;
- 17 (8) Scrap metal processing facilities;
- 18 (9) Automotive dismantling facilities;
- 19 (10) Commercial slaughter houses and rendering plants;
- 20 (11) Auto rental and truck rental storage lots;
- 21 (12) Mini storage and warehouses;
- 22 (13) Temporary structures except those used in conjunction with and
23 during construction projects;
- 24 (14) Mineral extraction, mining, quarrying, excavation, and drilling;
- 25 (15) Processing and stockpiling of rock, sand, gravel, decomposed
26 granite, and similar materials;
- 27 (16) Rock crushing plants, washing, screening, and drying facilities and
28 equipment, and concrete batching plants;
- 29 (17) Any other use which is determined by the County Board of
30 Supervisors to be of the same general character of other prohibited
31 uses or to be in conflict with the intent of this zone.

1 **Section 17.76.050 Uses requiring special use permit**
2

3 **Uses permitted with a special use permit in a SC District are all those use**
4 **conditionally permitted by the underlying base zone district with which the SC**
5 **District is combined, and in addition, those uses listed herein.**
6

- 7 (1) **Communications and transmission towers;**
 (2) **Development on ridge tops and hillside areas with slopes over**
 20%;
 (3) **Multifamily housing developments;**
 (4) **Cattle, hog feed lots, animal stock yards, corrals and high-density**
12 **livestock uses;**
13 (5) **Manufacturing industries;**
14 (6) **Mobile home parks;**
15 (7) **Auto rental lots;**
16 (8) **Growing or harvesting of forest products, whether planted or of**
17 **natural growth, including Christmas trees and nursery stock for**
18 **restocking commercial forest land, or for retail trade.**

1 **Section 17.76.060 Design Review Required**

2
3 Prior to the issuance of a building permit in the SC Zone, all development
4 proposals, except individual single family homes, shall submit a development
5 plan to be approved through the design review process.

- 6
7 A. All applications for design review shall submit development plans which
8 shall include landscaping; signs; visual screens; the number, location and
9 extent of access points from the street(s); the location and design of all
10 buildings, structures, and off-street parking; and any other conditions
11 deemed essential to insure the compatibility of the proposed uses with the
12 intent of this Chapter.

Section 17.76.070 Development Standards

The following property development standards shall apply to all land and structures in the SC Zone. In all cases, the minimum standard shall be that of the base zone or the SC Combining Zone, whichever is more restrictive.

A. Development Types

All property within the scenic highway overlay zone shall be identified as rural, semi-rural, or non-rural development types according to the base zone designation.

Table 17.76.070-A: Development Typology

| Base Zone | Foreground | | | Back-ground |
|--------------|-------------------------------------|-------------|---|----------------|
| | Rural | Semi-Rural | Non-Rural | |
| Agricultural | AE, PA | A | — | All Base Zones |
| Residential | R-20, R-40 R-60, RA-80 RA-160 | RE-10, RE-5 | R1, R1A, R2 RM, RT, R2A R20, 000, R3A MH, MP | |
| Commercial | | | C, CPO, CP CG | |
| Industrial | | | R&D, I | |
| Other | O.S., Cons. TC, TPZ, MR TP | TC | AA, TC, RF, C, CPO, CP | |

2 **B. Development Standards.** The minimum development standards for each
3 development types shall be as follows.

4
5 **Table 17.76.070-B. Development Standards**

6 (1) Building Setbacks

7

| | Foreground | | | Background |
|--------------------------------------|------------|------------|-----------|------------------------------------|
| | Rural | Semi-Rural | Non-Rural | |
| 8 9 10 11 12 Frontyard | 35' | 35' | 20'* | Base zone requirements shall apply |
| 13 14 Backyard | 35' | 35' | 20' | Base zone requirements shall apply |
| 15 16 17 Sideyard | 10' | 10' | 5' * | Base zone requirements shall apply |

18 * Except for designated historic districts, where the base zone applies.

(2) Building Setbacks from Scenic Highway Rights-of-Way

| Type of Road | Foreground | | | | Background |
|---|------------|------------|-----------|-----------|------------------------------------|
| | Rural | Semi-Rural | Non-Rural | | |
| | | | Res. | Com. | |
| Four-lane divided scenic highway-limited access | 200' | 200' | 200' | 35' | Base zone requirements shall apply |
| Four-lane scenic highway or county road | 100' | 100' | 100' | 35' | Base zone requirements shall apply |
| Two or three lane scenic highway or county road | Min. 35' | Min. 35' | Min. 20' | Min. 20'* | Base zone requirements shall apply |

* Except for designated historic districts, where the Base zone applies.

(3) Minimum Lot Size

| | Foreground | | | | Background |
|------------------|------------|------------|-----------|-----------------|------------------------------------|
| | Rural | Semi-Rural | Non-Rural | | |
| | | | Res. | Com. | |
| Minimum lot size | 10 ac. | 5 ac. | 3 ac. | 10,000 sq. ft.* | Base zone requirements shall apply |

* Except for designated historic districts, where the base zone applies.

(4) Minimum Lot Width

| | Foreground | | | | Background |
|-------------------|------------|------------|-----------|------|------------------------------------|
| | Rural | Semi-Rural | Non-Rural | | |
| | | | Res. | Com. | |
| Minimum lot width | 150' | 150' | 100' | 50'* | Base zone requirements shall apply |

* Except for designated historic districts, where the Base zone applies.

(5) Maximum Lot Coverage

| | Foreground | | | | Background |
|----------------------|------------|------------|-----------|------|------------------------------------|
| | Rural | Semi-Rural | Non-Rural | | |
| | | | Res. | Com. | |
| Maximum lot coverage | 5% | 10% | 35% | 35% | Base zone requirements shall apply |

(6) Maximum Height

The maximum height of buildings, structures or accessory structure shall not exceed 35 feet or 3 stories, measured from finish grade, except for chimneys, belltowers, steeples, or other special architectural features which may extend beyond the 35-foot height limit, but shall not exceed 50-feet. Signs and sign heights shall be limited in height per Section 17.76.110.

(7) Required Landscape Screening

A 20-foot landscaped setback is required adjacent to scenic highways, except for designated historic districts where the buildings may have a 0-foot setback

1 from the front right-of-way. Landscape screening shall be in accordance with
2 Section 17.76.090.C.

3
4
5 **C. Building design**

6
7 All buildings constructed in the scenic highway corridor or visible from a scenic
8 highway shall be designed by a licensed architect in the State of California to blend in
9 with surrounding landscape community and preserve the rural character of El Dorado
10 County.

- 11
12 (1) Building materials and colors shall not detract from the surrounding
13 landscape community. Use of earth tone colors, and natural materials
14 are recommended. Use of wood, stone, concrete, marble, granite,
15 polished granite, tiles, and decorative block, brick, and/or stucco is
16 preferable. Large expanses of glass, reflective or mirror glass and steel
17 in curtain wall construction are inappropriate.
18
19 (2) Special consideration shall be given in the design review process to the
20 design and materials used for roofs where the scenic roadway is
21 elevated above the grade level of structures.
22
23 (3) All roof top equipment, air conditioning units, elevator shafts, and
24 other mechanical equipment shall be screened from view.
25
26

27 **D. Construction on steep slopes**

- 28
29 (1) No roadways, driveways or parking shall be constructed on slopes in
30 excess of 15%, except where necessary to provide access to areas of less
31 slopes.
32
33 (2) All cuts and fills on roadways or driveways are to be restored to blend
34 with the natural, surrounding topography.
35

- 1 (3) Buildings and parking areas constructed on slopes over 15% shall
2 conform to the following criteria:
3
4 (i) All structures and parking located on slopes over 15% shall be
5 constructed utilizing pier and beam techniques or shall be
6 terraced and consolidated into the hillside.
7
8 (ii) Structural excavation shall not exceed a maximum of eight feet
9 in depth.
10
11 (iii) Padding of lots for building construction is prohibited.
12
13 (iv) Terraced fill and retaining walls shall be a maximum one to
14 one grade, and limited to four feet in height for each terrace.
15 More than one level of terrace is permitted.
16
17 (v) Areas of cut and fill shall be limited to a maximum of three to
18 one (3:1). Areas of cut and fill not hidden from view shall be
19 effectively screened by additional landscaping.
20
21
22

23 E. Fencing

24 Fencing within the foreground of scenic corridors shall be constructed of
25 natural materials such as wood or stone, and shall be designed to maintain the
26 rural character of the scenic corridor.
27

- 28
29 (1) Chain link fencing topped with barbed wire or razor wire is not
30 permitted.
31
32 (2) Fencing adjacent to a designated scenic roadway in all rural and semi-
33 rural areas shall be of an open construction that does not totally restrict
34 views to the foreground and background unless otherwise approved
35 by Design Review and in those cases where fencing is used for
36 purposes of screening objectional views and uses.

2
3

- (3) All fencing used for screening shall be screen landscaped with appropriate landscape materials unless otherwise approved by Design Review.

1 Section 17.76.080 Parking
2

- 3 A. All parking lots shall be landscaped in accordance with Section 17.76.090
4 Landscaping and the County Parking Ordinance, Chapter _____.
5
6 B. Delivery bays, loading docks, and entries to trash enclosures shall not face
7 onto, open onto, or be visible from any scenic highway.
8
9 C. Roll-up doors shall not face onto or be visible from any scenic highway.
10
11 D. A minimum of five (5) feet shall be maintained between any building or
12 structure, including any walkway, and the surface of the parking area. This
13 space shall be landscaped with appropriate plant material as approved through
14 the Design Review Process.
15
16 E. Direct access onto any scenic highway shall be limited to one point of ingress
17 and egress per lot. The maximum width of driveways is thirty (30') feet.
18
19 F. Large expanses of undefined paving areas within the front setback area with
20 cars backing onto the street right-of-way shall not be permitted. However,
21 curb-side street parking or angled street parking may be permitted on local,
22 commercial streets with designated or posted speed limits of 25 mph or less
23 when located in front of commercial establishments with store fronts adjacent
24 to the front property line.

Section 17.76.090 Landscaping

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- 35
- A. Landscaping plans by a licensed landscape architect shall be required as part of development plans within the scenic corridor and approved through the design review process.
- B. Landscaping shall be consistent with the predominant underlying native plant community and fit the vegetation native to the area. Plant materials are intended to minimize irrigation, care and maintenance, to be visually non-obtrusive, and to be biologically non-intrusive to the underlying native plant community.
 - (1) A minimum fifty (50%) percent of all required landscaping materials shall consist of plant species native to the underlying plant community of the area.
 - (2) Exotic or introduced plant species not consistent with the underlying plant community in the surrounding area shall be approved by Design Review.
- C. Landscaping shall be used to screen views of development from a scenic highway. A frontage buffer zone along all scenic highways shall contain an appropriate visual screen consisting of existing or installed landscape materials comprised of approved trees, shrubbery, and ground cover.
 - (1) Screen plantings for perimeter areas shall be a minimum of ten (10') feet in width.
 - (2) Plant species shall be used so that full screening from the roadway is achieved within ten (10) years of project completion.
 - (3) Vegetation used for screening shall be equally effective at all times of the year.
- D. Landscaping shall be required for all new or expanded parking lots. Parking lot landscaping shall provide both interior and perimeter landscaping.

1 (1) All open surface parking lots shall be landscaped with a minimum of
2 one tree for every four (4) parking stalls.

3
4
5 (2) Parking lot landscaping shall be placed on the site to screen parked
6 cars from being visible from the scenic roadway and to provide for
7 shading of parking stalls.

8 (3) Parking lot landscaping shall be planted to provide shade over 50% of
9 all paved surfaces during summer months within ten (10) years of
10 project completion.

11
12 E. No mature trees of more than 6 inches in diameter at three feet height from
13 grade shall be removed without approval of the Planning Director. If a mature
14 tree is removed, trees of like kind or species shall be replaced in the area, at
15 a ratio of 3 to 1.

16
17 F. The property owner shall be responsible for maintaining all landscaping in
18 good condition to present a healthy, neat and orderly appearance for the life
19 of the development. Dead or diseased planting shall be replaced immediately.

20
21 G. All solid fencing, screen fencing and sound walls shall be screened from view
22 from scenic highways with screen planting materials appropriate to the
23 underlying native plant community.

24
25 H. All required landscaping shall use a minimum of 15 gallon tree size in all
26 landscaped areas.

Section 17.76.100 Earthmoving and Grading

A. Earthmoving, grading and alterations to the natural or artificial land contours shall be limited as follows:

- (1) No major ridge lines shall be altered.
- (2) All roads, driveways and parking lots shall be located to keep grading to a minimum and follow the natural contours of hillsides.
- (3) Dust shall be controlled on all surfaces.
- (4) Any contour altered by grading shall be restored by means of land sculpturing and replacing a cover of top soil in such a manner as to minimize runoff and erosion, and prevent ponding of water.
- (5) Any graded area shall be planted with native plant materials consistent with the underlying native plant community in the area, so as to minimize care, irrigation, and to be compatible with the existing natural ground cover.
- (6) Alterations of stream beds or destruction of adjacent vegetation is not permitted.
- (7) No cut or fill shall exceed a 3:1 slope, unless as a means of preserving the natural scenic quality of existing hillsides as required by the Board of Supervisors.
- (8) No exposed retaining wall, shall exceed six (6') feet in height, except to preserve the natural scenic quality of the landscape as approved by Design Review.

Section 17.76.110 Signs

All signs are subject to the requirements under Chapter 17.16 Signs, except as further regulated herein below.

A. On-premise signs and off-premise signs are subject to the following limitations.

- (1) One free-standing sign may be installed on any lot to direct attention exclusively to a business, profession, service, or entertainment conducted on the premises.
- (2) One sign may be installed on any street frontage of any lot pertaining only to the sale rental, or lease of the premises upon which displayed.
- (3) When the sign consists of only designs, letters, or figures, the total area of the sign shall be the area of the smallest rectangle or circle in which all of the sign may be inscribed.
- (4) Traffic directional signs and other signs necessary to the functioning of a establishment shall be permitted whenever the type, size and location of such signs are first approved through design review.

B. Informational panels providing direction and information regarding points of interest, non-commercial in nature, are permitted subject to design review approval.

Section 17.76.120 Utility Lines

2
3 All new development or changes to existing structures shall underground all utilities
4 within a Scenic Corridor. All extensions or relocations of electric, cable or telecommu-
5 nication distribution and service lines visible from the scenic highway must be placed
6 underground.

7
8 A. An exception may be made if the Public Utilities Commission finds that such
9 undergrounding is infeasible because of terrain, soil, conditions or geological
10 problems.

11
12 B. Utility companies shall coordinate in the planning stage with the Planning
13 Commission on the location or relocation of all transmission lines that would
14 be within view of a scenic highway.

15
16 C. Where undergrounding would be impossible, an exception can be made by the
17 Board of Supervisors subject to the following conditions:

- 18
19 (1) Avoid prominent and barren sides of mountains or hills;
20 (2) Keep alignment along the bottom or lower slopes and valleys between
21 hills;
22 (3) Avoid crossing hill contours at right angles; and
23 (4) Avoid steep grades which expose the right-of-way to view from a
24 scenic highway, byway or county scenic road.

1 **Section 17.76.130 Lighting**
2

3 **A. All exterior lighting used to illuminate buildings, parking lots or landscape**
4 **areas shall be controlled to avoid glare or reflection on any adjoining property.**

5
6 **B. All exterior lighting for signs and landscaping shall be turned off when**
7 **businesses are not open.**

8
9 **C. All lighting for parking lots, parks, ball fields, streets, and driveways and other**
10 **on-site lighting shall be shielded to avoid glare, reflection into the sky, and**
11 **direct illumination visible from the Highway 50 corridor.**

Section 17.76.140

Definitions

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background

The visual areas of a scenic corridor that is beyond the immediate visual foreground area adjacent to a scenic highway. Background areas form a visual backdrop, usually in the form of expansive views of valleys, ridgelines, or distant mountains, providing harmony or contrast, which forms the surroundings or setting against which the foreground is seen.

byway

Any backway, back road, highway, historic route, leisure way, loop, parkway, rustic road or trail, or roadways of cultural or historic significance, but not a limited access highway, designated by El Dorado County because of its scenic quality and enjoyment.

foreground

That part of a scenic corridor nearest to the right-of-way of a scenic highway.

hillsides

Any area of a lot with slopes over twenty (20%) grade.

lot coverage

The percentage of the lot that is covered by all buildings, accessory structures, roofed or otherwise covered structures that are higher than three (3') feet above ground level, excluding allowable projecting eaves, balconies, open decks, patios, pools, and similar features.

non-rural

Urbanized areas of development where land is generally developed or primarily used for higher intensity residential, commercial, or industrial uses in the pattern of villages, towns, cities, or standard single family residential subdivisions.

parking coverage

The percent of a lot covered by impermeable surfaces for the use of parking, vehicular circulation and driveways exclud-

1 ing pedestrian, paths and sidewalks, patio areas, open decks,
2 and hard surface recreation surfaces.

3
4 **proximity** Any 660 feet from each edge of the right-of-way of designat-
5 ed state scenic highway.

6
7 **right-of-way** An area or strip of land, either public or private, on which
8 a right-of-passage has been recorded, occupied or intended
9 to be occupied by a street for the use of vehicles or pedestri-
10 ans, crosswalk, railroad, electric transmission line, oil or gas
11 pipeline, water main, sanitary or storm sewer main, shade
12 trees, or other special uses.

13
14 **road, public** All public property reserved or dedicated for streets,
15 pedestrian, equestrian, bicycle or vehicular traffic.

16
17 **rural** A sparsely developed area where the land is generally
18 undeveloped or primarily used for agricultural purposes.

19
20 **scenic area** An area of natural or human made features which are
21 visually, historically, culturally, geologically, or botanically
22 significant or unique.

23
24 **scenic corridor** A strip of land on each side of a stream or roadway that is
25 generally visible to the public travelling on such a route.

26
27 **scenic easement** An easement, the purpose of which is to limit development
28 in order to preserve a view or scenic area.

29
30 **scenic highway** Any public highway, road, roadway, back road, byway, or
31 other public travel way established by the county to manage
32 development on either side in order to preserve its scenic,
33 visual or historic quality.

34
35 **screening** The method by which a view of one site from another
36 adjacent site or roadway is shielded, concealed, obscured, or

| | | |
|----|----------------|--|
| 1 | | hidden. Screening techniques include fences, walls, densely |
| 2 | | planted landscaping, berms, or other architectural or |
| 3 | | landscape features. |
| 4 | | |
| 5 | semi-rural | A sparsely developed area where the land is generally |
| 6 | | undeveloped or primarily used for large lot (of a minimum |
| 7 | | of five acres) residential development, estate homes, and |
| 8 | | agricultural purposes. |
| 9 | | |
| 10 | street | A public state, county, municipal, or private thoroughfare, |
| 11 | | vehicular way or roadway used, or intended to be used for |
| 12 | | passage or travel by motor vehicles, bicycles, or pedestrians; |
| 13 | | and which is shown upon a legal plat approved pursuant to |
| 14 | | law; or is approved by other official actions. |
| 15 | | |
| 16 | limited access | A highway with limited access points at major interchanges |
| 17 | highway | with no crossings at the street grade. |
| 18 | | |
| 19 | visible | Any area, structure, or part of a structure which can be seen |
| 20 | | from the right-of-way of a scenic highway. |

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| | <u>Scenic Highways</u> | <u>Designated Scenic Corridors</u> <u>Min. Corridor Width</u> |
|----|---|---|
| 2. | All of State Highway 49 | All land within 660 feet on either side of the right-of-way of State Highway 49. |
| 3. | All of State Highway 88 | All land within 660 feet on either side of the right-of-way of State Highway 88. |
| 4. | All of State Highway 89 | All land within 660 feet on either side of the right-of-way of State Highway 89. |
| 5. | All of State Highway 193 (Georgetown Road) | All land within 660 feet on either side of the right-of-way of State Highway 193. |
| 6. | All of Wentworth Springs Road | All land within 660 feet on either side of the right-of-way of the road. |
| 7. | All of Ice House Road | All land within 660 feet on either side of the right-of-way of the road. |
| 8. | North Canyon Road | All land within 660 feet on either side of the right-of-way of the road. |
| 9. | Green Valley Road | All land within 660 feet on either side of the right-of-way of the road. |

1
2

10. Mormon-Emigrant Trail

All land within 660 feet on either side
of the right-of-way of the road.



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[Home](#)

[Tourist Oriented](#)
[Directional Signs](#)
[Resources](#)

[TODS Regulations](#)

[TODS Coordinator List](#)

[TODS Application](#)

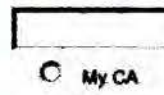
[Sign Specifications](#)

[Typical Sign Layout](#)
[1 Line of Text](#)

[Typical Sign Layout](#)
[2 Lines of Text](#)



TOURIST ORIENTED
DIRECTIONAL SIGNS



[Caltrans](#) > [Traffic Operations](#) > [Signs, Markings and Permits](#)

What is the TODS Program?

TODS is a California sign program that was authorized by California State Legislature through the passage of State Assembly Bill 2339 in 1994. The purpose of the program is to guide "out-of-town" travelers to California's tourist attractions. The Bill requires that Caltrans establish and charge a fee to place and maintain these generic TODS.

Does my business qualify?

Businesses such as wineries, gift shops, restaurants, arts and crafts shops, etc. can qualify if the eligibility requirements are met.

Signs are not allowed:

- On freeways and expressways
- On congested highways
- Within any city limits
- Within areas of population exceeding 50,000
- If the business is adjacent to and visible from the highway
- If business has on-premise or off-premise signing

Who do I contact?

To find out if your business can qualify, it is recommended that you contact the TODS Coordinator in the Caltrans District in which the sign will be installed. A list of all Caltrans

districts, the counties they include, and the phone numbers to call can be found [here](#).

What is the cost?

Signs must be fabricated and delivered to Caltrans by the applicant. No more than three TODS shall be allowed on one sign structure and no more than two sign structures shall be allowed at one intersection, one in each direction.

Caltrans Installs the sign(s)

The cost for one panel, one direction is \$400.00 for the initial permittee and Caltrans Maintenance maintains the sign panel(s).

\$70.00 - Non-refundable eligibility / application fee

\$30.00 - Annual Maintenance fee per panel per direction

\$300.00 - Installation / Processing fee per panel per direction

\$400.00 -Total TODS fee

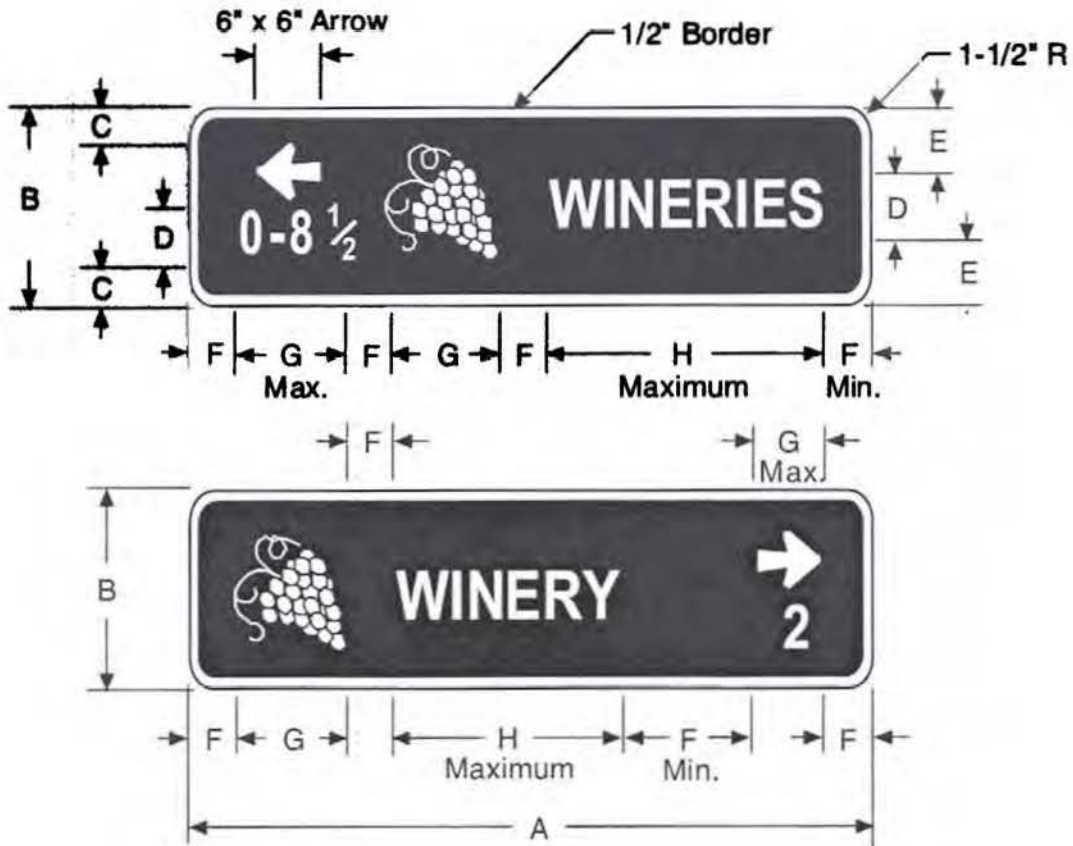
Last Updated on 06/10/2004

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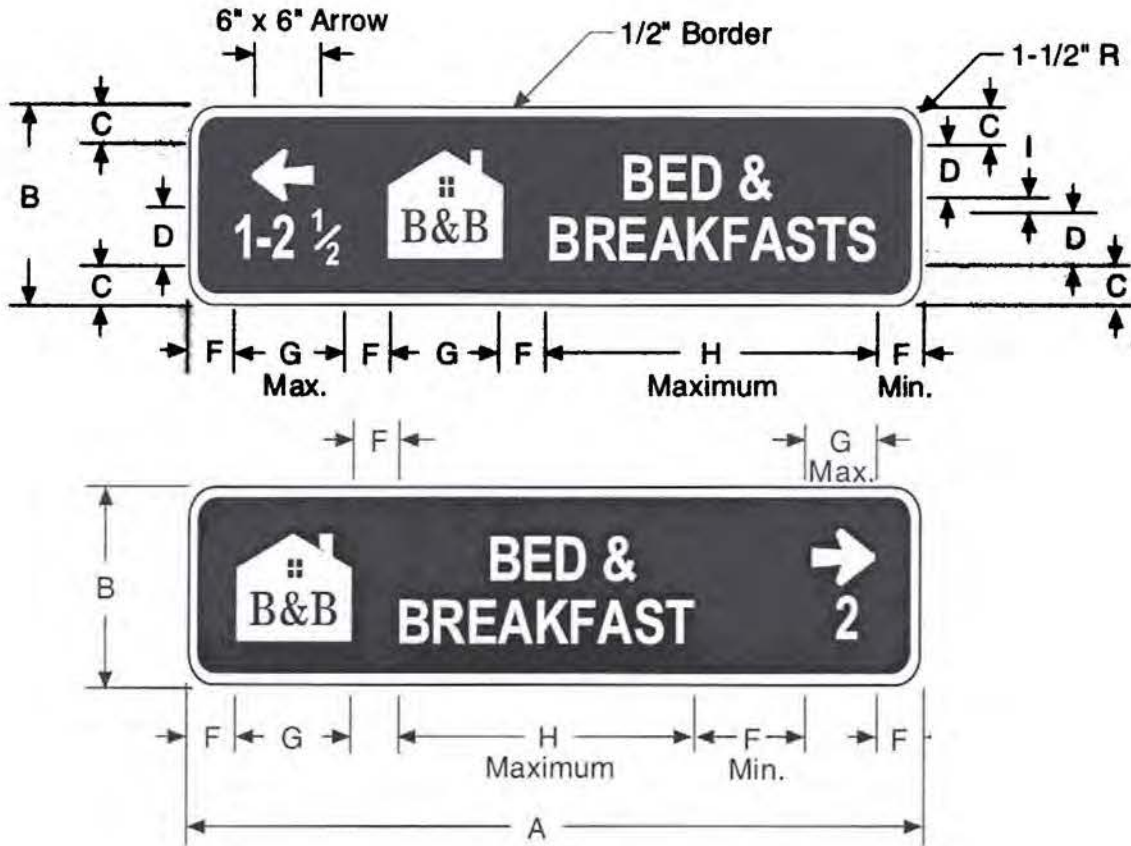
SG44-1
Lt. & Rt.

| SIGN SIZE (Inches) | DIMENSIONS (Inches) | | | | | | | |
|-----------------------|---------------------|----|-------|----|---|-------|----|----|
| | A | B | C | D | E | F | G | H |
| 72 x 18 | 72 | 18 | 2-1/2 | 6C | 6 | 2-1/2 | 12 | 38 |

| SIGN SIZE (mm) | DIMENSIONS (Millimeters) | | | | | | | |
|-------------------|--------------------------|-----|----|------|-----|----|-----|-----|
| | A | B | C | D | E | F | G | H |
| 1829 x 457 | 1829 | 457 | 63 | 150C | 152 | 63 | 305 | 965 |

COLORS
BORDER, SYMBOL & LEGEND - WHITE (RETROREFLECTIVE)
BACKGROUND - BLUE (RETROREFLECTIVE)

05/20/04



SG44-2
Lt. & Rt.

| SIGN SIZE (Inches) | DIMENSIONS (Inches) | | | | | | | | |
|-----------------------|---------------------|----|-------|----|---|-------|----|----|---|
| | A | B | C | D | E | F | G | H | I |
| 72 x 18 | 72 | 18 | 2-1/2 | 6C | 6 | 2-1/2 | 12 | 38 | 1 |

| SIGN SIZE (mm) | DIMENSIONS (Millimeters) | | | | | | | | |
|-------------------|--------------------------|-----|----|------|-----|----|-----|-----|----|
| | A | B | C | D | E | F | G | H | I |
| 1829 x 457 | 1829 | 457 | 63 | 150C | 152 | 63 | 305 | 965 | 25 |

COLORS
 BORDER, SYMBOL & LEGEND - WHITE (RETROREFLECTIVE)
 BACKGROUND - BLUE (RETROREFLECTIVE)

05/20/04

**Table 5.3-1
Important Public Scenic Viewpoints**

| Viewpoint | Location No. ¹ | Location | Direction | Scenic View or Resource ² |
|--------------------|---------------------------|--|---------------------------|---|
| Highways | | | | |
| U.S. 50 westbound | 1a | East of Bass Lake Road | South | Marble Valley (V) |
| | 1b | Between South Shingle Road/ Ponderosa Road interchange and Greenstone Road | East | Crystal Range (V) |
| | 1c | East of Placerville, various locations (state-designated scenic highway) | East, north, and south | Sierra Nevada peaks (V), American River canyon (V,R), lower Sierra Nevada ridgelines (V) |
| | 1d | Echo Summit | East | Christmas Valley (V), Lake Tahoe (V,R) |
| U.S. 50 eastbound | 2a | Between Echo Summit and Placerville (state-designated scenic highway) | West, north, and south | American River canyon (V,R), Sacramento Valley (V), lower Sierra Nevada ridgelines (V), Horsetail Falls (R) |
| | 2b | Camino Heights | West | Sacramento Valley (V) |
| | 2c | Bass Lake Grade | West | Sacramento Valley (V) |
| U.S. 49 northbound | 3a | Coloma | All | Historic townsite of Coloma (Marshall Gold Discovery State Historic Park) (R) |
| | 3b | Marshall Grade Road to Cool | East and west | Coloma Valley (V), American River (V,R), ridgelines (V), rolling hills (V) |
| | 3c | North of Cool Quarry | North | Middle Fork American River Canyon (V,R) |
| U.S. 49 southbound | 4a | Pedro Hill Road to Coloma | East and west | Coloma Valley (V), American River (V,R), Mt. Murphy (V,R), rolling hills (V) |
| | 4b | Coloma | All | Historic townsite of Coloma (Marshall Gold Discovery State Historic Park) (R) |
| | 4c | South of Crystal Boulevard | East and south | Cosumnes River canyon (V), ridgelines (V) |

**Table 5.3-1
Important Public Scenic Viewpoints**





| Viewpoint | Location No. ¹ | Location | Direction | Scenic View or Resource ² |
|--|---------------------------|--|---|---|
| U.S. 89 northbound | 5 | Emerald Bay to Sugar Pine Point | East | Lake Tahoe (R) |
| U.S. 89 southbound | 6 | Sugar Pine Point to Emerald Bay | East | Lake Tahoe (R) |
| U.S. 193 northbound (from Placerville to Georgetown) | 7 | Intersection with U.S. 49 to Kelsey | North, east, and west | American River canyon (V,R), ridgelines (V) |
| U.S. 193 southbound (from Georgetown to Placerville) | 8 | Kelsey to intersection with U.S. 49 | South, east, and west | American River canyon (V,R), ridgelines (V) |
| U.S. 88 westbound | 9 | Kirkwood to Omo Ranch Road | North and west, south into Amador County | Lower Sierra Nevada ridgelines (V) |
| U.S. 88 eastbound | 10 | Omo Ranch Road to Kirkwood | North and west, south into Amador County | Sierra Nevada peaks (V), lower Sierra Nevada ridgelines (V) |
| Other Major Roadways | | | | |
| Mormon Emigrant Trail (Iron Mountain Road) | 11 | Intersection with U.S. 88 to approximately 10 miles west of intersection | North | Sierra Nevada peaks (V), South Fork of the American River canyon (V,R), ridgelines (V) |
| Mt. Aukum Road (E16) | 12 | Crossings of the North and Middle forks of the Cosumnes River, road section north of South Fork of the Cosumnes River | All | Cosumnes River canyon(s) (V,R) |
| Omo Ranch Road | 13 | Between Omo Ranch and U.S. 88 | Various | Ridgelines (V), canyons (V,R) |

**Table 5.3-1
Important Public Scenic Viewpoints**

| Viewpoint | Location No. ¹ | Location | Direction | Scenic View or Resource ² |
|---|---------------------------|--|----------------|--|
| Icehouse Road | 14 | Peavine Road to U.S. 50 | South | American River canyon (V,R) |
| Salmon Falls Road Southbound | 15 | South of U.S. 49 to Folsom Reservoir | South and west | American River canyon (V,R), Folsom Reservoir (V,R) |
| Latrobe Road | 18 | From White Rock Road south to County Line | All | Rolling hills (V), occasional vistas of Sacramento Valley (V) |
| Wentworth Springs Road | 19 | East of Georgetown | All | Intermittent forest and ridge views (V), views of water bodies (Rubicon River, Stumpy Meadows Reservoir) (V) |
| Cold Springs Road | 20 | Gold Hill area | All | Rolling hills (V), ridgelines (V) |
| River Corridors | | | | |
| American River | N/A | Middle Fork forms the western part of the northern county boundary; South Fork meanders through the central part of the county | N/A | Middle Fork (V), South Fork (V, R) |
| Cosumnes River | N/A | North, Middle, and South Forks pass through south-central portion of the county to the southern boundary | N/A | North, Middle, and South Forks (V) |
| Rubicon River | N/A | Northern boundary in the central portion of the county | N/A | (V) |
| Truckee River | N/A | Upper Truckee River flows into Lake Tahoe at South Lake Tahoe | N/A | (V, R) |
| ¹ Location numbers correlate to location numbers in Exhibit 5.3-1. ² V=scenic view, R=scenic resource Source: EDAW 2003 | | | | |

**El Dorado County General Plan
Scenic Viewpoints and Highways
within El Dorado County**

LEGEND

-  Location Number*
-  Viewing Area
-  Viewpoint Directional Indicator
-  Caltrans-designated and Caltrans-eligible Scenic Highways

* Location Numbers correlate with Table 5.3.1

Source: U.S.G.S. Chico (1970) and Sacramento (1970) 1:250,000 Scale



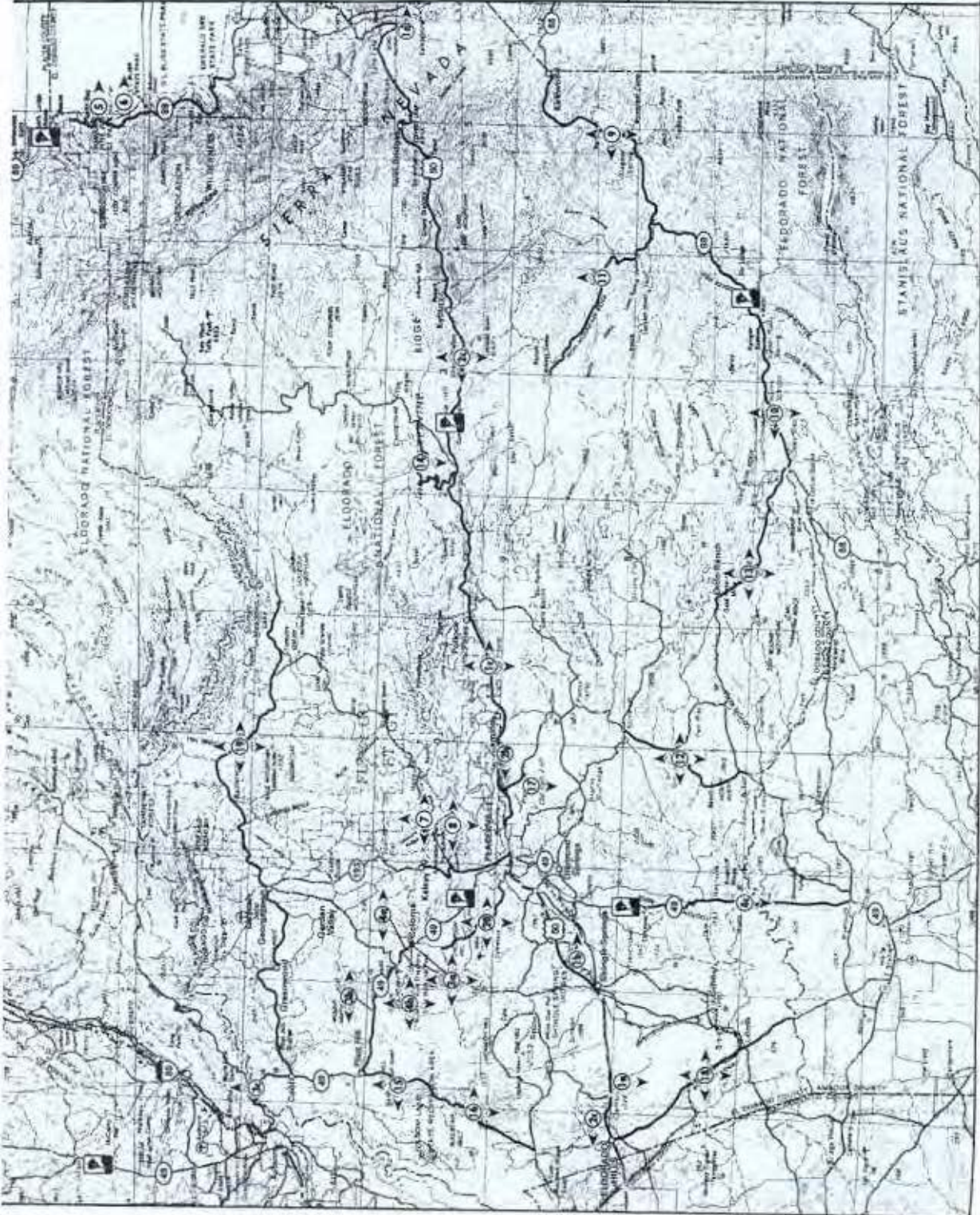
1 Inch = 5 Miles



May 2003

EDAW

Exhibit 5.3-1



SCENIC HIGHWAYS ELEMENT:

Background and Purpose of the Element

The California Streets and Highways Code has listed portions of two state highways in Amador County as being eligible for official designation as scenic highways:

- 1) The entire length of State Highway 49 between the El Dorado County line and the Calaveras County line.
- 2) State Highway 88 from the City of Jackson to the Alpine County line.

A scenic highways element was mandated to be included in a county general plan in 1971. The Government Code (Planning and Zoning Act) reads:

"65302(h). A scenic highway element for the development, establishment, and protection of scenic highways pursuant to the provisions of Article 2.5 (commencing with Section 260) of Chapter 2 of Division 1 of the Streets and Highways Code."

In 1974, Amador County jointly adopted a scenic highways element with the incorporated cities and the counties of Tuolumne, Calaveras and Alpine. A four phase implementation procedure was included in that element which was designed to eventually make the County eligible to seek full state recognition of these highways as being "scenic" in the state highways system. The eligibility criteria to be met is contained in Section 261 of the Streets and Highways Code which reads in part:

"261. The standards for official scenic highways shall...require that local governmental agencies have taken action as may be necessary to protect the scenic appearance of the scenic corridor...including but not limited to: (1) regulation of land use and intensity of development; (2) detailed land and site planning; (3) control of outdoor advertising; (4) careful attention to and control of earth moving and landscaping; and (5) the design and appearance of structures..."

Section 262 of this code declares that when the State Department of Transportation (Caltrans) "determines that the corridor protection program for any state highway... has been implemented by local government agencies and a plan and a program has been developed by the department for bringing such highway up to the standards for official scenic highways established by the department,... the department shall designate the highway as an official state scenic highway...". This section also requires state maps to indicate the status of the route and appropriate signs shall be placed and maintained along the route.

The Amador County Board of Supervisors has by resolution found that a portion of State Highway 88 between what is known as the Dew Drop Fire Station and the Alpine County line can be regulated in such a way as to meet the five criteria in Section 261 of the State Streets and Highways Code. The pertinent regulations

are either listed below as declaratory of existing County codes and general plan policies or are promulgated as part of this element.

The same Board resolution further requests that the State Department of Transportation conduct a corridor study and review of these regulations and if these land use restrictions are determined as being adequate, a declaration designating this portion of Highway 88 as "scenic" be made by the State Transportation Board.

Goal and Intent of the Element

The generalized goal of this Scenic Highways Element is to provide land use controls and regulatory safeguards to preserve and enhance an area of special and unique natural beauty and esthetic interest in Amador County which has been identified as being a basic resource in the economy of the County. In order to accomplish this goal, this element establishes design review controls which go beyond those possible under normal zoning-general plan review procedures. This is to ensure that future development within this corridor will attract rather than detract from the esthetics and the County will consequently retain the overall scenic value as well as economic resource value of State Highway 88. The general and specific regulations listed below are to be utilized by County staff as guidelines and criteria when reviewing projects. They are not meant to preclude nor replace the usual permit and CEQA review process and are meant to supplement the public hearing process. The intent is to satisfy the state requirements for a scenic highway and promote tourism.

Implementation - Policies and Regulations

a. Scenic Highway Corridor - Definition of Boundary

A scenic highway corridor 500 feet in width is hereby declared to exist on State Highway 88 between the Dew Drop Fire Station and the Alpine County line (refer to land use element map). This 500-foot scenic highway corridor shall be measured two hundred and fifty (250) feet at right angles from the centerline of the paved section of the road sides of the highway except where the 500-foot corridor has already been obtained by fee title or easement by the United States Forest Service. That 500 feet is described in a record of survey. The new two hundred and fifty feet shall be considered as a straight line dimension without regard to terrain features. The scenic highway corridor boundary shall be considered as an "overlay" of other land use, open space or conservation element classifications within the corridor.

b. Regulations - Generally

1) Notwithstanding the provisions of any other general plan element classification which may be within a scenic highway corridor, the following zone districts are the only ones which may be found to be consistent with the scenic highway corridor overlay: "R1A", "TPZ", "AG", "PD".

- 2) All development projects submitted to Amador County which are proposed to be located partially or wholly within the scenic highway corridor shall be submitted for review and comment to the Tri-County Technical Advisory Committee so long as it may be in existence. These projects shall include but not be limited to building permits, commercial recreation, or other use permits, land divisions, rezones, variances, grading permits, advertising signs and structures, etc.
- 3) Timber Harvest Plans submitted to the California Department of Forestry which are located partially or wholly in the scenic highway corridor and referred to Amador County for review and comment shall be reviewed with regard to any potential adverse impact on the scenic highway corridor. Amador County will take whatever measures are available to mitigate any significant adverse effects to scenic values which might result from a Timber Harvest Plan which has not, in the opinion of the County, adequately considered these scenic values.
- 4) The California Public Utilities Commission requires undergrounding of utilities "within 1,000 feet from each edge of the right-of-way of designated State Scenic Highways" and "...which would be visible from such scenic highways if erected above ground...". This State requirement will protect scenic highways from the intrusion of unsightly utility uses, such as poles, lines, etc.
- 5) In conjunction with existing policies 13 and 16 of the Land Use Element, non-appurtenant outdoor advertising structures (billboards) shall not be permitted in the scenic highway corridor. Appurtenant, or on-site advertising structures, shall be considered as permits requiring County review and approval prior to erection.

For the purposes of this section, the advertising structures used as directional and informational aids approved by the U.S. Forest Service and Caltrans for P.G. & E. concessionaires, private commercial recreation facilities, and public recreational facilities, shall be considered as appurtenant on-site advertising structures if located within a reasonable distance of the access road to these facilities. These recreational facilities specifically include but are not exclusively limited to the Bear River Resort, Kit Carson Lodge, Plasse's Resort, Iron Mountain Ski Resort, Kirkwood Ski Resort, etc. Alterations or replacement of appurtenant advertising signs shall require an approved permit which shall be treated the same as a new permit. Signs advertising the sale or lease of the property shall be exempt as long as they are a maximum of two (2) square feet in size.

c. Regulations - Site Specific

- 1) Development or other project applications shall be accompanied by the following if found pertinent by County staff:
 - (a) A detailed, full property plot plan indicating the proposed location and nature of improvements in relation to parcel boundaries.
 - (b) A statement describing the purpose and the scope of the project; both short and long-term plans for the project site.
 - (c) If necessary, an environmental impact assessment form (supplied by the County from the "State CEQA Guidelines").
 - (d) Applications for building permits and use permits shall contain architectural and/or artist's renderings of all structures which show the location of all structures in relation to lot lines; driveways; encroachment design onto State Highway 88; the front, side and rear views of any structures; and a detailed description of the types of materials to be used for exterior siding, foundations, roofing, balconies, porches, etc. Incomplete plans will be returned with a specific list of deficiencies. Such things as the use of wood or wood facade exteriors and fireproof shake or composition shingle roofing materials shall be required unless "as good or better" materials or design, in the opinion of the County, are proposed by the applicant. These alternative materials may include certain types of metal roofing and sidings if found equivalent in esthetic appearance to natural materials.
- 2) The exterior colors of the sides and roofs of structures and sign supports shall not contrast with natural colors in the area. Colors of stains, paints or finished building materials shall be shown to harmonize with the forest setting or they shall be denied. In general, natural "earth tones" and soft shades that will blend with the surroundings shall be required to achieve this harmony. Stains are preferable to paints and natural wood colors are encouraged. Examples of earth tone colors may include but are not limited to neutral or soft browns, redwood, weathered gray or gray-green, and dark greens. Artist's renderings of the proposed colors or actual paint samples shall be submitted as part of the project or permit plans. Roofs and outside trim shall not have colors which sharply contrast with the colors of the remainder of the structure. The County may deny incompatible proposed structural coloring and the County may deny colors found to be inconsistent with the objectives of the Scenic Highway Element.

Owners or tenants shall not remodel, repaint or otherwise alter the appearances of approved structures unless the improvements are found to be substantially in conformance with the originally approved plans or the improvements are processed in accordance with the procedures required elsewhere in this element.

- 3) Commercial structures shall be restricted to having only two occupancy floor levels. Subsurface basement levels or underground parking shall not be considered an occupancy level. Any requested use permits for excessive building or sign height above the 35 foot building height limitation in the Amador County Code, "RIA" District, will be recommended for denial unless the use permit can be found to be in conformance with the objectives of the Scenic Highway Element.
- 4) Proposals to cut, fill or otherwise move more than fifty cubic yards of earth shall require an engineered grading plan to be filed with the Building Department prior to any work taking place. This grading plan shall include a statement as to the effects on off-site drainage. Radical cuts or fills which, in the opinion of the County, are contrary to the Goal and Intent for which the scenic highway corridor was adopted may be denied by the County.
- 5) A landscaping plan shall be submitted as part of the application for any project or permit within the scenic highway corridor. The plan shall include a plot plan showing the location of existing mature trees and shall indicate their ultimate disposition at the completion of the project. The landscaping plan shall indicate where the applicant is proposing to plant vegetation and the type of vegetation. Following review and recommendations from the Tri-County Technical Advisory Committee the County may require landscaping as a condition of project or permit approval. The County may require the retention of mature trees where it can be found that their removal is not essential to the construction of the project or permit. Attempts by a property owner to circumvent this requirement by removing trees prior to a project application could result in a much more stringent and expensive landscaping plan being required.

As a condition of the approval of a landscaping plan the County may require the planting of native species of trees and shrubs to ensure high survival rates and low maintenance. "As good or better" landscaping proposals submitted by the applicant may be approved in lieu of native species.

- 6 Project or permit plans shall include any on-site advertising sign plans proposed by the applicant. These plans shall show the location of sign(s), the design and construction materials, the colors, and a drawing of the advertising display. Signs shall not have flashing lights and any sign illumination shall be shielded to prevent glare. Signs attached to commercial structures shall not project above the roof line or cornice line of the commercial structure. Free standing signs shall have a minimum setback of twenty-five feet from the edge of pavement of any County Road or State Highway 88.

All sign proposals shall be reviewed and recommendations made by the Tri-County Technical Advisory Committee. Signs that are not found by the County to be compatible with the Goal and Intent of the scenic highway corridor may be denied by the County.

- 7) A parking plan shall be submitted with all commercial use applications to the County. Minimum parking requirements shall be one space per two hundred square feet of floor area for all commercial uses. Parking spaces and access driveways shall be paved or concreted prior to the issuance of a certificate of occupancy or an acceptable bonding agreement made with the County. Minimum setback areas may be used for parking if approved by the County but said spaces shall not be used in computing the total number of required spaces. Parking areas shall not be used for any other purpose than parking vehicles. Unless shown to be unfeasible, loading bays and delivery parking shall be located to the rear of a commercial structure. The Tri-County Technical Advisory Committee may recommend to the County denial of a poorly designed parking plan and the County may deny said plan if it is found that the submitted parking plan design will conflict with the stated Goal and Intent of the scenic highway corridor.

d. County Action On Permits

Applicants shall file their project or permit plans with the County Department which has authority over the particular project or permit being submitted for approval. For example, use permits, zonings, subdivisions, land divisions, and variances are filed with the Planning Department. Building permits, sewage disposal permits and grading plans are filed with the Building Department.

The County Planning Department may deny permits which are found not to conform to the general and site specific regulations contained in this element.

Any interested person including but not limited to the applicant may ultimately appeal the decision of any County department or advisory agency to the

Amador County Board of Supervisors pursuant to Chapter 19.64 (Appeals) of the Amador County Code.

ARTICLE 34

SEC. 21-34 REGULATIONS FOR THE SCENIC OR "SC" COMBINING DISTRICT.

Purpose: To protect and enhance views of scenic areas from the County's scenic highways and roadways for the benefit of local residential and resort development, the motoring public, and the recreation based economy of the County. The following regulations shall apply in all "SC" districts and all uses except single-family residential structures shall be subject to development review as set forth in Article 56.

Applicability: The following features should be considered when applying the "SC" district:

- (a) Views predominantly possessing two (2) or more of the following characteristics: **(Ord. No. 1749, 7/7/1988)**
 - 1 Varied topographic features including uniquely shaped rocks, dominant hills, mountains or canyons.
 - 2 Vegetative features including significant stands of trees, colorful variety of wildflowers or plants.
 - 3 Water features including views of Clear Lake, creeks or streams, waterfalls.
 - 4 Pastoral features such as farms, pasture, vineyards or orchards.
 - 5 Historical buildings or districts which characterize period architecture or are indicative of past lifestyles.
 - 6 Provide convenient visual access from a state highway, county roadway, bikeway or trail.
 - 7 Allow features to remain in view of the traveling public for a reasonable length of time for lasting views or impressions.
- (b) The "SC" combining district shall not be applied to commercial or industrial districts established by this Chapter.

34.3 Uses permitted:

- (a) Uses permitted in the base zoning district or any combining district except the following: (Ord. No. 1749, 7/7/1988)
 - 1. Off-premises outdoor advertising signs and displays, excepting information panels and category signs as provided in Article 45.
 - 2. Sanitary landfills.

3. Slaughterhouses, cattle and hog feed lots.
4. Unscreened outdoor storage; except supplies, products or equipment incidental to a ranch or farm.
5. Uses predominantly utilizing outdoor storage.
6. Mobile commercial coaches, trailer coaches, and mobile homes not meeting the residential construction standards of Section 10.20. When this Article is combined with the Mobile Home combining district, provisions of this Subsection shall take precedence over the Mobile Home combining district. **(Ord. No. 1749, 7/7/1988)**
7. Any other use which is determined to be of similar character to other prohibited uses or to be in conflict with the intent of this district. **(Ord. No. 1749, 7/7/1988)**
8. Repealed **(Ord. No. 2536, 08/31/2000; Ord. No. 2554, 02/13/2001)**



The following agricultural uses when located within the Scenic Combining District adjacent to a State Highway **(Ord. No. 2536, 8/31/2000)**:

Agricultural processing such as fruit dehydrators, packing plants, canneries, polishing and packaging plants;

- ii. Greenhouse, hothouses and incidental structures;
 - iii. Commercial dairies;
 - iv. Large and small animal veterinary clinics; and
 - v. Commercial wood yards.
- 10 Major Wireless Communication Facilities **(Ord. No. 2594, 07/25/2002)**

34.4 Uses permitted, when located within the Scenic Combining District adjacent to County Roads, subject to first obtaining a Major Use Permit in each case: (Ord. No. 2536, 08/31/2000)

- i. Commercial dairies;
- ii. Agricultural processing such as fruit dehydrators, packing, sheds not exceeding a use area of five thousand (5,000) square feet, including an incidental retail sales area of up to five hundred (500) square feet for products processed on the premises;

- iii Greenhouses, hothouses and incidental structures not exceeding a use area of five thousand (5,000) square feet; and
- iv Large and small animal veterinary clinics. (Ord. No. 2536, 08/31/2000)

SEC. 21-34.10 PERFORMANCE STANDARDS

34.11 Performance standards: The following performance standards shall apply to all land and structures in the “SC” district abutting a scenic highway or roadway as identified in the Lake County General Plan. The minimum standard shall be the development standards of the base zoning district, or the performance standards set forth in this Article, whichever is more restrictive. Exception: All agricultural uses and accessory uses including crop and tree farming, livestock grazing, animal husbandry, apiaries and aviaries are exempt from the regulations of this section, except those agricultural uses requiring a minor or major use permit in the base zoning district.

- (a) For single-family residential structures, mobile homes which shall be constructed according to the residential construction standards of Section 10.20 of the “R1” district:

Minimum average lot width:

Interior lot: Seventy (70) feet.

- ii Corner lot: Ninety (90) feet.

2 Minimum yards

Front yard: Thirty (30) feet from lot line; or fifty-five (55) feet from centerline of roadway, whichever is greater if said yard fronts on the roadway identified by the “SC” district, but in no case less than the base district. Yards abutting streets are front yards.

- ii Side yard five (5) feet.
- iii Accessory uses: The above yards shall apply
- iv Substandard sized lots: For existing legal lots of record less than seventy (70) feet in width or one hundred (100) feet in depth, yards required in this Article may be reduced by the Planning Director to those of the base zoning district if hardship findings can be made due to physical and design constraints of the property.

- v. The yard requirements of this Section may be reduced by the Planning Director to those of the base zoning district if the proposed structure will not detract from any scenic view.

3. Maximum building height:

- i. Within sixty (60) feet or less of any front lot line: eighteen (18) feet.
- ii. Between sixty (60) feet to one hundred (100) feet of any front lot line: Twenty-two (22) feet.
- iii. Between one hundred (100) feet to one hundred twenty-five (125) feet of any front lot line: Thirty (30) feet.
- iv. Beyond one hundred twenty-five (125) feet of any front lot line thirty-five (35) feet.
- v. Accessory structures: Fifteen (15) feet.
- vi. Wind energy conversion systems (WECS): As provided for in Table A or by use permit in Table B.

4. Maximum lot coverage:

- i. One story dwelling: Forty (40) percent.
- ii. Two story dwelling: Thirty (30) percent.

(b) For all other uses and districts not provided for in Subsection (a) above:

Minimum average lot width:

Interior lot: One hundred (100) feet.

- ii. Corner lot: One hundred twenty (120) feet. Yards abutting streets are front yards.

2. Minimum yards:

- i. Front yard: Thirty (30) feet from lot line; or fifty-five (55) feet from centerline of roadway, whichever is greater.
- ii. Side yard: Fifteen (15) feet.

3. Use of yard areas:

- i. Driveways, sidewalks.

- ii. **Parking and loading areas:** In all districts, driveways, sidewalks, loading areas and parking areas shall be surfaced with either concrete, oil seal coat, or an approved asphaltic surface unless through the development review process adequate conditions can be implemented using an approved all weather surface for sensitive and recharge areas.
- iii. **Outdoor storage:** Outdoor storage shall not be allowed in any required front or side yard area and storage in any area shall be screened adequately from other properties.
- iv. **Operations:** No operations or repair work of a commercial or industrial nature shall be conducted outside of a completely enclosed building.
- v. **Landscaping:** Landscaping shall be required as a part of the development review in all developments other than single-family.

4 Maximum building height:

Within sixty (60) feet or less of any front lot line: Twenty (20) feet.

- ii. Between sixty (60) feet to one hundred (100) feet of any front lot line: Twenty-five (25) feet.
- iii. Between one hundred feet (100) to one hundred twenty-five (125) feet of any front lot line: Thirty (30) feet.
- iv. Beyond one hundred twenty-five (125) feet of any front lot line: Thirty-five (35) feet.

Accessory structures: Fifteen (15) feet.

Wind energy conversion systems (WECS): As provided for in Table A or by use permit in Table B.

5 Maximum lot coverage

All structures: Forty-five (45) percent.

6 Signs: As provided in Article 45 with the following exceptions

Signs shall conform to the maximum building height limits of this Article.

- ii. Information panels and category signs are permitted
 - iii. Appurtenant signs shall be non-illuminated; or illuminated only during hours of business or operation.
7. **Parking:** All parking area perimeters shall be landscaped and screened to a height of three (3) feet with landscaped berms or plantings.
- (c) **General standards:** The following standards shall apply in all districts and to all uses with which the "SC" is combined:

Siting: Structures should be sited and where feasible, distribution lines undergrounded to minimize obstruction of views of significant natural features, such as Clear Lake, Blue Lakes, Lake Pillsbury, Boggs Lake, Anderson Marsh State Park, Cobb Mountain, Mt. St. Helena and Mt. Konocti.

2. **Alterations to natural or artificial land contours shall be limited as follows:**
- i. No major ridgelines shall be altered unless approved by the Zoning Administrator or Planning Commission.
 - ii. Access roads shall be located to keep grading to a minimum and dust shall be controlled at all times.
 - iii. Any contour altered by grading shall be restored by means of land sculpturing and a cover of topsoil in such a manner as to minimize runoff and erosion, prevent ponding of water, and shall be planted with plant materials native or well adapted to the area, and approved by the Zoning Administrator or Planning Commission so as to require minimum care and be compatible with existing ground cover.
 - iv. Alterations of stream beds or destruction of adjacent vegetation may be permitted only by approval of the Zoning Administrator or Planning Commission and only for protection of streambanks, reduction of erosion, elimination of traffic hazards or the preservation of the natural scenic quality of stream courses, vegetation, and wildlife habitat.
3. **Utilities:**

All extensions or relocations of utility distribution and service lines shall be placed underground in accordance with the utility rules of the California Public Utilities Commission. The Planning Director may waive undergrounding when information is furnished to enable a finding that such undergrounding is unreasonable because of environmental impacts, terrain, soil conditions, geological problems, length of undergrounding or type of development; or unnecessary because of screening vegetation or topography.

The siting of transmission lines shall avoid interfering with the scenic views to the greatest extent possible, taking into account the design and size of transmission towers in the landscape. The utility companies shall coordinate in the planning stage with the Planning Department on the location or relocation of all transmission lines that would be less than one-half (1/2) mile from the Scenic combining district boundaries. All high voltage transmission towers, and lines 115 k.v. and above, proposed by a local agency shall require a major use permit.

5. By liability for damages in the manner provided by law

Sec. L-II 2.7.7 "SC" Scenic Corridor Combining District

- A. **PURPOSE.** To protect and preserve the scenic resources of areas which are adjacent to highways and roads which have been identified as having high scenic quality and requiring protection for the benefit of residents and visitors.
- B. **DISTRICT REGULATIONS.** In any district with which the "SC" District is applied, the land use regulations of the base district shall apply unless otherwise made more restrictive in this Article. The boundaries of the "SC" District shall be defined by the zoning district map based on an adopted scenic corridor study.
- C. **APPLICABILITY.** The provisions of this Section shall apply to all Development Permits, Use Permits, and subdivisions. Where an adopted Area Plan or Specific Plan includes specific scenic corridor standards for the subject property, the adopted Plan standards shall take precedence.
- D. **SITE DEVELOPMENT STANDARDS.** The following standards shall apply to all applicable projects within the Scenic Corridor:
 - 1. A Scenic Corridor Analysis shall be required for all applicable development. The Analysis shall be submitted on forms provided by the Planning Department and shall describe the scenic and/or historic resources of the project setting, how the development will ensure compatibility with the scenic nature of the surrounding area, and how it will minimize impacts to identified scenic resources. If a Scenic Corridor Study has been adopted for the subject corridor, the Analysis must be consistent with the adopted study.
 - 2. Solid fencing within the front yard setback is prohibited. Fencing within the scenic corridor shall be landscaped to buffer its view from the roadway or adjacent properties. The scale, color, and materials used should be compatible with the site and surrounding viewsheds.
 - 3. All structures and improvements shall comply with Sec. L-II 4.2 Community Design Standards.
 - 4. Signs shall be designed to ensure compatibility with the scenic and natural character of the area. Monument signs shall be constructed with natural materials in colors compatible with the natural surroundings. No internally lit or neon-type signs shall be allowed.
 - 6. Required parking shall not be allowed within the front yard setback
 - 7. Required landscaping may be increased up to 50% if needed to ensure the aesthetic quality of the proposed development.
 - 8. All development shall be clustered in such a manner to ensure that impacts to the scenic corridor are minimized. Proposed parcels within a subdivision shall be clustered away from the corridor.
 - 9. The front yard setbacks established for the base district shall be considered a minimum and shall be reviewed for conformity with the form

and aesthetics of the corridor.

- E APPROVAL.** The action taken by the Planning Agency shall be final unless appealed to the Board of Supervisors in accordance with Sec. L-II 5.12.

Sec. L-II 2.7.8. "SP" Site Performance Combining District

- A. PURPOSE.** To provide for refinements in the site development standards and/or the permitted uses in the base zone district with which the "SP" District regulations are combined. Such refinements shall ensure consistency with, and further the intent of, all General Plan policies.

B. ESTABLISHMENT OF "SP" DISTRICT REGULATIONS.

1 The "SP" District shall restrict the use of land and/or structures and establish all other conditions in accordance with the specific ordinance establishing the zone district for the affected property or land area. The ordinance shall have the ability to establish the permitted and prohibited uses of the land, site development standards, public service and utility requirements, and the size, height and use of structures provided that the land usage provisions of the "SP" District are not less restrictive than the base zone district.

2. Refinements or limitations to uses or standards established by the ordinance enacting the "SP" District shall be reflected by either stating the more restrictive types of uses(s), site development standards, public sewer and utility requirements, etc., as part of the adopting ordinance or, by appending to the ordinance a copy of the specific site development plan reflecting the applicable refinements or limitations.

3. The "SP" District shall be designated on the Zoning District Map following the underlying base zoning district by the symbol "-SP", and the adopting ordinance number in parenthesis. Example: A rezoning from the "AG" District to include the "SP" District would be "AG-SP (#99-99)".

- C. AMENDMENTS.** The use of any land covered by the ordinance which establishes the "SP" District shall run with the land until changed or eliminated by the adoption of a new zoning ordinance for said land.

Any amendment to the provisions of the ordinance covered by land zoned with the "SP" District will require a rezoning petition.

2. If a Development Permit pursuant to Sec. L-II 5.5 or Use Permit pursuant to Sec. L-II 5.6 is filed with the request to rezone the property into the "SP" District, the effective time limits for the establishment of the use shall be as provided for in Sec. L-II 5.10.

3. Notwithstanding any provision contained herein, a Development Permit filed pursuant to Sec. L-II 5.5 or Use Permit pursuant to Sec. L-II 5.6 may be changed consistent with the provisions of Sec. L-II 5.8.

Chapter 30

DESIGN STANDARDS

Chapter Contents

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- 30.14 Soil and Vegetation Protection Standards[§]
- 30.15 Scenic Quality Review in the Shoreland^{§§}

Purpose: The purpose of this chapter is to ensure that projects are designed and constructed consistent with the Community Design Subelement of the Land Use Element and related elements of the Goals and Policies.

Applicability: All projects shall comply with the standards set forth in this chapter, except as noted below. In addition, exempt activities, as defined in Chapter 4, shall comply with sections 30.6, 30.9 and 30.10. Substitute design standards shall not apply to the review procedures and standards for projects in the shoreland. Appropriate provisions of the Design Review Guidelines and Scenic Quality Improvement Program may be considered as conditions of project approval.^{§§}

- 30.1.A **Douglas County Substitutions:** The Douglas County Community Plans, Design Standards and Guidelines, August 1993, shall apply within the Round Hill, Kingsbury, and Stateline Community Plans.
- 30.1.B **Placer County Substitutions:** The Placer County Standards and Guidelines for Signage, Parking, and Design shall apply to the Tahoe City, Carnelian Bay, Tahoe Vista, Kings Beach Commercial, and Kings Beach Industrial Community Plans.
- 30.1.C **City of South Lake Tahoe Substitutions:** The City of South Lake Tahoe Standards and Guidelines for Design, Signage, Parking, Driveway, and Loading Spaces, June 1994, shall apply to the Stateline/Ski Run Community Plan and to the entire City of South Lake Tahoe.

[§] Amended 07/24/02

^{§§} Amended 11/20/02

- (c) The use of the disturbed lands would require more total disturbance than use of undisturbed lands;
- (d) Avoidance of other development impacts are of more importance than the preservation of undisturbed areas; or
- (e) The degree of existing disturbance is minor and the area shall be restored as part of the project.

30.5.B Standards For Commercial, Tourist Accommodation, Public Service And Multi-Residential Projects: In addition to the other standards in this section, the standards for commercial, tourist accommodation, public service and multi-residential projects are:

- (1) Onsite parking areas shall be provided with landscaped perimeters. Onsite parking areas greater than 1/4 acre in size shall be provided with landscaped islands designed in accordance with the Design Review Guidelines.
- (2) A pedestrian circulation system shall be incorporated into the site plan to assure that pedestrians can move safely and easily both on the site and between properties and activities within the neighborhood year round.
- (3) Adequate access shall be provided for emergency vehicles and for those persons attempting to render emergency services.
- (4) Screening of service yards, maintenance yards, warehousing, outdoor storage and trash and refuse collection areas shall be accomplished by the use of walls, fencing, landscape plantings or combinations thereof. Screening shall be effective in both winter and summer.
- (5) Service yards, maintenance yards, warehousing, and outdoor storage areas shall be located in areas which are not highly visible from major transportation corridors, scenic turnouts, public recreation areas or the waters of lakes in the Region.

30.5.C Standards For Snow Storage: The standards for snow storage are:

- (1) Parking areas shall be sloped at least two percent to prevent ponding and icing.
- (2) Commercial, tourist accommodation, public service, recreation and multi-residential projects shall provide, within the project area, snow storage areas of a size adequate to store snow removed from parking, driveway and pedestrian access areas or have arrangements by means of recorded easements or equivalent arrangements to remove and store accumulated snow offsite.

30.5.D Setback Standards: The setback standards are:

- (1) For parcels abutting roadways rated in the TRPA's Scenic Resources Inventory, the minimum building setback from the

right-of-way of such roadways shall be 20 feet. Decks (except decks for off street parking), stairs, canopies, building, or roof overhangs shall not intrude into the 20 foot setback established in this subparagraph. TRPA may approve building setbacks less than 20 feet if the reduced setback is approved by the appropriate local jurisdiction and TRPA finds that the project will not cause a decrease in the numerical ratings assigned to the roadway unit, including the scenic quality rating of the individual resources within each unit, as recorded in the 1982 Scenic Resources Inventory and shown in Tables 13-3 and 13-8 of the Study Report for the Establishment of Environmental Threshold Carrying Capacities, October 1982. The criteria for rating scenic quality as identified in the study report cited herein shall be used to determine if a project will cause a decrease in the numerical rating.

- (2) Buildings, other structures and land coverage shall be setback from SEZs in accordance with Chapter 37.
- (3) Other setbacks are set forth in Chapter 64.

30.6 Building Design Standards: In accordance with section 30.1, the following building design standards shall apply:

30.6.A General Standards: The general standards are[§]:

- (1) The architectural design of a project shall include elements that screen from public view all external mechanical equipment, including refuse enclosures, electrical transformer pads and vaults, satellite receiving disks, communication equipment, and utility hardware on roofs, buildings or the ground.
- (2) Roofs, including mechanical equipment and skylights shall be constructed of nonglare finishes and earthtone colors that minimize reflectivity. For this subparagraph, non-glare earthtone colors are defined as Munsell® Colors set forth in Appendix G, TRPA Approved Earthtone Colors, of the Design Review Guidelines, that have a value and chroma of 0-4 or other color systems that are equivalent to the adopted hues, values and chromas of Appendix G^{§§}.
- (3) For all structures visible from the Scenic Threshold Travel Routes and from Public Recreation Area and Bicycle Trails identified in the 1993 Lake Tahoe Basin Scenic Resource Evaluation, subdued colors of earthtone ranges shall be used for the primary color of structures. Colors shall be within a range of natural colors that blend, rather than contrast, with the existing backdrop vegetation and soils color. For this subparagraph, earthtone colors shall be medium to dark and shall meet the Munsell® Colors set forth in Appendix G, TRPA Approved Earthtone Colors, of the Design Review Guidelines or other color systems that are equivalent to the adopted hues, values and chromas of Appendix

[§] Amended 11/20/02

^{§§} Amended 1/22/03

30.12.C Public Recreation Areas and Bicycle Trails: The project shall not cause a decrease in any numerical sub component threshold rating or total threshold rating assigned to a scenic resource identified in the 1993 Lake Tahoe Basin Scenic Resource Evaluation. Prior to approving a project which may potentially affect an identified scenic resource, TRPA shall find that the project is consistent with applicable recommendations for preserving scenic quality of the affected recreation area or bicycle trail found in the 1993 Lake Tahoe Basin Scenic Resource Evaluation.

30.13 Establishment Of Scenic Highway Corridors: TRPA and other public agencies within the Tahoe Region shall maintain and enhance viewing opportunities, whenever feasible, by establishing scenic highway corridors. TRPA, through the project review process shall ensure that viewsheds and view corridors along the scenic highway corridors are maintained and enhanced.

30.13.A. Designation Of Scenic Highway Corridors: All federal and state highways which lie within the Tahoe Region, and Pioneer Trail are designated as scenic highways.

- (1) Urban Corridors: Urban scenic highway corridors are generally urbanized areas where man-made development is the dominant visual feature. When viewed from areas outside of the urban corridor, man-made developments shall blend into the natural environment. Those portions of federal and state highways and, Pioneer Trail, which lie within the urban areas as shown on TRPA's scenic units map overlay are designated as urban scenic highway corridors. The width of urban scenic highway corridors shall include the highway right-of-way and all properties, or portions thereof, up to 300 feet on either side of the highway right-of-way which are visible from the highway.
- (2) Transition Corridors: Transition scenic highway corridors are generally areas of transition between urban and natural areas where the built environment is not the dominant visual feature, rather it appears well integrated into and in balance with the natural elements of the landscape. When viewed from areas outside of the transition corridor, man-made developments shall blend into the natural environment. Those portions of federal and state highways, and Pioneer Trail, which lie within the transition areas as shown on TRPA's scenic units map overlay are designated as transition scenic highway corridors. The width of transition scenic highway corridors shall include the highway right-of-way and all properties, or portions thereof, up to 1000 feet on either side of the highway right-of-way which are visible from the highway.
- (3) Natural Corridors: Natural scenic highway corridors are generally those areas where natural landscape elements and processes are the dominant visual features. Those portions of federal and state highways which lie within the natural areas as shown on TRPA's scenic units map overlay are designated as natural scenic highway corridors. The width of natural scenic highway corridors shall include the highway right-of-way and all properties, or portions thereof, up to one-half mile on either side of the highway right-of-way which are visible from the highway.

30.13.B. ~~Scenic Viewpoint Corridor Plan Prepared:~~ The TRPA shall, in cooperation with other interested agencies and private citizens, prepare a comprehensive Scenic Viewpoint Corridor Plan. The purpose of this plan will be the improvement of the public's traveling experience in the Region. The Scenic Viewpoint Corridor Plan shall be a design plan which shall, at a minimum, identify potential scenic viewpoints and pull-off facilities, moving vistas, a signage program identifying the scenic corridor, interpretive signs and displays, opportunities for mass transit service, and implementation of proposed improvements.

30.13.C. ~~Scenic Highway Corridor Design Standards:~~ All projects which are within the scenic highway corridors established in 30.13.A. shall meet the design standards listed in 30.13.C(1) and (2), in addition to other applicable design standards. All projects which are within the natural scenic highway corridor shall also meet the design standards listed in 30.13.C(3) in addition to other applicable design standards.

(1) Utilities:

(a) All new electrical lines which operate at 32 kilovolts or less, including service connection lines, shall be placed underground. Exceptions to this requirement may be allowed, provided TRPA finds that undergrounding would produce a greater environmental impact than above ground installation. If new electrical lines are permitted to be installed above ground, the new lines, poles, and hardware shall be screened from views from scenic highways to the maximum extent possible.

(b) All new communication lines including telephone lines, cable television lines, and service connection lines, shall be placed underground. Exceptions to this requirement may be allowed, provided TRPA finds that undergrounding would produce a greater environmental impact than above ground installation. If new communication lines are permitted to be installed above ground, the new lines, poles, and hardware shall be screened from views from scenic highways to the maximum extent possible.

(2) Highway Fixtures: Guardrails and other highway fixtures, including but not limited to, retaining walls, safety barriers, traffic signals and controllers, light standards, and other structures, shall be limited to the minimum length, height, and bulk necessary to adequately provide for the safety of the highway user. Earth tone colors of dark shades and flat finish shall be used on all highway fixtures. New and replacement guardrails shall not have a shiny reflective finish. Retaining walls and other erosion control devices or structures, shall be constructed of natural materials whenever possible and shall, to the maximum extent possible, be designed and sited as to not detract from the scenic quality of the corridor. Such structures shall incorporate heavy texture or articulated plane surfaces that create heavy shadow patterns. Adopted community plans may establish equal or superior standards for highway fixtures.

- (3) **Siting of Development:** All projects, excluding signs, driveways, parking for scenic vista points, trailheads, and pedestrian/bicycle paths, shall be sited in such a manner that they are not visually evident from the scenic highway. All projects, when viewed from a distance of not less than 300 feet, should meet the Visual Magnitude/Contrast Ratings for Natural Scenic Highway Corridors established in Appendix D of the Design Review Guidelines.

30.14[§] **Soil and Vegetation Protection Standards:** In accordance with Section 30.1, the following site design standards shall apply:

30.14.A **Construction Area Standards:** To reduce soil disturbance and damage to vegetation, the area of disturbance during the construction of a structure shall be limited to the area between the footprint of the building and the public road. For the remainder of the site the disturbance area shall not exceed 12 feet from the footprint of the structure, parking area or cut/fill slope. These limits shall be shown on the submitted plan. For structures not adjacent to a public road access reasonable construction and staging area shall be identified. These limits shall be fenced according to Section 65.2. Exceptions require prior TRPA approval and may include:

- (1) When it is demonstrated that equipment will need to access an area,
- (2) When other site characteristics require a larger area, such as: rock outcrops and topography,
- (3) When a landscaping or utility plan clearly demonstrates the need for soil disturbance beyond the 12 foot boundary, or
- (4) Storage of construction materials in areas of existing disturbed lands.

30.15 **Scenic Quality Review in the Shoreland^{§§}:** To make the scenic findings required by Subsection 30.12.B, all projects within the shoreland of any Shoreline Threshold Travel Route shall be reviewed for compliance with the standards set forth below except for projects within marinas with adopted master plans and certified EISs, or structures designated as historic by TRPA, pursuant to Chapter 29.

30.15.A **Definitions:** The following terms, as used in Section 30.15 shall be defined as:

- (1) **Lakefront Façade:** Surface area of the lakefront elevation(s) for all primary and accessory buildings and other structures, with visible area for a given project area within the shoreland.
- (2) **Visible Area:** Surface area of all structures in the shoreland visible from 300 feet offshore and generally perpendicular to and centered on the project area. Surface area blocked by man-made structures in the shorezone shall count as visible area.

[§] Amended 7/24/02

^{§§} Amended 11/20/02

- (3) **Visual Breaks:** The application of landscaping to man-made structures that results in reducing the contrast and breaking the overall visible area of a structure's façade. This may be achieved by screening with vegetation, rocks, soil, and other natural appearing materials or by using such techniques between detached structures.
- (4) **Visible Structure:** A structure with visible area.

30.15.B Review Process: The applicant shall complete a scenic assessment when applying for any activity requiring a TRPA permit; an applicant may apply for a scenic assessment at anytime to document the baseline condition. Review and mitigation of scenic impacts shall be based on Subsection 30.15.C⁵⁵ below.

- (1) **Scenic Assessment:** A scenic assessment shall be required prior to submittal of a project application for Levels 3, 4, 5, and 6 projects⁵⁵. The scenic assessment will establish a baseline scenic condition for all following scenic impact analyses. The baseline shall be the existing condition at the time of the first scenic assessment, unless the site is the subject of an existing TRPA approval, by litigation settlement or otherwise, that contains a scenic analysis, in which case the approved scenic analysis shall be the baseline. For purposes of this Section, un-built projects with an active permit shall be considered as existing.
 - (a) Description of existing scenic conditions in the project area including, but not limited to, structure color and height, existing visible mass from the Lake, types and areas of materials of existing structures, and identification of needed scenic BMPs.
 - (b) Identify existing vegetation types, location, size, and height.
 - (c) Photographic inventory of the project area⁵⁵ from 300' and one quarter mile offshore, with at least one photo from center and perpendicular to the project area, and photos of onsite existing conditions.

30.15.C Levels of Scenic Mitigation: The following levels of scenic mitigation shall be required based on the level of the activity or project:

- (1) **Level 1:** All non-visible projects in the shoreland or⁵⁵ projects and activities on existing visible structures in the shoreland that are considered repair or maintenance. This includes exact in-kind replacement. There are no mitigation requirements required except as noted in Level 2.
- (2) **Level 2:** All projects and activities on existing visible structures in the shoreland that are considered painting, re-siding, re-roofing or similar activities that affect the color of the structure. The mitigation requirements for this level shall be the color requirements set forth in Subsection 30.6.A

⁵⁵ Amended 1/23/02

- (3) **Level 3:** All projects on existing visible structures^{§§} in the shoreland altering or increasing the lakefront façade area 20 percent or less and the result is 1,500 square feet or less of lakefront façade or non-repair projects on structures adjacent and lakeward of the shoreland. The mitigation requirements for this level shall be the implementation of scenic BMPs in the shoreland. The BMPs shall bring the project area into conformance with a minimum contrast rating score of 21 except where:

it is physically impossible to attain a score of 21 through application of scenic BMPs; or

the cost of the scenic BMPs required to increase the baseline contrast score to 21 exceeds ten percent of the cost of the project; and

- (c) if the project is not required to bring the project area into conformance as a result of subparagraphs (a) and (b) above, the applicant shall attain the highest possible score.

- (4) **Level 4:** All projects involving existing visible structures in the shoreland which alter or increase the lakefront façade where the altered/added area is 20 percent or less of the existing façade and the result is more than 1,500 square feet of total lake front façade, or where the altered/added area is greater than 20 percent but equal to or less than 50% of the existing lakefront façade, or where the project is a new accessory structure. The mitigation requirements for this level shall be as set forth in Option 1 or Option 2 at the applicant's choice.^{§§}

- (a) Option 1: Basic Review^{§§}. The Project shall meet the following mitigation standards:

- (i) The project area shall score a minimum of 24 points based on the Contrast Rating System; except where:

(A) it is physically impossible to attain a score of 24 through application of scenic BMPs; or

(B) the cost of the scenic BMPs required to increase the baseline contrast score to 24 exceeds twenty percent of the cost of the project; and

(C) if the project is not required to bring the project area into conformance as a result of subparagraphs (A) and (B) above, the applicant shall attain the highest possible score.

- (ii) The allowable visible area square footage in the project area shall not exceed 2200 sq. ft. The visible area square footage may be increased by 165

^{§§} Amended 1/23/03

square feet^{§§} for each additional 10 ft. of linear lake frontage over 100 ft. Existing structures exceeding the 2200 (or as increased by lake frontage) visible square feet standard shall mitigate any additional area square footage on a 1:1.5 square foot basis.

- (iii) A minimum building setback from the backshore boundary line shall be 10% of the lot depth not to exceed 20 feet. Each side yard setback shall be 10% of the lot width or the setback established by the local jurisdiction whichever is greater. Existing structures shall not be required to conform to setback standards. No expansion of structures shall be allowed in the setback area. At grade decks, erosion control structures, stairs, and similar structures are permissible in the setback at the allowed land coverage.
 - (iv) The height standard, including but not limited to the height limitations, findings, and regulations set forth in Chapter 22 for structures shall apply.
 - (v) Visual breaks shall be required on all structures. At a minimum, breaks shall be spaced along the lakefront façade to provide approximately 250 square feet screening for every 1000 square feet of lakefront facade. A break should extend vertically to two-thirds of the structure height and horizontally to approximately 10 feet. TRPA may approve equal or superior alternatives to this standard.
- (b) Option 2: Visual Magnitude System. A project must score a minimum contrast point score for the desired square footage of visual magnitude based on Appendix H ^{§§}, Visual Assessment Tool, of the Design Review Guidelines or if non-complying, shall implement Scenic BMPs as required in Option 1 in 4(a) above; and:
- (i) The visible façade square footage may be increased by 7.5% for each additional 10 ft. of linear Lake frontage over 100 ft;
 - (ii) Visual breaks shall be required on all structures. At a minimum, breaks shall be spaced along the lakefront façade to provide approximately 250 square feet screening for every 1000 square feet of lakefront facade. A break should extend vertically to two-thirds of the structure height and approximately 10 linear feet horizontally. TRPA may approve equal or superior alternatives to this standard; and

^{§§} Amended 1/22/03

- (iii) Existing projects not complying with visual magnitude shall implement visual breaks and improvements that demonstrate a percentage toward attainment determined by the cost of the project over the replacement cost of the structure.
- (5) Level 5: All projects in the shoreland altering or increasing the lakefront façade area of an existing visible structure more than 50 percent or proposing a new visible structure exclusive of new accessory structures^{§§}. The mitigation requirements for this level shall be as set forth in Option 1 or Option 2, at the applicant's choice.
- (a) Option 1: Basic Review. ^{§§} As a result of the project, the project area must score a minimum 28 points based on the Contrast Rating System. The projects shall meet the following mitigation standards:
 - (i) The allowable visible area square footage in the project area shall not exceed 2200 sq. ft. The visible area square footage may be increased by 165 square feet^{§§} for each additional 10 ft. of linear lake frontage over 100 ft. Existing structures exceeding the 2200 (or as increased by lake frontage) visible square feet standard shall mitigate any additional area square footage on a 1:2 square foot basis.
 - (ii) A minimum building setback from the backshore boundary line shall be 10% of the lot depth not to exceed 20 feet. Each side yard setback shall be 10% of the lot width or the setback established by the local jurisdiction, whichever is greater. Existing structures shall not be required to conform to setback standards unless the proposed modification makes it feasible. No expansion of structures shall be allowed in the setback area. At grade decks, erosion control structures, stairs, and similar structures are permissible in the setback at the allowed land coverage.
 - (iii) The height standard, including but not limited to the height limitations, findings, and regulations set forth in Chapter 22 for structures shall apply.
 - (iv) Visual breaks shall be required on all structures. At a minimum, breaks shall be spaced along the lakefront façade to provide approximately 250 square feet screening for every 1000 square feet of lakefront facade. A break should extend vertically to two-thirds of the structure height and approximately 10 linear feet horizontally. TRPA may approve equal or superior alternatives to this standard.

^{§§} Amended 1/22/03

(b) **Option 2: Visual Magnitude System.** A project shall attain the minimum contrast point score for the desired square footage of visual magnitude based on Appendix H⁵⁵, Visual Assessment Tool, of the Design Review Guidelines or if non-complying, shall implement Scenic BMPs as required in Option 1 in 5(a) above and:

- (i) The visible façade ⁵⁵ square footage may be increased by 7.5% for each additional 10 feet of linear lake frontage over 100 ft;
- (ii) Visual breaks shall be required on all structures. At a minimum, breaks shall be spaced along the lakefront façade to provide approximately 250 square feet screening for every 1000 square feet of lakefront facade. A break should extend vertically to two-thirds of the structure height and horizontally to approximately 10 linear feet. TRPA may approve equal or superior alternatives to this standard; and
- (iii) Existing projects not complying with visual magnitude shall implement visual breaks and improvements that demonstrate a percentage toward attainment determined by the cost of the project over the replacement cost of the structure. In no case shall the total visible façade square footage exceed the maximum set forth by the visual magnitude system.

(6) **Level 6:** All projects involving new or existing structures in the shoreland that are visible from the Lake and that qualify as public health and safety projects or Environmental Improvement Program projects. The mitigation requirements for this level shall be established on a case-by-case basis. Projects whose primary purpose is implementation of water quality or scenic BMPs that do not increase the lake front façade and show an improvement in the contrast rating score ⁵⁵ are exempt from mitigation requirements.

30.15.D General Standards of Review: The following general standards of review shall apply to projects reviewed pursuant to this Section:

- (1) **Prohibition on Segmenting:** Projects may not be segmented in order to qualify for a lower level of mitigation requirements.
- (2) **Calculation of Cost and Value:** Whenever required by this Section, cost estimates and replacement values shall be based on Marshall Swift calculations.
- (3) **Fire Protection:** The applicant shall not submit vegetative screening inconsistent with local fire protection standards. As used in this Section, the term “physical impossibility” shall not include inconsistency with local fire protection standards.

⁵⁵ Amended 1/22/03

30.15.E Independent Review: If there is a disagreement in the application of the standards of this section, the applicant or TRPA staff may elect to pursue the following independent review option:

- (1) Third Party Expert Review^{ss}: In the event there is a disagreement in review of a proposed project, a third party expert review consistent with the process outlined in subparagraphs (i) through (iii) may be initiated. The initiator shall fund the review and the third party expert review shall use the same methodology in the Visual Assessment Tool established in Appendix F of the Design Review Guidelines.

Third Party Expert: TRPA shall maintain a list of scenic experts recognized as possessing the necessary qualifications to evaluate impacts to the scenic resources threshold. An expert shall be selected from the list randomly, as long as that expert did not consult on or participate in the design of the proposed project.

The Third Party Expert shall prepare an analysis of the proposed project. The report shall include;

- (i) A description of the proposed project; and
 - (ii) An analysis of the proposed project's consistency with the standards set forth in this ordinance; and
 - (iii) Written findings quantifying the project's impacts and any mitigation, if required.
- (c) Use of Third Party Report: The Executive Director shall review the third party expert report and may approve, deny, or require modifications to the project. The expert's findings shall be included in the review of the project.

- (2) Scenic Panel Review: Until November 20, 2004, the applicant or TRPA may elect to initiate a Scenic Panel Review if there is a disagreement in the determination of mitigation required pursuant to this Section. The cost of the panel shall be paid by the initiator. Panels initiated during this period shall continue until the completion of the panel's review process. An expert panel of three people shall prepare a scenic analysis of the project and its impact including foreseeable reasonable activities on the entire scenic unit. The panel shall recommend appropriate conditions of approval necessary to make the required scenic attainment findings.

- (a) TRPA shall select a panel member, the applicant shall select a panel member and the two panel members shall select a third member to review the project.

^{ss} Amended 1/22/03

- (b) The analysis may include other professionally accepted methods of evaluating scenic impacts. This Subparagraph may be extended beyond the two-year limitation pursuant to the performance review required in Subsection 30.15.F.
- (c) Use of Panel Report: The Executive Director shall review the scenic panel report and may approve, deny, or require modifications to the project. The panel's findings shall be included in the review of the project.

30.15.F Marina Master Plans: In developing and approving marina master plans pursuant to Chapter 16, the applicant shall use the contrast rating/visual magnitude system outlined in Appendix H, Visual Assessment Tool, of the Design Review Guidelines or an equal or superior method of evaluating scenic impacts. All significant scenic impacts shall be identified in the environmental document using an approved scenic impact analysis methodology and mitigation measures shall be proposed and incorporated into the master plan to ensure consistency with attainment and maintenance of environmental thresholds.

30.15.G Additional Visual Magnitude: TRPA may permit additional square footage of visual magnitude with visual breaks for a given contrast rating in Appendix H, Visual Assessment Tool, of the Design Review Guidelines as follows:

- (1) Public Outdoor Recreation: For public outdoor recreation uses that are subject to Subsection 33.6.C, PAOT allocations, additional square footage of visual magnitude may be permitted if TRPA finds that:
 - (a) The project is a necessary part of a long range plan for public outdoor recreation; and
 - (b) The project is consistent with the Recreation Element of the Regional Plan; and,
 - (c) There is no reasonable alternative which would avoid or reduce the extent of visual magnitude; and
 - (d) The additional square footage is mitigated pursuant to Subsection 30.15.H^{ss} below; or
 - (e) If existing structures in the project area are in excess of that permitted by Option 2 in Levels 4 and Levels 5, the additional square footage permissible is a result of a reduction in the visual magnitude consistent with the following requirements. Existing non-complying projects shall implement improvements that results in a contrast score of 25 or demonstrate a percentage toward attainment determined by the cost of the project over the replacement cost of the structures not to exceed 50 percent, whichever is greater.

^{ss} Amended 1/22/03

- (2) Public Service Facilities: For public service uses, additional square footage of visual magnitude may be permitted if TRPA finds that:
- (a) The project is necessary for public health, safety or environmental protection; and
 - (b) There is no reasonable alternative, which would avoid or reduce the extent of visual magnitude; and,
 - (c) The additional square footage is mitigated pursuant to Subsection 30.15.H^{§§} below; or
 - (d) If existing structures in the project area are in excess of that permitted by Option 2 in Levels 4 and Levels 5, the additional square footage permissible is a result of a reduction in the visual magnitude consistent with the following requirements. Existing non-complying projects shall implement improvements that result in a contrast score of 25 or demonstrate a percentage toward attainment determined by the cost of the project over the replacement cost of the structures not to exceed 50 percent, whichever is greater.
- (3) Tourist Accommodation and Commercial Projects in Commercial and Public Service Plan Areas and Tourist Accommodation Plan Areas: Additional square footage of visual magnitude may be permitted for projects in Commercial and Public Service Plan Areas, if TRPA finds that:

The additional square footage is necessary as the use customarily requires increased square footage of lakefront façade than that set forth in Levels 4 and 5; and

There is no reasonable alternative, which would avoid or reduce the extent of visual magnitude; and,

- (c) The additional square footage is mitigated pursuant to Subsection 30.15.H^{§§} below; or
- (d) If existing structures in the project area are in excess of that permitted by Option 2 in Levels 4 and Levels 5, the additional square footage permissible is a result of a reduction in the visual magnitude consistent with the following requirements. Existing non-complying projects shall implement improvements that result in a contrast score of 25 or demonstrate a percentage toward attainment determined by the cost of the project over the replacement cost of the structures not to exceed 50 percent, whichever is greater.

^{§§} Amended 1/22/03

- (4) Residential Uses Other Than Single Family Dwelling: Additional square footage of visual magnitude may be permitted for projects, if TRPA finds that:
 - (a) The additional square footage is necessary as the use customarily requires increased square footage of lakefront façade than that set forth in Levels 4 and 5; and
 - (b) There is no reasonable alternative, which would avoid or reduce the extent of visual magnitude; and,
 - (c) The additional square footage is mitigated pursuant to Subsection 30.15.H⁵⁵ below; or
 - (d) If existing structures in the project area are in excess of that permitted by Option 2 in Levels 4 and Levels 5, the additional square footage permissible is a result of a reduction in the visual magnitude consistent with the following requirements. Existing non-complying projects shall implement improvements that result in a contrast score of 25 or demonstrate a percentage toward attainment determined by the cost of the project over the replacement cost of the structures not to exceed 50 percent, whichever is greater.

30.15.H Transfer of Scenic Mitigation Credits (Interim System): Until a permanent scenic mitigation credit system is adopted, certain scenic impacts may be mitigated outside the shoreland as follows:

- (1) The mitigation source is the adjacent shorezone project area or other shoreland parcels within the same scenic unit.
- (2) Project mitigation requirements shall utilize the Visual Magnitude System outlined in Appendix H, Visual Assessment Tool, of the Design Review Guidelines to calculate the square footage mitigation requirement or mitigation may be determined by the full panel review process.
- (3) Mitigation in attainment areas shall be on a one-to-one basis and on a one-to-one and a half basis in non-attainment areas.
- (4) All structures in the shoreland, both on the receiving and sending project areas, must have implemented scenic BMPs (21 contrast score rating) to be eligible for transfer of mitigation credits.
- (5) TRPA shall require restoration securities, deed restrictions, and inspections as appropriate to assure implementation and documentation of scenic mitigation credit.
- (6) This interim system may be utilized:

⁵⁵ Amended 1/22/03

To mitigate additional square footage associated with shorezone structures; or

- (b) To gain additional square footage when permissible (e.g. for commercial, public service, multi-residential, etc.)
 - (7) Contributions to TRPA-approved non-profit organizations that have qualifying scenic mitigation projects may be accepted for mitigation credit, provided the mitigation credit can be quantified and tracked.
- 30.15. Performance Review: For two years after the adoption of the Scenic Quality Review System, TRPA shall monitor the application of the system. No later than two years from the adoption of the system, TRPA shall prepare a report on the system with recommended amendments, if necessary, and present it to the TRPA Governing Board. A long-term performance review shall be included in the next applicable threshold review.

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Public Draft –DS Ord.

17.27.110 SCENIC CORRIDOR DESIGN REVIEW (-DS) COMBINING ZONE

- A. Purpose. The purpose of this Section is to preserve and enhance the aesthetic resources of the County's scenic highways and roadways for the benefit of local residential and commercial development, the motoring public, and the recreational and tourist based economies of the County.
- B. Intent. It is the intent of this Section to establish regulations and design guidelines in order to allow development to coexist with the preservation of unique natural resources, as well as roadside and scenic views of such natural resources. It is also the intent to implement State and federal programs and regulations regarding scenic highway routes. The following regulations are consistent with General Plan Policies 2.6.1.1 to 2.6.1.7, and 2.7.1.2 in accomplishing the following:
1. Provide hillside development standards to minimize the impact of man-made structures and grading on views of existing landforms, unique geologic features, existing landscape features and open space as seen from designated public roads within the County;
 2. Protect and preserve views of major and minor ridgelines from designated public roads;
 3. Minimize cut and fill, earthmoving, grading, and other such man-made effects on the natural terrain to ensure that finished slopes are compatible with existing land character;
 4. Promote architecture and designs that are compatible with the surrounding environment so as to minimize visual impacts; and
 5. Create a development review process that maximizes staff level approval of projects that meet administrative standards, while also providing a process for review by the Commission of those projects that do not meet the administrative standards or are subject to a Design Review Permit in compliance with Section 17.52.030.
- C. Designation of Scenic Corridor Design Review Combining Zones. An area generally extending **1.5 miles** on both sides of the ultimate road right-of-way of State and County designated Scenic Highways shall be evaluated for visibility from the roadside, as well as from scenic views. Due to the varied topography within the evaluation area, the Combining Zone will be determined based on potential near, mid and far range impacts on a Scenic Corridor from lot-specific development. Those lots designated as Scenic Corridor Design Review (-DS) Combining Zone will be as a result of this analysis. The -DS Combining Zone shall further designate the prominent ridgelines, view windows, and view sheds listed under Table 5.3-1 and Exhibit 5.3-1 of the General Plan EIR.

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- D. Applicability. The development standards and criteria under this Section shall apply to all development and land uses allowed under the base zone. All multi-residential, commercial and industrial development in the –DS zone will require a Design Review Permit application, or other discretionary permit if required, subject to Commission approval. Commercial and residential subdivisions shall be processed under a Development Plan Permit application in compliance with Section 17.52.040.
- E. Prohibited uses. The following uses shall be prohibited in the –DS zone:
1. Off site outdoor advertising signs and displays, and on site pole signs.
 2. Sanitary landfills.
 3. Slaughterhouses and livestock feed lots.
 4. Unscreened, non-commercial outdoor storage; except supplies, equipment, or produce incidental to a ranch or farm.
 5. Commercial uses utilizing outdoor storage comprising more than ten percent of the building footprint, (i.e., home and garden stores, lumber yards).
 6. Commercial mobile homes and trailer coaches, and residential mobile homes not meeting the construction standards of Chapter 17.40.190 (Mobile/Manufactured Homes).
 7. Agricultural processing facilities such as fruit dehydrators, packing plants, canneries, and packaging plants, except as allowed under Paragraph F.1.
 8. Commercial dairies.
 9. Development within Class I ridgelines subject to Section 17.30.060 (Ridgeline Development and 30 Percent Slopes).
 10. Any other use that is determined to be of similar character to other prohibited uses or to be in conflict with the intent of this Section.
- F. Exceptions.
1. When adjacent to County roads, agricultural processing facilities such as wineries, fruit dehydrators, packing plants, canneries, and packaging plants not exceeding an active use area of 5,000 square feet, including an incidental retail sales area for products processed on the premises of up to 500 square feet, shall be allowed subject to a Conditional Use Permit in compliance with Section 17.52.020.
 2. Community information/direction panels and category signs, as provided for under state and County sign programs.

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G. Exemptions. The following activities and development within the –DS Combining Zone shall be exempt from further review under this Section:

1. For residential or agricultural development where the property owner submits photo simulations demonstrating the proposed development is not visible from any designated scenic corridor or does not obstruct any designated viewshed because of its relationship to surrounding topography or existing vegetation, subject to Director determination.
 - a. If the determination is made based on existing vegetation coverage, then the property owner, prior to the issuance of a building permit, shall be required to execute and record in the County Recorder's office a deed restriction, in a form approved by County Counsel, requiring the existing vegetation cover to be maintained or replaced with equivalent vegetation, by the owner or the owner's successors, so as to prevent the project from impacting viewsheds from the scenic corridor.
2. Maintenance, repair, or exact replacement of existing structures including in-kind repainting, reroofing, or re-siding. However, repair or exact replacement that meets the threshold of a "substantial improvement", as defined under Article 8, shall be subject to the standards of this Section. "Serial repair or replacement projects" that by themselves fall under the threshold of a substantial improvement, but together would exceed it, will be subject to the standards of this Section at such time as the combined projects exceed the threshold.
3. Alteration of a "historic structure", as defined under Article 8, provided that the alteration will not preclude its continued designation as a "historic structure".

H. Discretionary Requirements. The following standards shall apply to all land and structures in the –DS Combining Zone subject to discretionary review. For all development permits, the minimum standards shall be those of the base zone, subject to the following:

1. Development shall be sited in such a manner as to ensure that impacts to the scenic corridor are minimized. Reduction in setbacks to minimize visual impacts can be considered on a case by case basis as part of this review.
2. Commercial or residential subdivisions shall be processed concurrent with a Development Plan Permit to insure that clustering of development and open space are located to provide the optimum visual buffer to the scenic corridor.
3. Alterations to natural or artificial land contours shall be limited as follows:
 - a. Access roads shall be located to keep grading to a minimum.

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- b. Any contour altered by grading shall be screened from view from the scenic corridor or the adjacent scenic view with landscaping consistent with Paragraph H.5 below.
 - c. Mass pad grading is prohibited.
4. The architectural design of a project shall include elements that screen from public view all external mechanical equipment, including trash enclosures, electrical pads and vaults, satellite receiving disks, communication equipment, and utility hardware on roofs, buildings or the ground.
 5. The removal of existing vegetation, including timber, shall be minimized. Replacement vegetation and landscaping shall consist primarily of plant materials indigenous or well adapted to the area, allowing minimum care and compatibility with existing vegetation. Landscape plantings should not obstruct designated scenic views at any phase of their growth or maturity.
 6. On lots containing or adjacent to a Class I ridgeline, building height and other applicable development standards shall be in compliance with Section 17.30.060.
 7. Solid fencing that would be visible from the scenic corridor is prohibited. Fencing within the –DS Combining Zone shall be landscaped to buffer its view from the scenic corridor and adjacent properties. The scale, color, and materials used should be compatible with the site and surrounding environment.
 8. Required parking shall not be allowed within any setback that faces the scenic corridor. To the maximum extent feasible, parking areas should be screened from view from the scenic corridor by the placement of buildings, structures, and/or landscaping.
 9. Development involving concentrations of commercial activities shall be designed to function as an integral unit with shared access roads, encroachments, and parking areas.
 10. On-site signs shall be designed to ensure compatibility with the scenic and natural character of the area. Monument and wall signs shall be constructed with natural materials in colors compatible with the natural surroundings. No internally lit or neon-type signs shall be allowed.
 11. The design standards under Subsection I shall be incorporated into any development project.
- I. Ministerial Review Process: An Administrative Permit in compliance with Section 17.52.010 shall be subject to Director review and approval provided the applicant completes a scenic assessment demonstrating compliance with the following applicable performance standards:

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1. Incorporation of the structure into the existing setting to reduce grading requirements, and to preserve as much of the existing vegetation and topography as possible. The following can be considered a means of doing so:
 - a. Reduce the base zone setbacks by up to 50 percent or to a minimum of five feet, whichever is greater.
 - b. Reduce the building footprint by increasing the height of the proposed structures, i.e., two or three stories versus a single story where natural screening will be provided.
 - c. Bench-step the foundation to conform to existing topography.
2. Landscaping to provide screening from scenic corridors and to balance between the proposed development and the natural setting, while meeting fire-safe requirements. Indigenous vegetation should be used consistent with 17.33.500.E (Landscaping Ordinance).
3. Removing any existing solid fencing which blocks scenic views, or replace with fencing at least 90 percent open, if necessary. If cyclone fencing must be used, it shall be coated with brown, black or dark green vinyl, including fence poles. Screen all solid fencing and walls that are visible from the scenic corridor with vegetation indigenous to the area.
4. Screening parking and storage areas.
5. Limiting the amount of visible glass to reduce reflection by:
 - a. Breaking up large expanses of windows, or
 - b. Using smaller windows, or
 - c. Increasing the “shadow area” of facades to reduce window reflection; and
 - d. Providing manufacturers’ specifications demonstrating the use of reduced reflectivity glass.
6. Providing architectural design and composition to structures so that they conform to the existing land forms and landscape.
7. Selecting exterior colors and materials that will blend with the surrounding vegetation and landforms for compatibility with the natural environment. Colors shall be limited to an earthtone palette of tan, ochre, umber, reddish-brown, brown, and green.
8. Using non-reflective finishes and earthtone colors for roofs, vents, skylights, and mechanical equipment.
9. Reducing clutter, overhead wires, unnecessary lighting, poles, signs, etc.

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- J. An Administrative Permit that is denied by the Director or any application for a commercial or industrial project shall be subject to a Design Review Permit requiring review and approval from the Commission. The Commission shall make all of the following findings prior to approval:
1. The project as designed or modified is consistent with Chapter 17.38 and the Grading, Erosion and Sediment Control Ordinance;
 2. The proposed structure, access roads, and other site improvements are sited and designed to minimize adverse effects on views from designated scenic roads;
 3. The proposed structure, access road, and other site improvements, including earthmoving, grading, and terracing minimize the removal of vegetation;
 4. The siting and design of site improvements and access roads minimize grading and alteration of natural landforms and topography; and
 5. A landscape and/or vegetation retention plan has been submitted and approved for the site that would provide maximum screening from designated public roads through preservation of existing vegetation and the planting of new vegetation and provide for defensible space in conformance with state law.
- K. If one or more of the findings in Subsection (J) cannot be made, the application may be presented to the Commission as a variance in compliance with Section 17.52.070.
- L. Utility lines
1. All extensions or relocations of utility distribution and service lines shall be placed underground in accordance with the utility rules of the California Public Utilities Commission. The Director may waive undergrounding when information is furnished to enable a finding that such undergrounding is unreasonable because of environmental impacts, terrain, soil conditions, geological problems, length of undergrounding, or type of development; or unnecessary because of screening vegetation or topography.
 2. The siting of transmission lines shall avoid interfering with the scenic views to the greatest extent possible, taking into account the design and size of transmission towers in the landscape. The utility companies shall coordinate with the Department in the planning stage on the location or relocation of all transmission lines that would be less than one-half mile from the -DS Combining Zone boundaries. All high voltage transmission towers and lines 115kV and above proposed by a local agency shall require a Conditional Use Permit.

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NAPA COUNTY [Title 18 ZONING*](#)

[Chapter 18.106 VIEWSHED PROTECTION PROGRAM](#)

18.106.010 Purpose.

The purpose and intent of these regulations is to protect the public health, safety, and community welfare and to otherwise protect the scenic quality of the county both for visitors to the county as well as for its residents by ensuring that future improvements are compatible with existing land forms, particularly county ridgelines and that views of the county's many unique geologic features and the existing landscape fabric of the county's hillside areas are protected and preserved. These regulations are consistent with the goals and policies of the Napa County general plan, particularly as specified in the land use, open space and conservation, circulation and the scenic highways elements. Furthermore, it is intended that these regulations accomplish the following:

- A. Provide hillside development standards to minimize the impact of man-made structures and grading on views of existing landforms, unique geologic features, existing landscape features and open space as seen from designated public roads within the county;
- B. Protect and preserve views of major and minor ridgelines from designated public roads;
- C. Create a development review process that maximizes administrative, staff level approval of projects which meet administrative standards, while also providing a vehicle for review by the zoning administrator or planning commission of those projects that do not meet the administrative standards;
- D. Minimize cut and fill, earthmoving, grading operations and other such man-made effects on the natural terrain to ensure that finished slopes are compatible with existing land character; and
- E. Promote architecture and designs that are compatible with hillside terrain and minimize visual impacts.

18.106.020 Definitions.

Unless otherwise specified, the terms indicated below shall have the following meaning:

"Accessory structures" shall mean structures that are subordinate and supplementary to the predominate use of the parcel, be it agricultural, residential, or a combination thereof.

"Agricultural structure" shall mean a structure supportive and/or ancillary to an authorized on-site agricultural use as defined by Section 18.08.040 of the code.

"Benches" or "shelves" shall mean flat areas which could be used as a building site which are otherwise surrounded by slopes of fifteen percent or greater.

"Building height" shall be as defined in the currently adopted edition of the California Building Code used by the county.

"Code" means the Napa County Code.

"Commission" shall mean the Napa County conservation, development and planning commission.

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“Defensible space” shall be interpreted pursuant to the requirements of Chapter 3 of Part 2 of Division 4 of the Public Resources Code (commencing with Section 4290).

“Department” shall mean the Napa County conservation, development and planning department.

“Design Manual” shall mean the manual entitled “Viewshed Protection Manual” on file with the Napa County conservation, development and planning department. The Design Manual shall contain graphic examples of major and minor ridgelines, projects which do and do not meet the criteria contained in this chapter, and landscape plan provisions.

“Designated public roads” shall mean scenic highways as identified in Figures 75 and 76 of the scenic highways element of the Napa County general plan, and such other county roads as may be designated by resolution of the board of supervisors.

“Director” shall mean the director of the conservation, development and planning department and/or his designee. “Floor area” shall be defined to be the area encompassed by the outside surface of the structure foundation.

“Grading” shall be as defined in Section 18.108.030 of the code. Grading includes earthmoving activity as defined in Section 18.108.030 of the code.

“Major ridgeline” shall mean a ridgeline, which is prominently visible from a substantial land area within the county. Major ridgelines are characterized by the lack of a topographical backdrop where the sky is visible beyond the ridge.

“Minor ridgeline” shall mean a ridgeline which is not prominently visible to a large area of the county. Minor ridgelines are typically lower in height, when compared to the surrounding terrain and may be visible only to a limited area, or have a backdrop of a nearby higher topographical feature.

“Predominant portion” shall mean the principal or main part of the structure including architectural features likely to be silhouetted against the sky.

“Ridgeline” shall mean a visually prominent, relatively narrow strip or crest of land, which includes the highest points of elevation within a watershed that separates one drainage basin from another.

“Slope” shall be determined in the same manner as defined in Section 18.108.030 of the code.

“Structures” shall mean that which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or comprised of parts joined together in some definite manner. Structure includes, but is not limited to, primary and accessory buildings, single-family residences and improvements, additions, reconstruction and remodeling to said structures.

“Substantial views” shall mean views of a structure wherein fifty-one percent or more of the area facing the designated road(s) can be seen

18.106.030 General provisions.

A. Applicability—New and Expanded Structures. No building permit, erosion control plan for structural development, grading or other administrative permit shall be issued by any county staff, agency or department for any new structure or improvement to an existing structure if the structure is located on a slope of fifteen percent or more as defined in Section 18.106.020 or if the structure is located on any minor or major ridgeline as defined in Section 18.106.020 except as specifically provided for herein. The ordinance codified in this section shall apply to all new structures located on slopes of fifteen percent or more or located on a minor or major ridgeline. In the event of a conflict among the regulations in this chapter and those elsewhere in this code, the regulations in this chapter shall prevail. The provisions of this chapter shall

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also apply to projects undertaken by public agencies and special districts except for the maintenance of existing county public roads within existing rights-of-way.

- B. Applicability—Grading or Earthmoving Activities. No permit or administrative or discretionary approval shall be issued to authorize any grading or earthmoving activity, including grading or earthmoving necessary to create or improve an existing or new driveway, road or other access, or benches or shelves, if such earthmoving or grading would occur on slopes of fifteen percent or more until the applicant has complied with the applicable provisions of this chapter. Agricultural roads within planted areas subject to erosion control plans under Chapter 18.108 of the code shall not be subject to this requirement.
- C. Relationship to the Review of Tentative Parcel Maps, Final Maps, and Subdivision Maps. All future building sites identified on either a tentative parcel map, final map, or subdivision map shall be reviewed and conditions of approval established to ensure conformity with the purpose and intent of this chapter.
- D. Relationship to Previously Approved Use Permits and Small Lot Subdivisions. All structures described in a use permit approved prior to the effective date of Ordinance Number 1189 shall not be subject to the requirements of this chapter. Parcels in small lot subdivisions (defined as groups of at least five parcels of less than two acres each for the purposes of this section) established prior to the effective date of Ordinance Number 1268 shall not be subject to the requirements of this chapter.
- E. Relationship to Previously Accepted or Approved Building Permits. All residential structures or accessory structures for which a building permit was approved prior to the effective date of Ordinance Number 1189, or for which a building permit application had been accepted and deemed complete for departmental review by the county prior to December 1, 2001, shall not be subject to the requirements of this chapter. Such structures and the accompanying permits may be modified prior to the final occupancy inspection if the predominant portion of the proposed modifications to the structure is screened from view from a designated public road by natural vegetation, landscaping, architectural design, and colortone that is in accordance with the Design Manual and provisions of this chapter.
- F. Relationship to Use Permit Applications. Applications requiring the issuance of a use permit or use permit modification, as required by the code, will be reviewed for their adherence to the requirements of this chapter during the application process for the issuance of the use permit or use permit modification.
- G. Relationship to Conservation Regulations. The structures or activities referred to in Section 18.108.050, except subsections (A) and (B), shall be exempt from the requirements of this chapter and will be cleared for further processing.
- H. Determination of Adverse Effects on Ridgelines. The director shall determine whether the proposed location of a structure could adversely affect a minor or major ridgeline for the purpose of administering this chapter based upon elevation of the proposed structure, the height of its roof line and the location of the structure in relationship to surrounding topography.
- I. Application Form and Fee. Applications for new, expanded or remodeled structures subject to this chapter shall be submitted to the department on a form provided by the department accompanied by a fee determined by a resolution adopted by the board of supervisors.

18.106.040 Projects subject to administrative review.

- A. General Provisions. Permit applications which meet the criteria in subsection (A) or (E) of Section 18.106.030, and/or grading or earthmoving activities meeting the criteria in subsection (B) of Section 18.106.030, shall be submitted to the department for review by the director. If the application, either as submitted, or upon the inclusion of specified measures, meets the criteria specified in subsection (B) or (C) of this section, the director shall certify

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that the project complies with the applicable provisions of this chapter and the project will then be cleared for continuing processing pursuant to Title 15 of the code. The director may require the submittal of additional information including, but not limited to, a photo or computer simulation of the project and associated improvements, prior to determining that the project meets the criteria contained in this chapter.

- B. Visibility Determination. If the director determines that the project cannot be viewed from any designated public road, because of its relationship to surrounding topography or existing vegetation, then the project will be cleared for further processing pursuant to the code. If the determination was made based on existing vegetation coverage, then the property owner, prior to the issuance of a building permit, shall be required to execute and record in the county recorder's office a use restriction, in a form approved by county counsel, requiring the existing covering vegetation to be maintained, or replaced with equivalent vegetation, by the owner or the owner's successors, so as to prevent the project from being viewed from any designated public road.
- C. Administrative Criteria. A project shall be certified and cleared for further processing, if the director determines that a project meets all of the following conditions:
1. The highest point of the proposed structure is located more than twenty-five vertical feet below a major or minor ridgeline;
 2. The project as designed and sited meets all of the following standards and substantially conforms to the Design Manual:
 - a. The maximum floor area, including all floors, of the main residence or agricultural structure is four thousand square feet or less and the maximum floor area, including all floors, for accessory structures are a combined total of two thousand five hundred square feet or less,
 - b. The height of the structure is twenty-four feet or less as measured from finished grade along fifty percent or more of the longest wall as viewed from any designated public road,
 - c. The improvement(s), including any required earthmoving or grading associated with the structure shall minimize removal of existing vegetation with emphasis on preserving mature trees. If the improvements require the removal of any tree with a diameter of six inches or greater, a detailed landscaping plan shall be prepared showing the location and replacement of trees and vegetation in a manner which screens the improvements from substantial views from designated public roads and provides for defensible space in conformance with state law,
 - d. A significant portion of natural on-site vegetation has been retained to naturally screen the project from views of designated public roads,
 - e. Landscaping will be installed and designed to screen the project from substantial views from designated public roads,
 - f. The project lighting, including site lighting, has been designed to minimize off-site visibility and glare,
 - g. The exterior color treatment of the structure will blend with the color of surrounding vegetation and landforms,
 - h. Exterior windows and trim are nonreflective. Roof angles and composition are designed to conform to existing landforms and landscape;
 3. If the structure is an addition to an existing residence or an agricultural structure, the total floor area, including all floors shall not exceed four thousand square feet. If the addition pertains to an accessory structure, the total floor area, including all floors, shall not exceed a combined total of two thousand five hundred square feet;

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4. The project as sited and designed shall be in substantial compliance with the Design Manual to reduce its visual impact on the views of major and minor ridgelines as viewed from any designated public road and unique topographic or geologic features as viewed from any county road. The following landforms will be considered to be unique topographic or geologic features for the purposes of this subsection: Mt. St. Helena, Stag's Leap, Calistoga Palisades, Round Hill, Mt. George and Mt. St. John;
 5. Involves the grading of less than one and one-half acres of land;
 6. Future structures, including roads, driveways, wastewater disposal systems, and necessary earthmoving to construct project improvements shall be located to avoid environmentally sensitive areas as defined by Section 18.08.270 of the code;
 7. A detailed landscape plan prepared by a qualified landscape professional shall be prepared which incorporates the criteria set forth in the Design Manual for review and approval by the director.
- D. Prior to the issuance of a building permit for any project authorized under this section, the property owner shall be required to execute and record in the county recorder's office a use restriction, in a form approved by county counsel, requiring building exteriors, and existing and proposed covering vegetation, as well as any equivalent level of replacement vegetation, to be maintained by the owner or the owner's successors so as to maintain conformance with either subsection (B) or (C) of this section.
- E. Projects that do not satisfy the criteria and standards contained in Section 18.106.040 shall be subject to review and approval under Section 18.106.050.

18.106.050 Processing of projects subject to review and approval by the zoning administrator or the commission.

- A. If the director determines that a project does not meet the criteria in Section 18.106.040 the project shall not be cleared for further processing until the findings contained in subsection (B) of this section are made and a permit is issued by the zoning administrator, or upon referral, by the commission.
- B. The zoning administrator or commission shall make all of the following findings prior to approving a project:
1. The project as designed or modified is consistent with Chapter 18.108 of the code;
 2. If the highest point of the proposed project is located more than twenty-five vertical feet below a major or minor ridgeline, that measures have been included in the project to reduce its visual impact on the major or minor ridgeline through use of existing natural vegetation, landscaping, topographical siting, architectural design, and color tone; or if the highest point of the proposed structure is within twenty-five vertical feet of a major or minor ridgeline, that the existing vegetation, proposed landscaping, topographical siting, architectural design, and color tone screen the predominant portion of the proposed structure;
 3. The proposed structure, access roads and other site improvements are sited and designed to minimize adverse effects on views from designated public roads;
 4. The proposed structure, access road and other site improvements, including earthmoving or grading, and benches or shelves minimize the removal of vegetation;
 5. The siting and design of site improvements and access roads minimize grading and alteration of natural landforms and topography;

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6. A landscape and/or vegetation retention plan in conformance with the Design Manual has been submitted and approved for the site that would provide maximum screening from designated public roads through preservation of existing vegetation and the planting of new vegetation and provide for defensible space in conformance with state law;
 7. The proposed structure and associated improvements substantially conform with the Design Manual in order to reduce their visual impact on the views of major and minor ridgelines as viewed from any designated public road and unique topographic or geologic features as viewed from any county road. The following landforms will be considered to be unique topographic or geologic features for the purposes of this subsection: Mt. St. Helena, Stag's Leap, Calistoga Palisades, Round Hill, Mt. George and Mt. St. John;
- C. Prior to the issuance of a building permit for any project authorized under this section, the property owner shall be required to execute and record in the county recorder's office a use restriction, in a form approved by county counsel, requiring building exteriors, and existing and proposed covering vegetation, as well as any equivalent level of replacement vegetation, to be maintained by the owner or the owner's successor so as to maintain conformance with subsection (B) of this section;
- D. If one or more of the findings in subsection (B) of this section cannot be made, the application shall be forwarded to the commission for a possible exception pursuant to Section 18.106.070.

18.106.060 Required public and private notification.

- A. Within seven days of the issuance of a tentative decision that the project is subject to administrative approval under Section 18.106.040, the director shall give notice of his tentative decision, including the date on which the tentative decision will become final, which date shall be ten calendar days following the date notice of the tentative decision is mailed.
1. The notice shall be provided to the city or town closest to where the project is proposed to be built and to all public or private property owners located within three hundred feet of the outer perimeter of the property on which the project would be constructed as shown on the latest equalized assessment roll.
 2. The tentative decision shall be final once the period identified in the notice has expired unless an appeal has been filed by the applicant or any interested person pursuant to Chapter 2.88 of this code, in which case the tentative decision shall become final only if and when the appeal is withdrawn, dismissed or denied. If the appeal is granted, in whole or in part, the decision of the board on appeal shall become final in the manner and within the time set forth in Chapter 2.88.
- B. At least ten days prior to a decision by the zoning administrator or the commission under Section 18.106.050 or 18.106.070, notice of a public hearing shall be provided to the city or town closest to where the project is proposed to be built and to all property owners located within three hundred feet of the outer perimeter of the property on which the project would be constructed as shown on the latest equalized assessment roll.

18.106.070 Exceptions.

Upon application by the property owner of a site, an exception to the requirement contained in subsection (B) of Section 18.106.050 may be granted by the commission. Such exception may be granted if, after conducting a public hearing and reviewing available building sites on the subject property, the commission makes all of the following findings:

EXHIBIT E

- A. Compliance with the provisions of subsection (B) of Section 18.106.050 would result in greater visual impact than would the proposed construction on the proposed building site;
- B. Compliance with the provisions of subsection (B) of Section 18.106.050 would result in greater impact on existing landforms and landscape than would the proposed construction on the proposed building site;
- C. Measures have been included in the project to reduce its visual impacts as seen from any designated public roads. Such measures include but are not limited to:
 - 1. Installation of landscaping designed to screen the project from view of designated public roads;
 - 2. Low level lighting on buildings and site which minimize off-site visibility and glare;
 - 3. Nonreflective exterior windows and window frames;
 - 4. Use of earth tone colors on building exteriors;
 - 5. Roof angles and composition designed to conform with the existing land forms and landscape; and from any designated public road or open space owned or managed by a public agency or land trust.
- D. Prior to the issuance of a building permit for any project authorized under this section, the property owner shall be required to execute and record in the county recorder's office a use restriction, in a form approved by county counsel, requiring building exteriors, and existing and proposed covering vegetation, as well as any equivalent level of replacement vegetation, to be maintained by the owner or the owner's successors so as to maintain conformance with subsection (C) of this section.
- E. The project as designed or modified is consistent with the requirements of Chapter 18.108 of the code.

18.106.080 Variances not prohibited.

Nothing in this chapter shall be construed as prohibiting any person from filing an application for a variance or as prohibiting the board of supervisors or commission from approving a variance pursuant to Chapter 18.128 of the code.

18.106.090 Denials and potential takings.

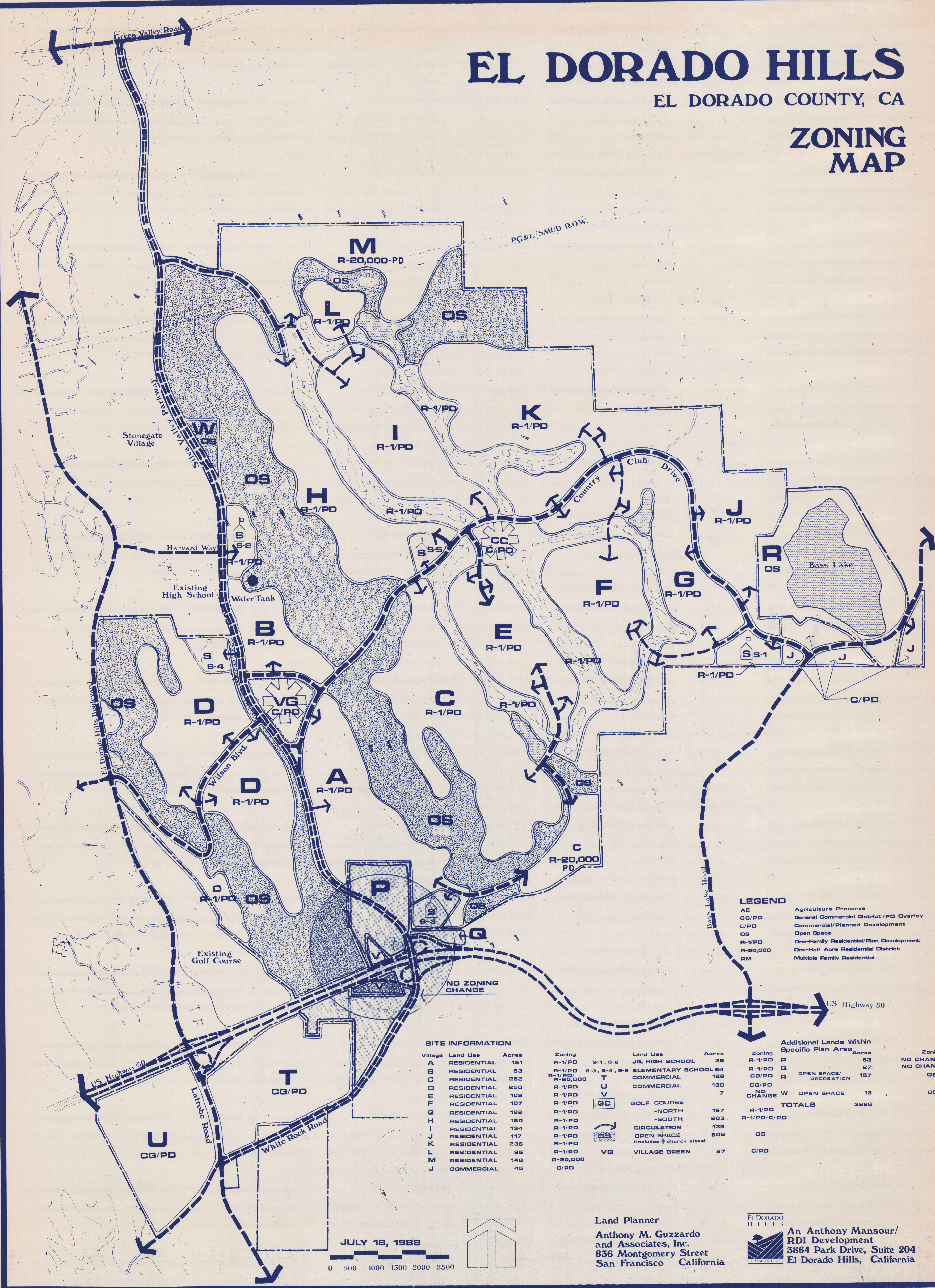
No action shall be taken or a decision made pursuant to this chapter that denies the property owner economically viable use of the land (or the current legal standard in effect for a "takings" claim) under the Fifth Amendment of the U.S. Constitution at the time the applicant seeks project approval.

EXHIBIT F

EL DORADO HILLS

EL DORADO COUNTY, CA

ZONING MAP



LEGEND

| | |
|----------|---|
| AE | Agriculture Preserve |
| CG/PD | General Commercial District/PD Overlay |
| C/PD | Commercial/Planned Development |
| OS | Open Space |
| R-1/PD | One-Family Residential/Plan Development |
| R-20,000 | One-Half Acre Residential District |
| RM | Multiple Family Residential |

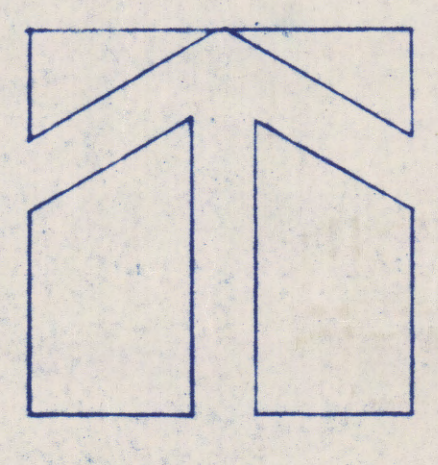
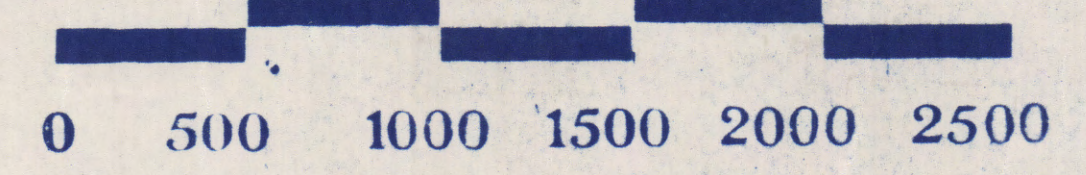
SITE INFORMATION

| Village | Land Use | Acres | Zoning | Land Use | Acres | Zoning | Acres | Zoning |
|---------|-------------|-------|---------------------|-------------------|-------|--------|-------|-----------|
| A | RESIDENTIAL | 151 | R-1/PD | JR. HIGH SCHOOL | 36 | R-1/PD | 53 | NO CHANGE |
| B | RESIDENTIAL | 53 | R-1/PD | ELEMENTARY SCHOOL | 24 | R-1/PD | 27 | NO CHANGE |
| C | RESIDENTIAL | 252 | R-1/PD/ R-20,000 | COMMERCIAL | 128 | CG/PD | 157 | OS |
| D | RESIDENTIAL | 250 | R-1/PD | COMMERCIAL | 130 | CG/PD | 157 | OS |
| E | RESIDENTIAL | 109 | R-1/PD | COMMERCIAL | 130 | CG/PD | 157 | OS |
| F | RESIDENTIAL | 107 | R-1/PD | COMMERCIAL | 130 | CG/PD | 157 | OS |
| G | RESIDENTIAL | 192 | R-1/PD | COMMERCIAL | 130 | CG/PD | 157 | OS |
| H | RESIDENTIAL | 160 | R-1/PD | COMMERCIAL | 130 | CG/PD | 157 | OS |
| I | RESIDENTIAL | 134 | R-1/PD | COMMERCIAL | 130 | CG/PD | 157 | OS |
| J | RESIDENTIAL | 117 | R-1/PD | COMMERCIAL | 130 | CG/PD | 157 | OS |
| K | RESIDENTIAL | 236 | R-1/PD | COMMERCIAL | 130 | CG/PD | 157 | OS |
| L | RESIDENTIAL | 25 | R-1/PD | COMMERCIAL | 130 | CG/PD | 157 | OS |
| M | RESIDENTIAL | 148 | R-20,000 | COMMERCIAL | 130 | CG/PD | 157 | OS |
| J | COMMERCIAL | 45 | C/PD | COMMERCIAL | 130 | CG/PD | 157 | OS |

Additional Lands Within Specific Plan Area

| | | | |
|---------------|-------------|--------|-------|
| Zoning | Acres | Zoning | Acres |
| P | 53 | R-1/PD | 203 |
| Q | 27 | OS | 808 |
| R | 157 | CG/PD | 157 |
| W | 13 | CG/PD | 157 |
| TOTALS | 3896 | | |

JULY 18, 1988



Land Planner
 Anthony M. Guzzardo
 and Associates, Inc.
 836 Montgomery Street
 San Francisco California

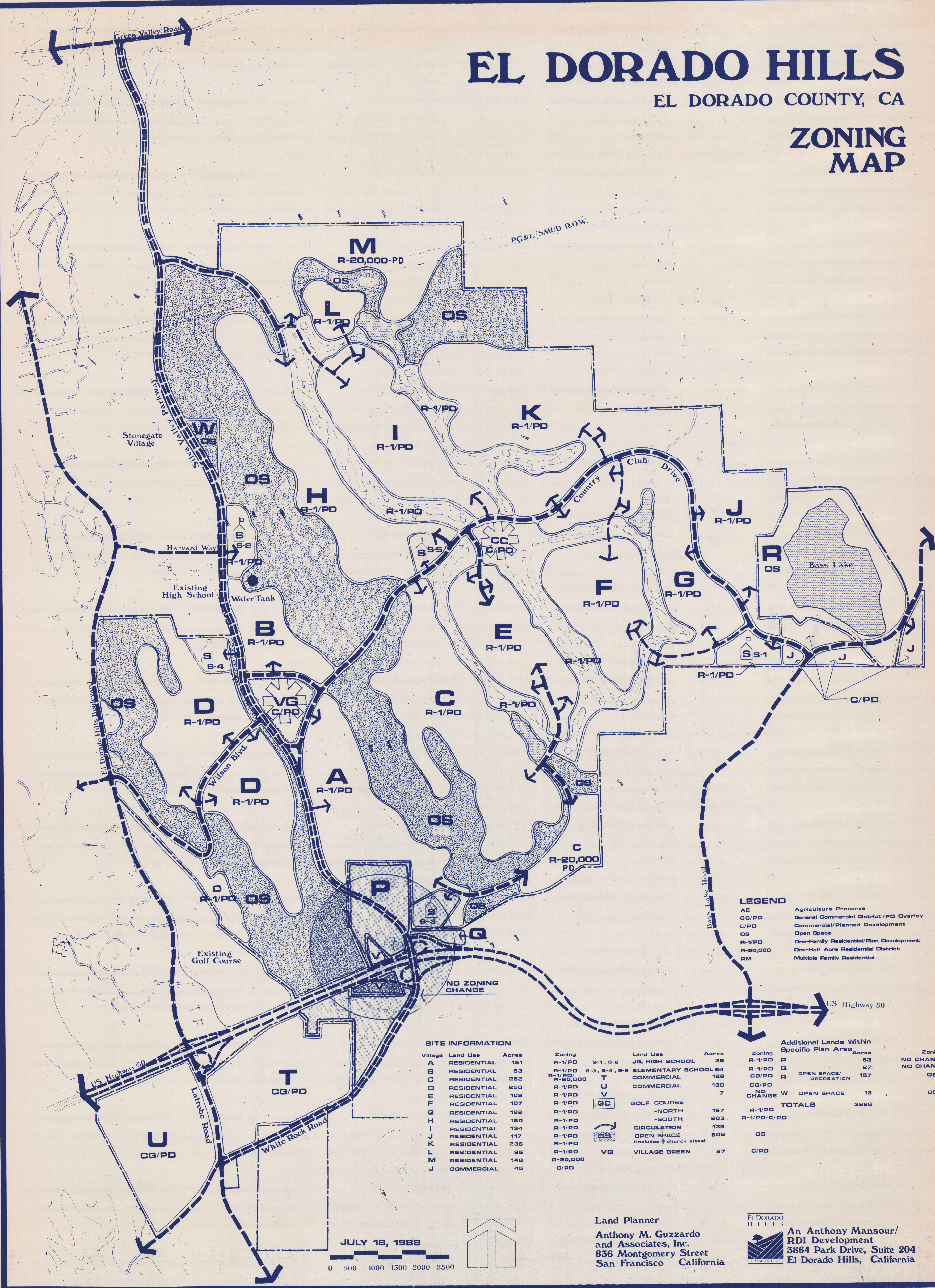
EL DORADO HILLS
 An Anthony Mansour/
 RDI Development
 3864 Park Drive, Suite 204
 El Dorado Hills, California

EXHIBIT F

EL DORADO HILLS

EL DORADO COUNTY, CA

ZONING MAP



LEGEND

| | |
|----------|---|
| AE | Agriculture Preserve |
| CG/PD | General Commercial District/PD Overlay |
| C/PD | Commercial/Planned Development |
| OS | Open Space |
| R-1/PD | One-Family Residential/Plan Development |
| R-20,000 | One-Half Acre Residential District |
| RM | Multiple Family Residential |

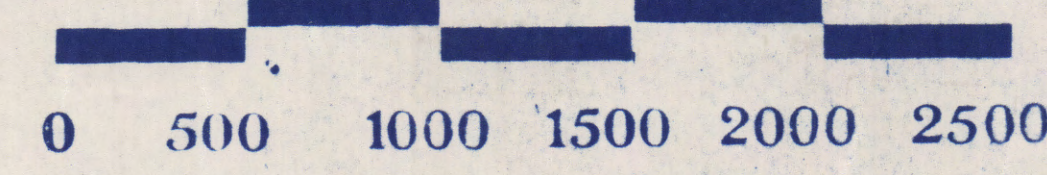
SITE INFORMATION

| Village | Land Use | Acres | Zoning | Land Use | Acres | Zoning | Acres | Zoning |
|---------|-------------|-------|---------------------|-------------------|-------|--------|-------|-----------|
| A | RESIDENTIAL | 151 | R-1/PD | JR. HIGH SCHOOL | 36 | R-1/PD | 53 | NO CHANGE |
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| D | RESIDENTIAL | 250 | R-1/PD | COMMERCIAL | 130 | CG/PD | 157 | OS |
| E | RESIDENTIAL | 109 | R-1/PD | COMMERCIAL | 130 | CG/PD | 157 | OS |
| F | RESIDENTIAL | 107 | R-1/PD | COMMERCIAL | 130 | CG/PD | 157 | OS |
| G | RESIDENTIAL | 192 | R-1/PD | COMMERCIAL | 130 | CG/PD | 157 | OS |
| H | RESIDENTIAL | 160 | R-1/PD | COMMERCIAL | 130 | CG/PD | 157 | OS |
| I | RESIDENTIAL | 134 | R-1/PD | COMMERCIAL | 130 | CG/PD | 157 | OS |
| J | RESIDENTIAL | 117 | R-1/PD | COMMERCIAL | 130 | CG/PD | 157 | OS |
| K | RESIDENTIAL | 236 | R-1/PD | COMMERCIAL | 130 | CG/PD | 157 | OS |
| L | RESIDENTIAL | 25 | R-1/PD | COMMERCIAL | 130 | CG/PD | 157 | OS |
| M | RESIDENTIAL | 148 | R-20,000 | COMMERCIAL | 130 | CG/PD | 157 | OS |
| J | COMMERCIAL | 45 | C/PD | COMMERCIAL | 130 | CG/PD | 157 | OS |

Additional Lands Within Specific Plan Area

| | | | |
|---------------|-------------|-----------|-----------|
| Zoning | Acres | Zoning | Acres |
| P | 53 | NO CHANGE | NO CHANGE |
| Q | 27 | OS | OS |
| R | 157 | OS | OS |
| W | 13 | OS | OS |
| TOTALS | 3896 | | |

JULY 18, 1988



Land Planner
 Anthony M. Guzzardo
 and Associates, Inc.
 836 Montgomery Street
 San Francisco California

EL DORADO HILLS
 An Anthony Mansour/
 RDI Development
 3864 Park Drive, Suite 204
 El Dorado Hills, California

EXHIBIT G

| | | | | | | | |
|---------------------------|--------------------------|----------------------|----------------------|--|------------------------|-----------------------|---------------------------|
| Placer County Code | | | | | | | |
| Up | Previous | Next | Main | | Search | Print | No Frames |

[Chapter 17 ZONING](#)

[Part 2. Zone Districts and Allowable Uses of Land](#)

[Division VI. Combining District Regulations](#)

[Article 17.52 COMBINING DISTRICTS](#)

17.52.070 Design review (-Dc, -Dh, -Ds).

A. Purpose and Intent. The purpose of the design review (-Dc, -Dh, -Ds) combining districts is to provide special regulations to protect and enhance the aesthetic character of lands and buildings within public view; to protect historic buildings; to minimize any adverse impacts of conflicting land uses; to enhance tourism through the protection of lands and buildings having unique aesthetic characteristics; and to provide special project review procedures for lands and uses which by their nature require special attention to landscaping, circulation, and/or energy conservation.

B. Establishment of District. The design review combining district may be applied to lands within Placer County through the rezoning of property as a “design scenic corridor” (Dc), “design historical” (Dh), or “design sierra” (Ds) district. The following criteria and findings shall determine which type of design review combining district is applied:

1. Design Scenic Corridor or Sierra (-Dc, -Ds). The Dc or Ds designations shall be applied only to:
 - a. Areas of special natural beauty and aesthetic interest that constitute a basic resource in the county economy, the preservation of which in its most nearly natural state would enhance tourism; or
 - b. Areas, places, sites, structures or uses where application of the design review combining district will serve to carry out the other purposes stated in subsection A of this section.

The adoption of the Dc or Ds designations shall require that the board make findings of fact stating: the special problems present within the district; how specific areas, places, sites, structures or uses serve to implement the purposes of subsection A of this section; and the reasons why the district should receive the benefit of special regulation.

2. Design Historical (-Dh). The Dh designation shall be applied only to areas, places, sites, structures or uses that have special historical interest. In adopting the Dh designation, the board shall first make findings of fact that identify the specific historical interest, and state that a significant percentage of the buildings covered by the Dh classification were constructed before 1920.

3. General Findings. In addition to the findings required above to enable the rezoning of property to the design review combining district, the board shall also identify the specific places, sites, structures, uses or areas to be included within the district.

C. Combining District Requirements. The requirements and standards that apply to land uses within the design review combining district shall be the same as otherwise required by Sections 17.06.060 et seq., for the applicable zone with which the design review district is combined, except as follows:

1. Buildings and Projects. No construction, renovation, remodeling, reconstruction, demolition, or other alteration of a building, structure or site (see Section 17.52.070(D)(3)), including any change in the exterior appearance of an historic building shall occur within a design review combining district before obtaining design review approval as required by this section.

2. Issuance of Building Permits. No building permit for a project subject to design review shall be issued before design review approval, or contrary to any conditions of design review approval.

EXHIBIT H

APPENDIX A

Map 1: CORRIDOR BOUNDARY

El Dorado County Scenic Highway Study
Segment 5 - State Route 49
P.M. 15.68 - 38.20
Placerville to Placer County Line

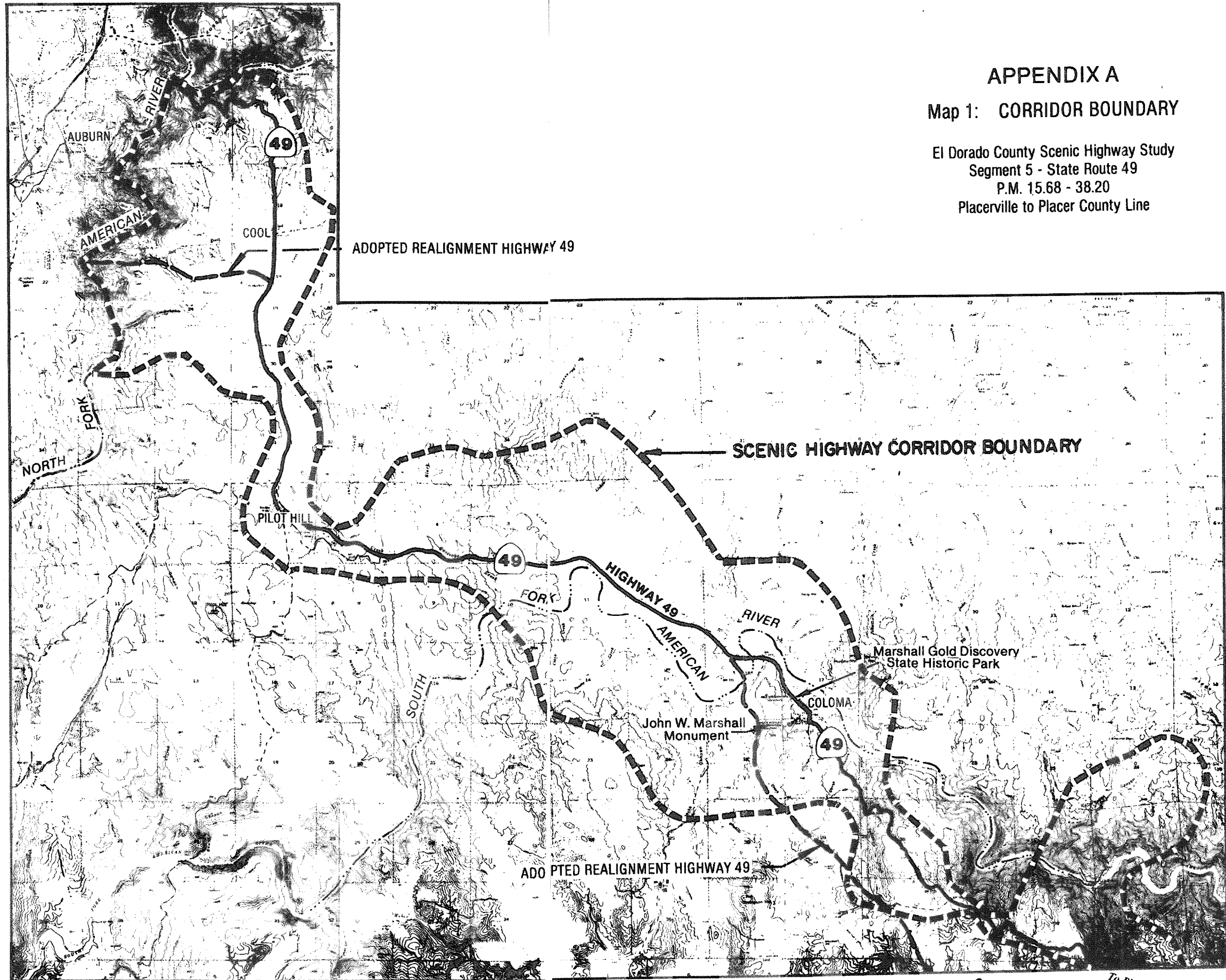


EXHIBIT I

Comparison of El Dorado County 2008 Public Review Draft Scenic Corridor Ordinance With Ordinances/Regulations of Six Comparable Counties

| | County | Alpine | Nevada | Plumas | Tuolumne | Napa | Tehama |
|----|--|---|---|--|---|---|------------------------------------|
| | El Dorado County 2008 Public Review Draft Scenic Corridor Ordinance Provisions | Scenic Highway Corridor Ordinance | Scenic Corridor Combining Zone District | Special Plan (SP) Combining Zone District | Hillside and Scenic Route Design Guidelines | Viewshed Protection Program | Provisions of State Law |
| 1. | Purpose (Draft Sec. 17.27.110.A) | Yes | Yes – (Sec. L-II 2.7.7.A) | Yes | Yes | Yes | |
| 2. | Intent (Draft Sec. 17.27.110.B) | Yes | No | No | Yes | Yes Included With Purpose (Sec. 18.106.010) | |
| 3. | Designation of Scenic Corridor Design Review Combining Zones. <i>Include prominent ridgelines, view windows and view sheds.</i> (Draft Sec. 17.27.110.C) | Yes – Scenic Corridors are designated where identified in the General Plan (Sec. 18.60.020) | Yes – Scenic Corridors are designated based on an adopted scenic corridor study (Sec. L-II.2.7.7B) | Standards are specific to each Special Plan area. | Yes - Scenic routes are designated for specific roadway segments (Scenic Route Guidelines, Figure 4.2). | Yes | Defer to state law |

EXHIBIT I

Comparison of El Dorado County 2008 Public Review Draft Scenic Corridor Ordinance With Ordinances/Regulations of Six Comparable Counties

| | County | Alpine | Nevada | Plumas | Tuolumne | Napa | Tehama |
|----|---|--|---|---|--|--|------------------------------------|
| | El Dorado County 2008 Public Review Draft Scenic Corridor Ordinance Provisions | Scenic Highway Corridor Ordinance | Scenic Corridor Combining Zone District | Special Plan (SP) Combining Zone District | Hillside and Scenic Route Design Guidelines | Viewshed Protection Program | Provisions of State Law |
| 4. | Applicability (Draft Sec. 17.27.110.D) | Yes – (Sec. 18.60.020). | Yes | Standards are specific to each Special Plan area. | Yes | Yes – Visual impacts are reviewed consistent with the Viewshed Protection Program (VPP) | |
| 5. | Prohibited Uses (Draft Sec. 17.27.110.E) | Yes - (Sec. 18.60.030) | No | No – Community participation implied but not specified in policy documents. | No | Yes - Prohibited uses are integrated throughout various sections. | Defer to state law |
| 6. | Exceptions (Draft Sec. 17.27.110.F) | No- Implied but not specified | No | Standards are specific to each Special Plan area. | No | Yes - (Sec. 18.106.070) | |
| 7. | Exemptions (Draft Sec. 17.27.110.G) | No - Implied but not specified | No Exemptions implied but not specified | Standards are specific to each Special Plan area. | No | Yes - Exemptions are integrated within various sections. | |

EXHIBIT I

Comparison of El Dorado County 2008 Public Review Draft Scenic Corridor Ordinance With Ordinances/Regulations of Six Comparable Counties

| | County | Alpine | Nevada | Plumas | Tuolumne | Napa | Tehama |
|----|---|--|---|---|--|--|------------------------------------|
| | El Dorado County 2008 Public Review Draft Scenic Corridor Ordinance Provisions | Scenic Highway Corridor Ordinance | Scenic Corridor Combining Zone District | Special Plan (SP) Combining Zone District | Hillside and Scenic Route Design Guidelines | Viewshed Protection Program | Provisions of State Law |
| 8. | Discretionary Requirements (Draft Sec. 17.27.110.G) | No - Code does not differentiate between ministerial and discretionary development | No - Code does not differentiate between ministerial and discretionary development | Generally Yes – However standards are area-specific | No - Guidelines do not differentiate between ministerial and discretionary development. | Yes - Specified projects are subject to review and approval by the Zoning Administrator or Planning Commission (Sec. 18.106.050) | |
| 9. | Ministerial Review Process (Draft Sec. 17.27.110.I) | No - Code does not differentiate between ministerial and discretionary development | No - Code does not differentiate between ministerial and discretionary development | No | No - Guidelines do not differentiate between ministerial and discretionary development. | Yes - Specified projects are subject to administrative review (Sec. 18.106.040) | |

EXHIBIT I

Comparison of El Dorado County 2008 Public Review Draft Scenic Corridor Ordinance With Ordinances/Regulations of Six Comparable Counties

| | County | Alpine | Nevada | Plumas | Tuolumne | Napa | Tehama |
|-----|---|---|--|--|--|---|------------------------------------|
| | El Dorado County 2008 Public Review Draft Scenic Corridor Ordinance Provisions | Scenic Highway Corridor Ordinance | Scenic Corridor Combining Zone District | Special Plan (SP) Combining Zone District | Hillside and Scenic Route Design Guidelines | Viewshed Protection Program | Provisions of State Law |
| 10. | Administrative Permit (Draft Sec. 17.27.110.J) | No | No - A Scenic Corridor Analysis is required for all applicable development. (Sec. L- II.2.7.7.D.1) | No | No | Yes - See note above. | |
| 11. | Variance (of Admin. Permit Standards) (Draft Sec. 17.27.110.K) | No- Compliance with Design Guidelines is voluntary, but highly encouraged. | No - A Scenic Corridor Analysis is required for all applicable development. | No – Implied but not specified | No | Yes - Variances are allowed pursuant to Chapter 18.128 of County Code. | |
| 12. | Utility Lines (Draft Sec. 17.27.110.L) | No | No | No – Implied but not specified | No - Implied but not specified | No | Defer to State Law |

EXHIBIT J

SUMMARY OF SCENIC CORRIDOR REGULATIONS ADOPTED/CODIFIED BY ALPINE, NEVADA, PLUMAS, TUOLUMNE, NAPA AND TEHAMA COUNTIES

ALPINE COUNTY

CHAPTER 18.60 – SCENIC HIGHWAY CORRIDOR DEVELOPMENT REQUIREMENTS

| SECTION | PROVISION |
|-----------|--------------------------------|
| 18.60.010 | Purpose and Intent |
| 18.60.020 | General Applicability |
| 18.60.030 | Prohibited Activities and Uses |
| 18.60.040 | Design Guidelines |
| 18.60.050 | Definitions |

NEVADA COUNTY

SECTION L-II 2.7.7 – “SC” SCENIC CORRIDOR COMBINING DISTRICT

| SECTION | PROVISION |
|---------|----------------------------|
| A | Purpose |
| B | District Regulations |
| C | Applicability |
| D | Site Development Standards |
| E | Approval |

PLUMAS COUNTY

ARTICLE 37 – SPECIAL PLAN COMBINING ZONE (SP)

| SECTION | PROVISION |
|----------|-------------------------------|
| 9-2.3701 | Purpose |
| 9-2.3702 | Identification |
| 9-2.3703 | Special Plan Review |
| 9-2.3704 | Special Plan Review Committee |

EXHIBIT J

SUMMARY OF SCENIC CORRIDOR REGULATIONS ADOPTED/CODIFIED BY ALPINE, NEVADA, PLUMAS, TUOLUMNE, NAPA AND TEHAMA COUNTIES

TUOLUMNE COUNTY

GUIDELINES FOR DEVELOPMENT ALONG SCENIC ROUTES

(Adopted May, 1998)

| CHAPTER | SUBJECT |
|------------------|--|
| Introduction | Purpose and Table of Contents |
| Chapter 1 | General Plan Applicable Policies and Implementation Programs |
| Chapter 2 | Regulations for Developing Along Scenic Routes |
| Chapter 3 | Applicability of Guidelines |
| Chapter 4 | Guidelines for Developing Along Scenic Routes |
| Chapter 4A | Land Use |
| Chapter 4B | Site Planning |
| Chapter 4C | Screening |
| Chapter 4D | Minimize Topographic Alteration |
| Chapter 4E | Hillside and Hilltop Development |
| Chapter 4F | Preserve Rural Character |
| Chapter 4G | Roads and Driveways |
| Chapter 4H | Exterior Appearance of Structures |
| Chapter 4I | Roofs |
| Chapter 4J | Accessory Structures and Appurtenant Facilities |
| Chapter 4K | Advertising |
| Chapter 4L | Lighting |
| Chapter 4M | Utilities |

EXHIBIT J

SUMMARY OF SCENIC CORRIDOR REGULATIONS ADOPTED/CODIFIED BY ALPINE, NEVADA, PLUMAS, TUOLUMNE, NAPA AND TEHAMA COUNTIES

TUOLUMNE COUNTY

HILLSIDE AND HILLTOP DEVELOPMENT GUIDELINES

(Adopted July, 2012)

| CHAPTER | SUBJECT |
|------------------|---|
| Introduction | Purpose and Table of Contents |
| Chapter 1 | General Plan Policies and Implementation Programs |
| Chapter 2 | Regulations for Developing On Hillsides and Hilltops |
| Chapter 3 | Guidelines for Developing on Hillsides and Hilltops: |
| | Site Planning |
| | Architectural Design |
| | Site Elements |

NAPA COUNTY

ZONING ORDINANCE CHAPTER 18.106 – VIEWSHED PROTECTION PROGRAM

| SECTION | PROVISION |
|------------|---|
| 18.106.010 | Purpose |
| 18.106.020 | Definitions |
| 18.106.030 | General provisions |
| 18.106.040 | Projects subject to administrative review |
| 18.106.050 | Processing of projects subject to review and approval by the zoning administrator or the commission |
| 18.106.060 | Required public and private notification |
| 18.106.070 | Exceptions |
| 18.106.080 | Variances not prohibited |
| 18.106.090 | Denials and potential takings |

TEHAMA COUNTY





(Scenic regulations defer to provisions of state law)

EXHIBIT K

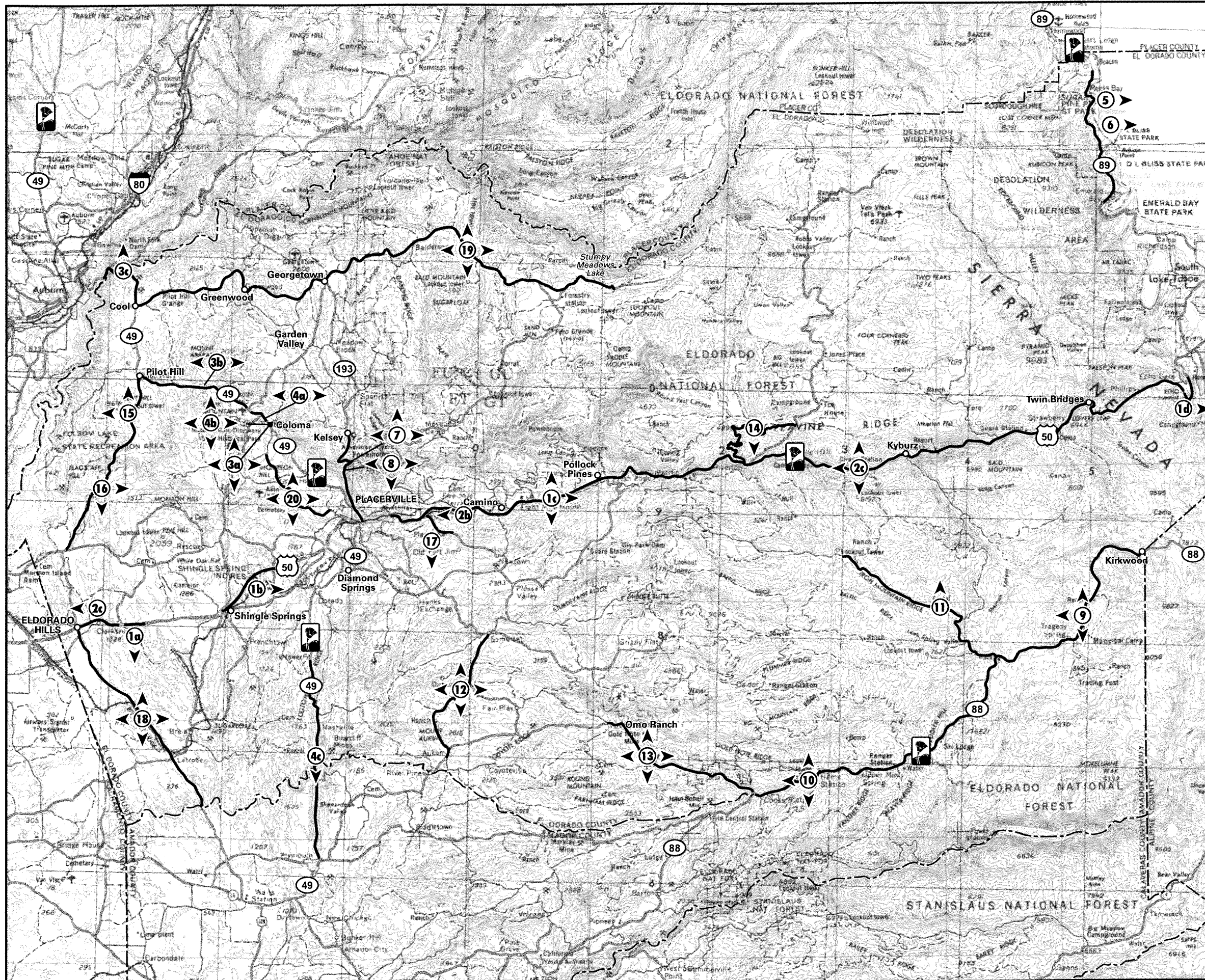
El Dorado County General Plan EIR

Scenic Viewpoints and Highways within El Dorado County

LEGEND

-  Location Number*
-  Viewing Area
-  Viewpoint Directional Indicator
-  Caltrans-designated and Caltrans-eligible Scenic Highways

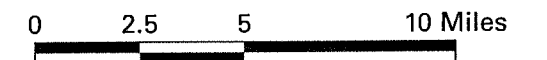
* Location Numbers correlate with Table 5.3-1.



Source: U.S.G.S. Chico (1970) and Sacramento (1970) 1:250,000 Scale



1 Inch = 5 Miles



May 2003

Exhibit 5.3-1

EDAW

EXHIBIT K

**Table 5.3-1
Important Public Scenic Viewpoints**

| Viewpoint | Location No. ¹ | Location | Direction | Scenic View or Resource? |
|--------------------|---------------------------|--|---------------------------|---|
| Highways | | | | |
| U.S. 50 westbound | 1a | East of Bass Lake Road | South | Marble Valley (V) |
| | 1b | Between South Shingle Road/ Ponderosa Road interchange and Greenstone Road | East | Crystal Range (V) |
| | 1c | East of Placerville, various locations (state-designated scenic highway) | East, north, and south | Sierra Nevada peaks (V), American River canyon (V,R), lower Sierra Nevada ridgelines (V) |
| | 1d | Echo Summit | East | Christmas Valley (V), Lake Tahoe (V,R) |
| U.S. 50 eastbound | 2a | Between Echo Summit and Placerville (state-designated scenic highway) | West, north, and south | American River canyon (V,R), Sacramento Valley (V), lower Sierra Nevada ridgelines (V), Horsetail Falls (R) |
| | 2b | Camino Heights | West | Sacramento Valley (V) |
| U.S. 49 northbound | 2c | Bass Lake Grade | West | Sacramento Valley (V) |
| | 3a | Coloma | All | Historic townsite of Coloma (Marshall Gold Discovery State Historic Park) (R) |
| | 3b | Marshall Grade Road to Cool | East and west | Coloma Valley (V), American River (V,R), ridgelines (V), rolling hills (V) |
| | 3c | North of Cool Quarry | North | Middle Fork American River Canyon (V,R) |
| | 4a | Pedro Hill Road to Coloma | East and west | Coloma Valley (V), American River (V,R), Mt. Murphy (V,R), rolling hills (V) |
| U.S. 49 southbound | 4b | Coloma | All | Historic townsite of Coloma (Marshall Gold Discovery State Historic Park) (R) |
| | 4c | South of Crystal Boulevard | East and south | Cosumnes River canyon (V), ridgelines (V) |

Table 5.3-1

Important Public Scenic Viewpoints

| Viewpoint | Location No. ¹ | Location | Direction | Scenic View or Resource ² |
|--|---------------------------|---|--|--|
| U.S. 89 northbound | 5 | Emerald Bay to Sugar Pine Point | East | Lake Tahoe (R) |
| U.S. 89 southbound | 6 | Sugar Pine Point to Emerald Bay | East | Lake Tahoe (R) |
| U.S. 193 northbound (from Placerville to Georgetown) | 7 | Intersection with U.S. 49 to Kelsey | North, east, and west | American River canyon (V,R), ridgelines (V) |
| U.S. 193 southbound (from Georgetown to Placerville) | 8 | Kelsey to intersection with U.S. 49 | South, east, and west | American River canyon (V,R), ridgelines (V) |
| U.S. 88 westbound | 9 | Kirkwood to Omo Ranch Road | North and west, south into Amador County | Lower Sierra Nevada ridgelines (V) |
| U.S. 88 eastbound | 10 | Omo Ranch Road to Kirkwood | North and west, south into Amador County | Sierra Nevada peaks (V), lower Sierra Nevada ridgelines (V) |
| Other Major Roadways | | | | |
| Mormon Emigrant Trail (Iron Mountain Road) | 11 | Intersection with U.S. 88 to approximately 10 miles west of intersection | North | Sierra Nevada peaks (V), South Fork of the American River canyon (V,R), ridgelines (V) |
| Mt. Aukum Road (E16) | 12 | Crossings of the North and Middle forks of the Cosumnes River, road section north of South Fork of the Cosumnes River | All | Cosumnes River canyon(s) (V,R) |
| Omo Ranch Road | 13 | Between Omo Ranch and U.S. 88 | Various | Ridgelines (V), canyons (V,R) |

**Table 5.3-1
Important Public Scenic Viewpoints**

| Viewpoint | Location No. ¹ | Location | Direction | Scenic View or Resource ² |
|------------------------------|---------------------------|--|----------------|--|
| Icehouse Road | 14 | Peavine Road to U.S. 50 | South | American River canyon (V,R) |
| Salmon Falls Road Southbound | 15 | South of U.S. 49 to Folsom Reservoir | South and west | American River canyon (V,R), Folsom Reservoir (V,R) |
| Latrobe Road | 18 | From White Rock Road south to County Line | All | Rolling hills (V), occasional vistas of Sacramento Valley (V) |
| Wentworth Springs Road | 19 | East of Georgetown | All | Intermittent forest and ridge views (V), views of water bodies (Rubicon River, Stumpy Meadows Reservoir) (V) |
| Cold Springs Road | 20 | Gold Hill area | All | Rolling hills (V), ridgelines (V) |
| River Corridors | | | | |
| American River | N/A | Middle Fork forms the western part of the northern county boundary; South Fork meanders through the central part of the county | N/A | Middle Fork (V), South Fork (V, R) |
| Cosumnes River | N/A | North, Middle, and South Forks pass through south-central portion of the county to the southern boundary | N/A | North, Middle, and South Forks (V) |
| Rubicon River | N/A | Northern boundary in the central portion of the county | N/A | (V) |
| Truckee River | N/A | Upper Truckee River flows into Lake Tahoe at South Lake Tahoe | N/A | (V, R) |

¹ Location numbers correlate to location numbers in Exhibit 5.3-1.
² V=scenic view, R=scenic resource
 Source: EDAW 2003