

EXHIBIT D

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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.