

CHAPTER 22.94 - NORTH COUNTY PLANNING AREA

Sections:

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22.94.010 - Purpose and Applicability

This Chapter provides standards for proposed development and new land uses that are specific to the North County planning area defined by the Land Use Element. These standards apply to proposed development and new land uses as provided by Section 22.90.020 (Applicability), and are organized according to the specific areas and/or land use categories within the planning area to which they apply.

[Amended 2014, Ord. 3256]

22.94.020 - Combining Designation Standards

A. Airport Review (AR). The following standards apply within the Airport Review Area (AR) combining designation shown in Figure 94-1:

1. **Airport Land Use Plan included by reference.** The Paso Robles Municipal Airport Land Use Plan, and any amendments thereto, are hereby incorporated into this Title by reference as though it were fully set forth here.
2. **Limitation on use.** Land uses shall be limited to those designated as "compatible" or "conditionally approvable" by the Paso Robles Municipal Airport Land Use Plan, in compliance with the land use permit requirements of Section 22.06.030 (Allowable Land Uses and Permit Requirements).

3. **Review for compliance with Airport Land Use Plan.** All discretionary land use permits, land divisions, general plan amendments, specific plans, specific plan amendments, and land use ordinance amendments must be found consistent with the Paso Robles Municipal Airport Land Use Plan adopted by the San Luis Obispo County Airport Land Use Commission. In accordance with the requirements of the Public Utilities Code of the State of California, such finding of consistency may be made only by referral and action of the Airport Land Use Commission of San Luis Obispo County.

4. **Site design and development standards - Private lands.** All development applications for the area within the boundary of the Paso Robles Municipal Airport Land Use Plan are subject to the development standards set forth in that plan, in addition to all applicable provisions of this Title. In the event of conflicts between the provisions of the Airport Land Use Plan and this Title, the more restrictive provisions shall prevail.

5. **Site design and development standards – Airport site.** New development projects in County-owned portions of the Paso Robles Municipal Airport shall be consistent with the Airport Master Plan and any amendments thereto, and shall comply with all applicable provisions of Articles 3 and 3 of this Title.

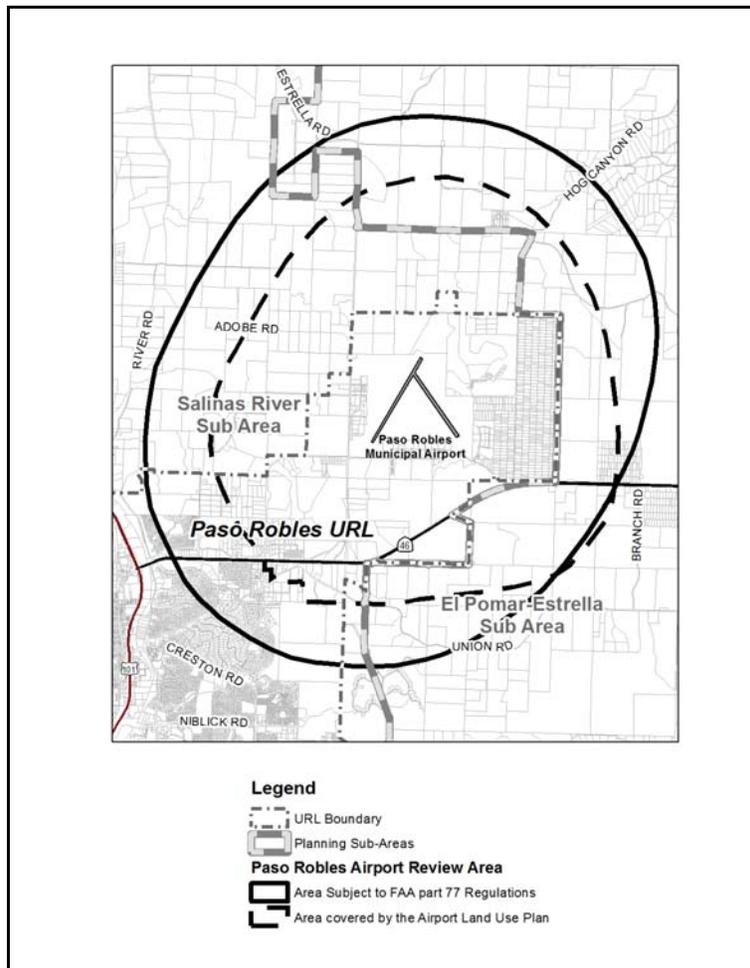


Figure 94-1 - Airport Review Area

- B. Flood Hazard (FH) – Shandon Sub-area.** New development within the 100-year floodplain inside the master plan areas as shown on Figure 94-2 is prohibited, unless the use is exempt from the FH standards in Chapter 22.14 or there are no feasible alternative building sites on the property.

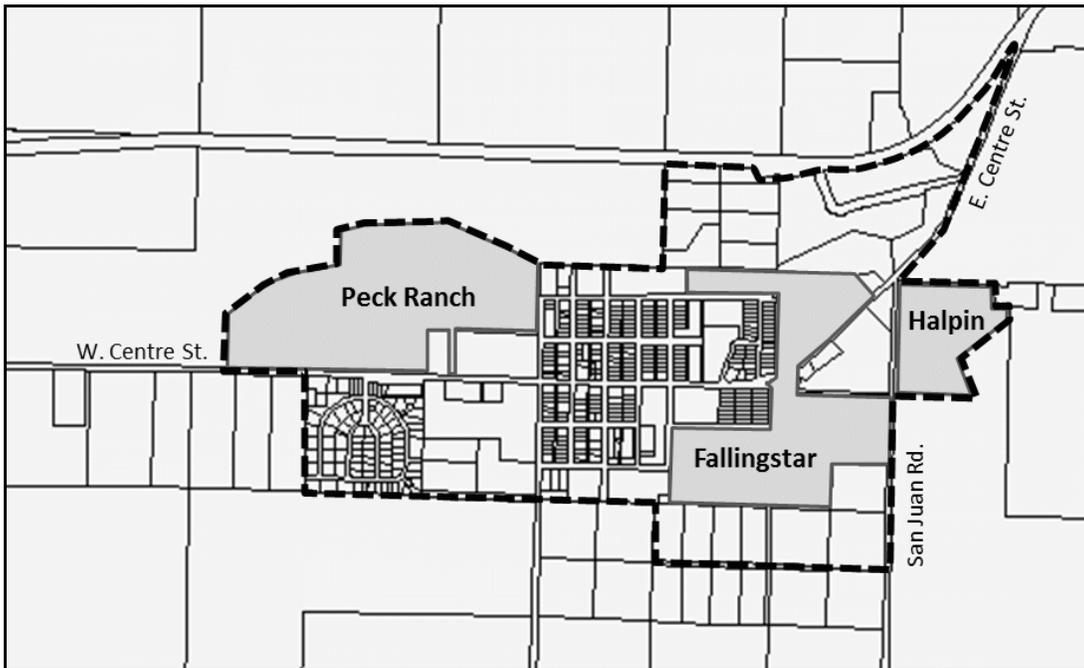


Figure 94-2 - Master Plan Areas

- C. Geologic Study Area (GSA).** Land use permit applications for hillside development proposals within the Geologic Study Area (GSA) adjacent to the City of Morro Bay shall include a geologic report.
- D. Sensitive Resource Area (SRA).**
1. Off-road vehicles are prohibited within the SRA (Sensitive Resource Area) combining designation in the following locations:
 - a. The Santa Margarita Lake watershed, because the lake is a domestic water terminal reservoir.
 - b. The Shandon Sub-area, as shown in Figure 94-5; except that off-road vehicles are allowed on designated trails in BLM lands.
 2. Within the Los Padres Sub-area and Salinas River Sub-area, as shown in Figure 94-5, access to or through SRA areas shall be limited to existing roads, trails or to proposed trails shown on the latest Forest Service Off-Road Vehicle Plan. Any proposed changes in this plan should be submitted to the County and affected private property owners for review.

3. Within the Nacimiento Sub-area, as shown in Figure 94-5, projects requiring Conditional Use Permit approval within the SRA combining designation shall concentrate proposed uses in the least sensitive portions of properties. Native vegetation shall be retained as much as possible.
4. Within the Shandon Sub-area, as shown in Figure 94-5, new development within BLM wilderness study areas is allowed only in accordance with the Federal Land Policy and Management Act of 1976.
5. **Shandon Vicinity Creek and Habitat Areas SRA.** The following standards apply within the Shandon Vicinity Creek and Habitat Areas SRA combining designation within the Shandon Community Plan Study Area as shown on Figure 94-3.

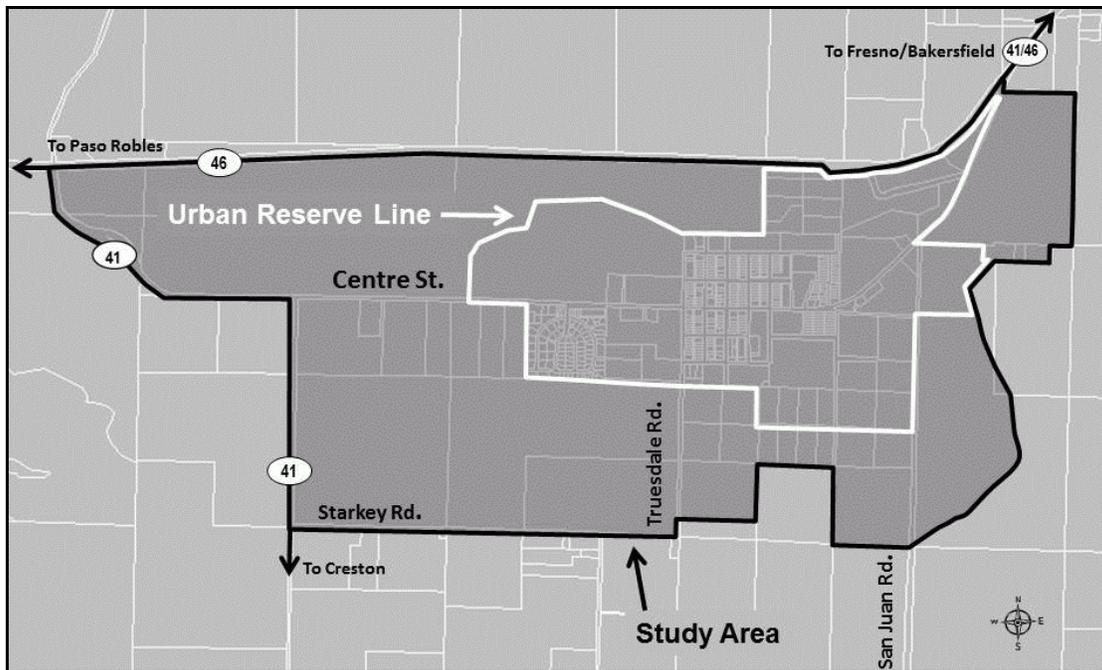


Figure 94-3 - Shandon Community Plan Study Area

- a. Land divisions and discretionary land use permits shall include open space or scenic preservation easements on the portion of the property within the SRA combining designation.
- b. Applications for land use permits and land divisions shall provide proof of an approved jurisdictional determination when the site may contain wetland features, including those identified in Figure 4.4-2 of the Final Environmental Impact Report (EIR) for the Shandon Community Plan Update and San Juan Village (Fallingstar Phase I) Project. New development shall be set back a minimum of 100 feet from the edge of a delineated wetland and riparian habitat. Activities within the setback area shall be limited to fuels reduction for fire safety purposes. New development shall comply with County requirements and the provisions of Appendix D of the Shandon Community Plan relating to biological resources including the following:

- (1) **Jurisdictional delineation.** A jurisdictional delineation shall be conducted by a County-approved qualified biologist for all properties that may contain wetland features prior to issuance of land use permits. The jurisdictional delineation shall examine the entire project site and shall determine if features on-site fall under the jurisdiction of the U.S. Army Corps of Engineers, Regional Water Quality Control Board, and/or California Department of Fish and Game. The result will be a preliminary jurisdictional delineation report which shall be submitted to the appropriate agencies for review and approval, and permits shall be obtained from each agency where applicable. No permits shall be issued until compliance with all applicable federal and state laws has been demonstrated.
- (2) **Mitigation of impacts to wetlands and riparian habitat.** All proposed projects shall be designed to avoid impacts to wetlands and riparian habitats. All wetland and riparian habitat and appropriate buffer zones shall be clearly demarcated on-site with highly visible construction fencing to ensure that these areas are not impacted during construction-related activities.

If wetland and/or riparian habitat cannot be avoided, permits shall be obtained from the appropriate regulatory agency: U.S. Army Corps of Engineers, Regional Water Quality Control Board, and/or California Department of Fish and Game. Loss of such features shall be mitigated at a ratio to be determined by the permitting agencies, but shall not be less than 1:1 (one acre of habitat created to one acre of habitat lost). Mitigation shall occur on-site. Locally native riparian and wetland species shall be used and removal of native species shall be prohibited; however, select willow cuttings (from the site or within the Study Area) and emergent plant division are permissible. A mitigation plan shall be prepared by a qualified biologist and shall include success criteria, monitoring methods, a monitoring schedule, contingency planning, weed control/management provisions, irrigation methods and schedule, and annual reporting requirements. Created riparian and wetland habitat shall be monitored for a minimum of five years or as otherwise determined by the permitting agencies. Prior to commencement of grading, a performance bond shall be filed with the County to complete habitat creation and maintain plantings for the duration of the mitigation program.

If mitigation on-site is not feasible, mitigation off-site at a location approved by the permitting agencies shall occur. Alternatively, payment into an in-lieu fee program and/or purchase of credits at an approved mitigation bank may be allowed by the permitting agencies for impacts to wetlands.

- (3) **Plan requirements and timing.** All grading and construction plans shall depict on-site wetland and riparian habitat and appropriate setbacks, and shall be submitted along with applicable permits, a performance bond, and proof of payment into an in-lieu fee program and/or purchase of wetland credits (if applicable) to Planning and Building for approval prior to issuance of land use permits. In addition, prior to issuance of land use permits a letter from the County Fire Department shall be submitted identifying that no riparian vegetation removal is needed for fire safety purposes.
 - (4) **Monitoring.** The site shall be inspected by an approved monitor during all phases of construction to ensure compliance with appropriate avoidance and minimization measures.
- c. Uses within the habitat buffer areas along the eastern edge of the community as shown in Figure 110-3 shall be limited to recreational trails, habitat corridors, or other uses that are consistent with Shandon Community Plan Habitat Conservation Plan (HCP) or other applicable HCP.

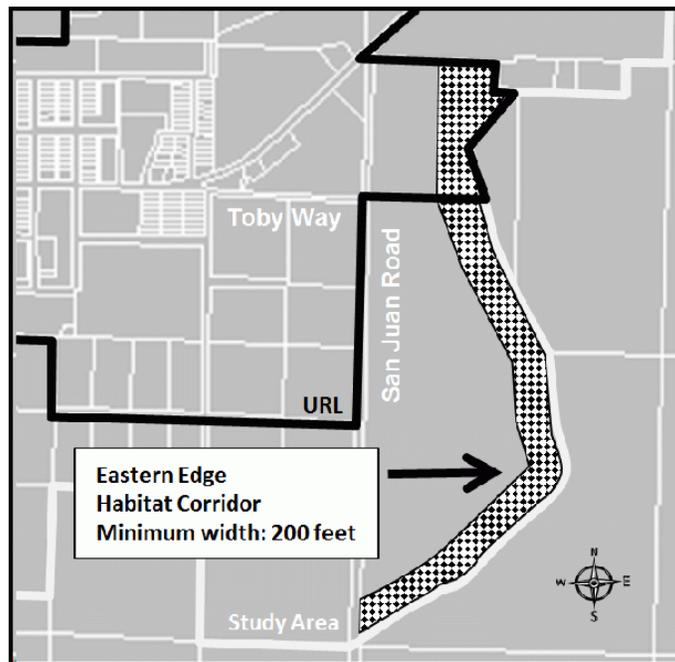


Figure 94-4 - Habitat Buffer Area

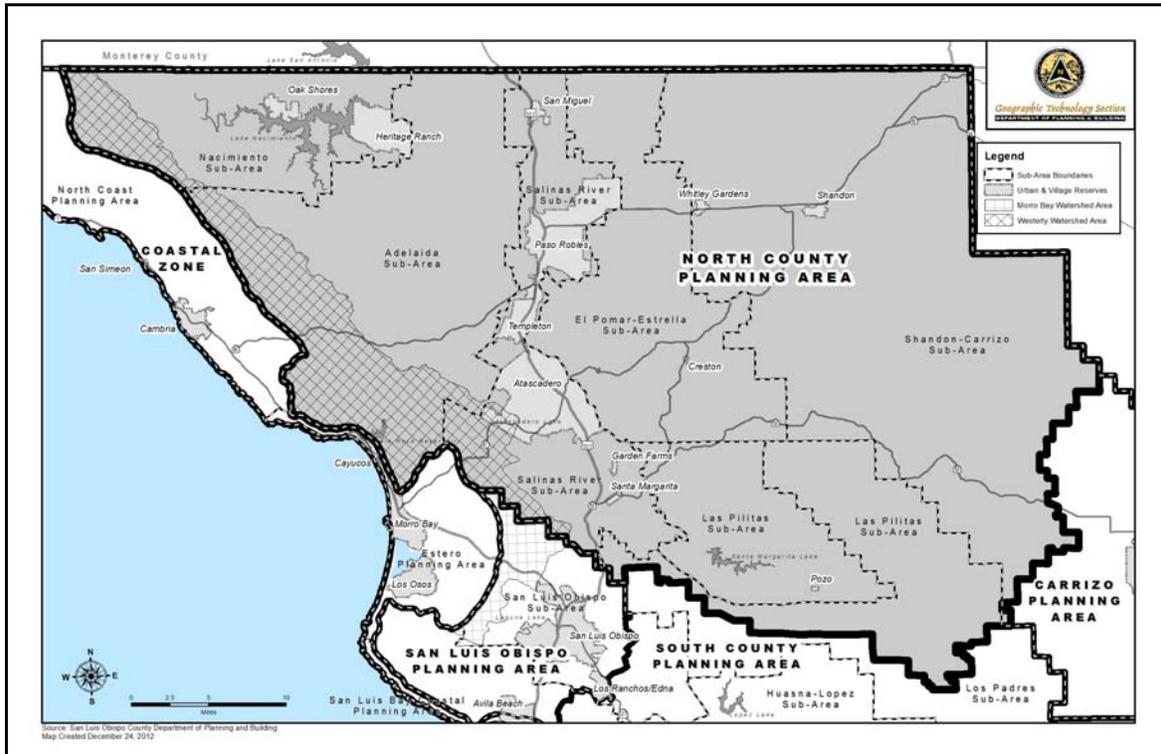


Figure 94-5 - North County Planning Area

[Amended 1984, Ord 2206; 2003, Ord 3014; 2012, Ord. 3222; 2014, Ord. 3256]

22.94.025 - Paso Robles Groundwater Basin

A. Applicability. The following standards apply to lands where development uses or will use water from the Paso Robles Groundwater Basin in the areas shown in Figure 94-6, which include the following:

1. Portions of the rural Adelaida, El Pomar-Estrella, Las Pilitas, Los Padres, Nacimiento, Salinas River, and Shandon-Carrizo Sub-areas of the North County Planning Area.
2. The village of Whitley Gardens.

B. Definitions. The following definitions are for the purposes of this section.

1. "Net increase" means the expected increase in water use due to proposed development requiring a discretionary permit, taking into account net existing demand.
2. "Net existing water demand" is the amount of water used for non-agricultural purposes on the site of proposed development requiring a discretionary permit minus the volume of water returned to the groundwater basin through wastewater return flows. The

calculation of net existing water demand is the sole responsibility of the Planning Director using historical water records if available or other means if records are not available.

3. "Net new water demand" is the amount of water used for non-agricultural purposes by new development requiring a discretionary permit minus the volume of water returned to the groundwater basin through wastewater return flows. The calculation of net new water demand is the sole responsibility of the Planning Director using water demand factors for the proposed land uses.
4. "Water used for non-agricultural purposes" is water that has never been used, whether on or off the site, for an agricultural activity such as cultivation, growing, harvesting and production of any agricultural commodity and appurtenant practices incidental to the production of agricultural commodities.

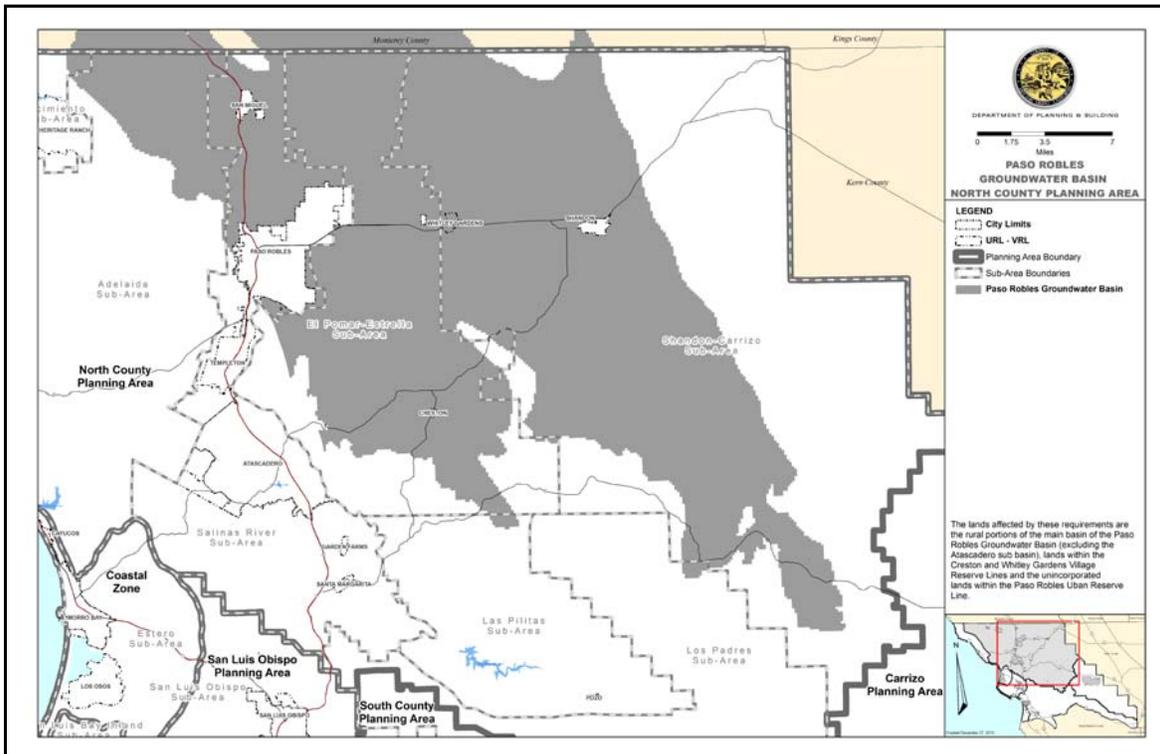


Figure 94-6 - Paso Robles Groundwater Basin

- C. **General plan amendments.** General Plan amendment applications that would result in a net increase in the amount of water used for non-agricultural purposes shall not be approved until a Level of Severity I is certified for the Basin by the Board of Supervisors after adoption of a Resource Capacity Study.
- D. **Land divisions.** Divisions of land shall not be approved until a Level of Severity I is certified for the Basin by the Board of Supervisors after adoption of a Resource Capacity Study. Exceptions to this provision may be approved by the review authority only when the proposed land division is:

1. For a public use or facility (e.g. fire station), or
2. Required for conservation purposes and found to be consistent with the Conservation and Open Space Element of the General Plan.

E. Outdoor water use, discretionary permits. New development requiring discretionary land use permits is subject to the following requirements:

1. Residential uses shall have no more than 25% percent of the area of irrigated, ornamental landscaping planted with turf.
2. All landscaped areas shall be irrigated with automatic irrigation systems, including irrigation controllers and moisture sensors.
3. All landscape plantings shall be low-water using.
4. Non-irrigated, drought resistant landscaping is encouraged in lieu of irrigated landscaping. The portion of a parcel that is not used for structural development, landscaping or driveways is encouraged to be left in a native state.
5. Rainwater capture or other alternative water systems are encouraged in compliance with Titles 8 and 19 of the County Code, as applicable.
6. In cases where these standards conflict with other provisions of this Title that are more stringent, the more stringent provisions shall apply.

F. Offset requirements for discretionary permits. New development requiring discretionary land use permits shall offset the resulting net new water demand as follows:

1. Land use permit applications shall include existing water use data, if it is available, that is sufficient to calculate net existing water demand on the proposed project site. The land use application shall include descriptions of all proposed uses on the site in a level of detail adequate to calculate the proposed project's net new water demand. In any case, determinations of net new water demand, net existing water demand and net increase shall be the responsibility of the Planning Director or designee.
2. The net new water demand shall be offset at a ratio of 2:1 through participation in water conservation programs listed in subsection c below. Any net existing water demand shall be taken into account in the calculation of required offsets of net new water demand.
3. Programs to offset water used for non-agricultural purposes may include but are not limited to the following, but in any case, shall conserve only water used or potentially used for non-agricultural purposes:
 - a. Retiring the development potential of lots in the Paso Robles Groundwater basin through an agreement with the County or qualified land trust.
 - b. Retrofitting plumbing fixtures in the Paso Robles Groundwater Basin.

- c. Purchasing supplemental water for a water supplier that uses groundwater from the main Paso Robles Groundwater Basin.
 - d. Participating in an approved water conservation program in the Paso Robles Groundwater Basin that results in water savings.
 - e. Reducing water demand in the Paso Robles Groundwater Basin through other means approved by the Planning Director.
 - f. Water from the Nacimiento or State Water Projects shall not be used for development in the rural area.
4. Any required offset of net new water demand shall be completed at the time of final inspection or issuance of a certificate of occupancy unless an alternative completion time (which may be more or less time) is approved by the review authority. In any case, the review authority must find the offsets to be verifiable, permanent and enforceable.
 5. Agricultural Processing uses (as defined in the Land Use Ordinance), including outdoor and other appurtenant water use, shall be exempt from the preceding offset requirements for discretionary permits. Instead, agricultural processing uses shall be subject to project-specific land use and/or water conservation mitigation measures required by the review authority based on environmental review.

G. Resource Management System Biennial Summary Report. Included with the biennial summary report shall be a review of this subsection, including whether amendment or repeal of this subsection is warranted based on the certified level of severity (LOS) for the Basin changing from a LOS III to a LOS I. Any amendment or repeal of this subsection shall be processed consistent with Section 22.70.040.

[Added 2012, Ord. 3231; Amended 2014, Ord. 3256]

22.94.030 - Adelaida Sub-area Standards

All development and new land uses in the Adelaida Sub-area, as shown in Figure 94-5, shall comply with the following standards, where applicable.

- A. Adelaida Road - Rock walls.** Existing rock walls along Adelaida Road shall be preserved in the design and construction of road improvements.
- B. Road design and construction.** Road alignments proposed in new land division applications shall be designed and constructed to minimize terrain disturbance consistent with safety and construction cost. Altered slopes shall be replanted with indigenous plants or protected by other appropriate erosion control measures.

- C. **Cayucos Planning Impact Area.** Within the planning impact area shown in Figure 94-7, land divisions, general plan amendments and all other discretionary applications shall be referred to the Cayucos Citizens Advisory Council or its successor for review and comment

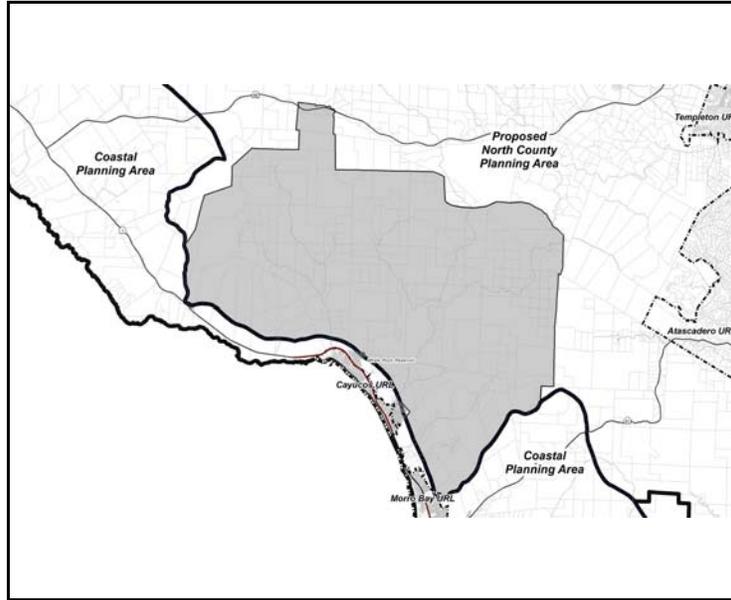


Figure 94-7 - Cayucos Planning Impact Area

[Added 2004, Ord 3047; Amended 2014, Ord. 3256]

[Added 2007, Ord. 3138; Deleted 2010, Reso 2010-192 (Viewshed)]

22.94.032 - Land Use Category Standards for the Adelaida Sub-area.

- A. **Agriculture (AG).** The standards of this Section apply within the AG land use category to the entire Estero Marine Terminal ownership as shown in Figure 94-8.
1. **Storage Tanks and Related Equipment.** Any necessary storage tanks or related above-ground equipment shall be dismantled in accordance with the required Conditional Use Permit, and any environmentally hazardous conditions corrected.
 2. **Abandonment of the Marine Terminal.**
 - a. **Permit Requirement.** A Conditional Use Permit shall be filed within six months from closure of the offshore components of the marine terminal.
 - b. **Application Content.** The Conditional Use Permit application shall include the following:
 - (1) A site characterization study of soil and groundwater contamination.
 - (2) A phasing plan for abandonment indicating the anticipated timetable.

- (3) Plans for proposed decommissioning, site restoration environmental mitigation, and reuse of existing facilities that will facilitate use of the site for uses allowable in the Agriculture category. The plans shall be coordinated with plans for new uses.

3. **Subsequent Development.** After abandonment of the marine terminal and associated facilities, all subsequent development shall be consistent with the Agriculture land use category.



Figure 94-8 - Estero Marine Terminal

B. Rural Lands (RL)

1. **Applicability.** The standards of this Section apply within the RL land use category north and northeast of Niderer Road, as shown in Figure 94-9 and described in the following maps on record with the County Clerk-Recorder:
 - a. COAL81-0224: recorded in Book 31, Page 54 of Parcel Maps.
 - b. CO97-0039 and recorded in Book 54, Page 55 of Parcel Maps.
2. **Minimum parcel size.** The minimum area for new parcels is 40 acres unless a larger parcel size is required by Chapter 22.22.
3. **Setback requirements.** Proposed dwellings shall be set back a minimum of 200 feet from the Agriculture land use category boundary adjacent to the north, south, and east sides of the sites.
4. **Site "A".** The following standards apply only to Site "A" as shown on Figure 92-6. Residential density. Residential development shall be limited to one single-family dwelling on any lot of less than 80 acres, in addition to the existing historical single-family dwelling.
5. If the historical single-family dwelling is destroyed, it shall not be replaced.

6. No additional or secondary dwellings are allowed on lots of less than 80 acres.
7. If new dwelling units are constructed (other than the four existing dwellings situated on the 160 acre parcel), the existing dwellings shall be demolished or otherwise brought into compliance with this Subsection and all other applicable provisions of this Title.
8. **Fire safety.** Proposed land divisions shall be designed to incorporate the following fire safety standards:
 - a. An interior loop road providing alternate access to the majority of the property;
 - b. Residential sprinkler systems installed within all new dwellings; and
 - c. Designation of new building sites on the map to minimize terrain disturbance and the need for tree removal

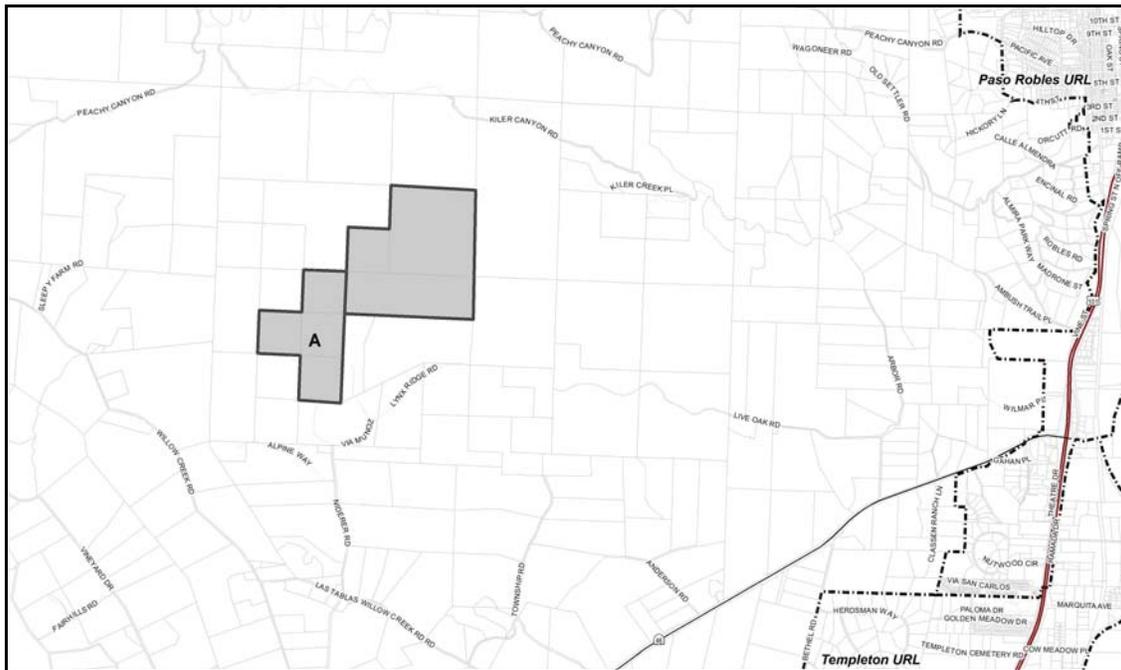


Figure 94-9: Niderer Road Area (COAL81-0224 and CO97-0039)

[Added & Amended 2004, Ord 3047; Amended 2014, Ord. 3256]

22.94.040 - El Pomar-Estrella Sub-area Standards

All development and new land uses in the El Pomar-Estrella Sub-area, as shown on Figure 94-5, shall comply with the following standards, where applicable.

- A. Archaeological Resources.** All land use permit applications subject to discretionary review that propose development within 100 feet of the bank of a creek (appearing as a solid, dotted, or dashed blue line on the applicable U.S. Geological Survey 7.5 -minute topographic quadrangle map), and within 300 feet of a creek where the slope of the site is less than 10 percent, shall be subject to the following requirements.
- 1. Preliminary site survey required.** Before issuance of a land use or construction permit, a preliminary survey shall be conducted by a qualified archaeologist approved by the County Environmental Coordinator to determine the likelihood of existence of resources. The report of the archaeologist shall be submitted to the Planning Department and considered in the evaluation of the development request by the applicable approval body.
 - 2. When a mitigation plan is required.** If the preliminary site survey determines that proposed development may have significant effects on an existing, known or suspected archaeological resource, a Minor Use Permit shall be required and shall include a plan prepared by the archaeologist for mitigation to protect the resource. The plan may recommend further study, subsurface testing, monitoring during construction, project redesign or other appropriate actions. The plan shall require approval by the Environmental Coordinator prior to consideration of the development request by the applicable approval body.
 - 3. If resources are found.** In the event archaeological resources are found on the site, construction activities shall cease, and the Environmental Coordinator and Planning Department shall be notified so that the extent and location of discovered material may be recorded by a qualified archaeologist and artifacts may be preserved in accordance with state and federal law. In the event archaeological resources are found to include human remains, the County Coroner shall also be notified.
- B. Riparian and Wildlife Corridors.** New development in new land divisions and on publicly-owned property, and all new development subject to discretionary review shall be set back a minimum of 50 feet from the top of the bank of any watercourse, as defined in the Land Use Ordinance, or outside the dripline of riparian vegetation, whichever distance is greater, as shown in Figure 94-10. Trails may be located within this required setback only if trail design and construction avoid or mitigate environmental impacts. Adjustments to this standard may be made only if all of the following are met:
1. Alternatives are determined to be infeasible or more environmentally damaging.
 2. Native vegetation compatible with riparian habitat is used for all revegetation and landscaping within the setback from the watercourse.
 3. Adequate erosion and sedimentation control measures are implemented during grading and construction.

4. No alteration of riparian vegetation is necessary (except for creek crossings, which shall be minimized).
5. The setback from the top of the bank shall not be less than 30 feet.
6. When significant impacts to stream or riparian resources will occur, the applicant shall fund mitigation approved by the County or another public agency with jurisdiction, plus monitoring and restoration measures implemented by qualified professionals.

Stream alteration may be allowed for water supply and flood control projects, maintenance of existing roads or channels, projects to address public safety concerns, improvement of fish and wildlife habitat, or approved surface mining operations, provided that no practical alternative is available.

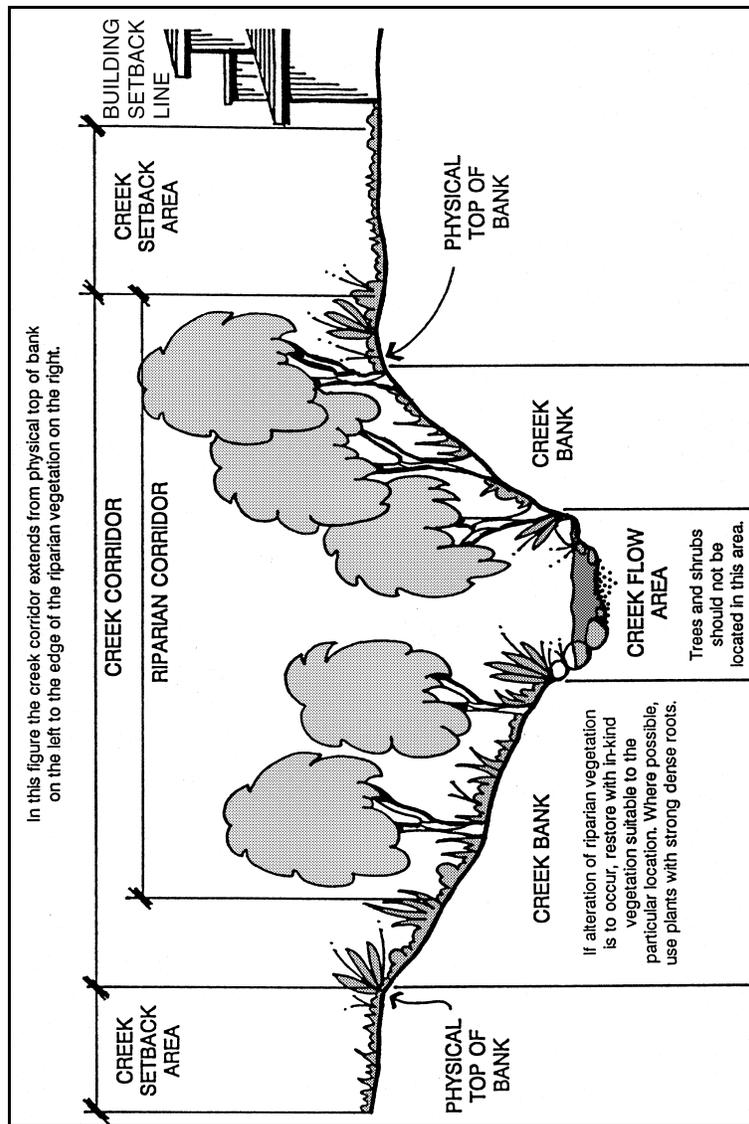


Figure 94-10: Riparian and Wildlife Corridors

- C. Grading, Removal of Vegetation, and Fuelbreaks.** The following standards are intended to recognize the importance of agriculture and the need for fuel reduction for forestry and fire protection purposes, while promoting safe and environmentally responsible grading, earthwork, vegetation clearance, and erosion control practices.
- 1. Grading, Vegetation Removal.** Notwithstanding the definition of "grading" in Section 22.52.060 of the Land Use Ordinance, in this Planning Area, "grading" for the purposes of applying the standards of Chapter 22.52 of the Land Use Ordinance shall be defined as follows:
 - a. All new earthwork that involves one or more of the following activities: excavations, fills, dams, reservoirs, impoundments, diking, dredging, borrow pits, stockpiling, or compaction of fill where the amount of material cumulatively for any of the above mentioned operations exceeds 10 cubic yards, OR
 - b. Removal of more than 10,000 square feet of vegetation on slopes of 20 percent or steeper (if done for agricultural purposes, such removal of vegetation shall be considered agricultural grading for the purposes of applying the standards of Chapter 22.52 of the Land Use Ordinance).
 - 2. Fuelbreaks.** Notwithstanding Section 22.52.050 of the Land Use Ordinance, removal of more than 10,000 square feet of vegetation in this Planning Area on slopes of 20 percent and steeper for fuel reduction or fire protection purposes shall employ sound practices such as those recognized by USDA Natural Resources Conservation Service (for example, practices 314, 342 and 394 in the NRCS Field Operations Technical Guide) that will not adversely affect slope stability or groundwater recharge and that will prevent off-site drainage, erosion and sedimentation impacts.
- D. Light and Glare.** At the time of application for any land use permit or land division, the applicant shall provide details on any proposed exterior lighting, if applicable. All lighting fixtures shall be shielded so that neither the lamp nor the related reflector interior surface is visible from adjacent properties. Light hoods shall be dark-colored..
- E. Planning Impact Areas.** The following standards apply to land within the planning impact areas of the cities of Paso Robles and Atascadero (shown in Figures 94-11 and 94-12). These areas are not intended to be considered as a basis for annexation or establishing spheres of influence.
- 1. Application Referral.** Discretionary permit and general plan amendment applications shall be referred to the city of Paso Robles or Atascadero for review and comment.
 - 2. Development Impacts.** Discretionary projects with potential impacts that are associated with and that include, but are not limited to, water quantity and quality, drainage, erosion and sedimentation, traffic and circulation, public safety, and cumulative impacts, shall be addressed as subjects for additional consideration as part of the environmental review process.

3. **Consistency with City Plans.** Improvements and/or offers of dedication consistent with city plans shall be considered and may be required for projects depending on the location and scale of the proposed development, and an appropriate and feasible connection between the proposed development and the improvement.

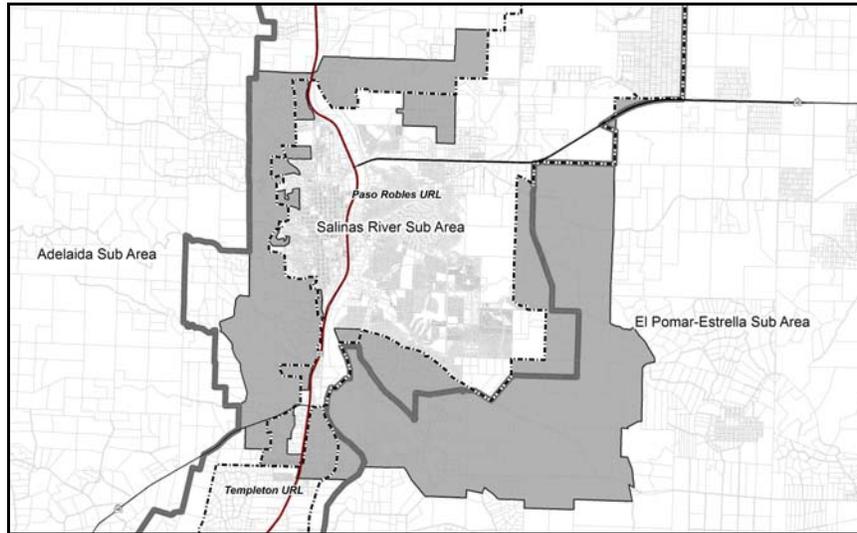


Figure 94-11: City of Paso Robles Planning Impact Area

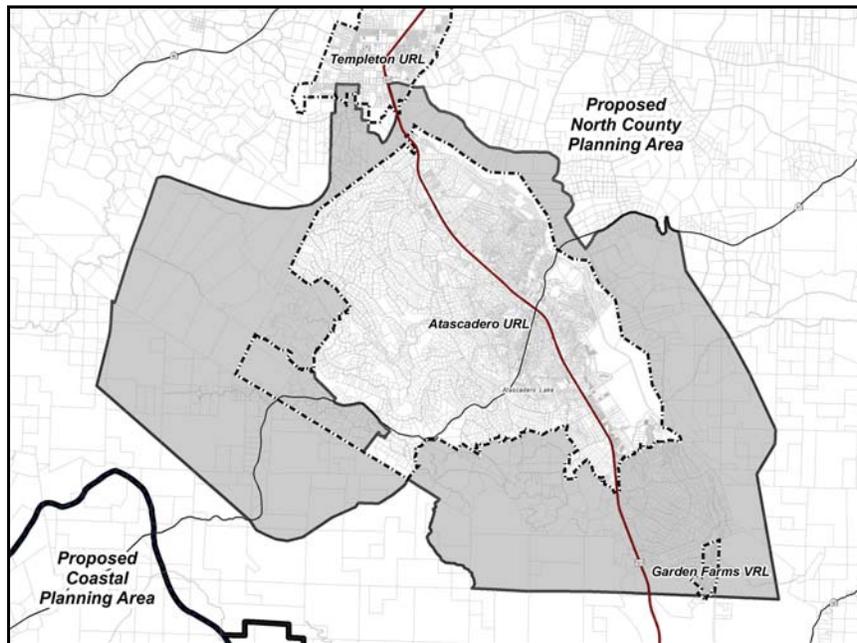


Figure 94-12: City of Atascadero Planning Impact Area

- F. **Rocky Canyon Quarry Specific Plan Area.** All development within the Rocky Canyon Quarry Specific Plan Area (see Figure 94-13) shall comply with the adopted specific plan dated April 23, 1996 and amended May 2, 2002, including the objectives, policies and standards of the Rocky Canyon Quarry Specific Plan. In the event of any conflict between the provisions of this Title and the Specific Plan, the Specific Plan shall control. Any deviation of existing or proposed development from the provisions of the Specific Plan shall occur only after appropriate amendment of the Specific Plan.

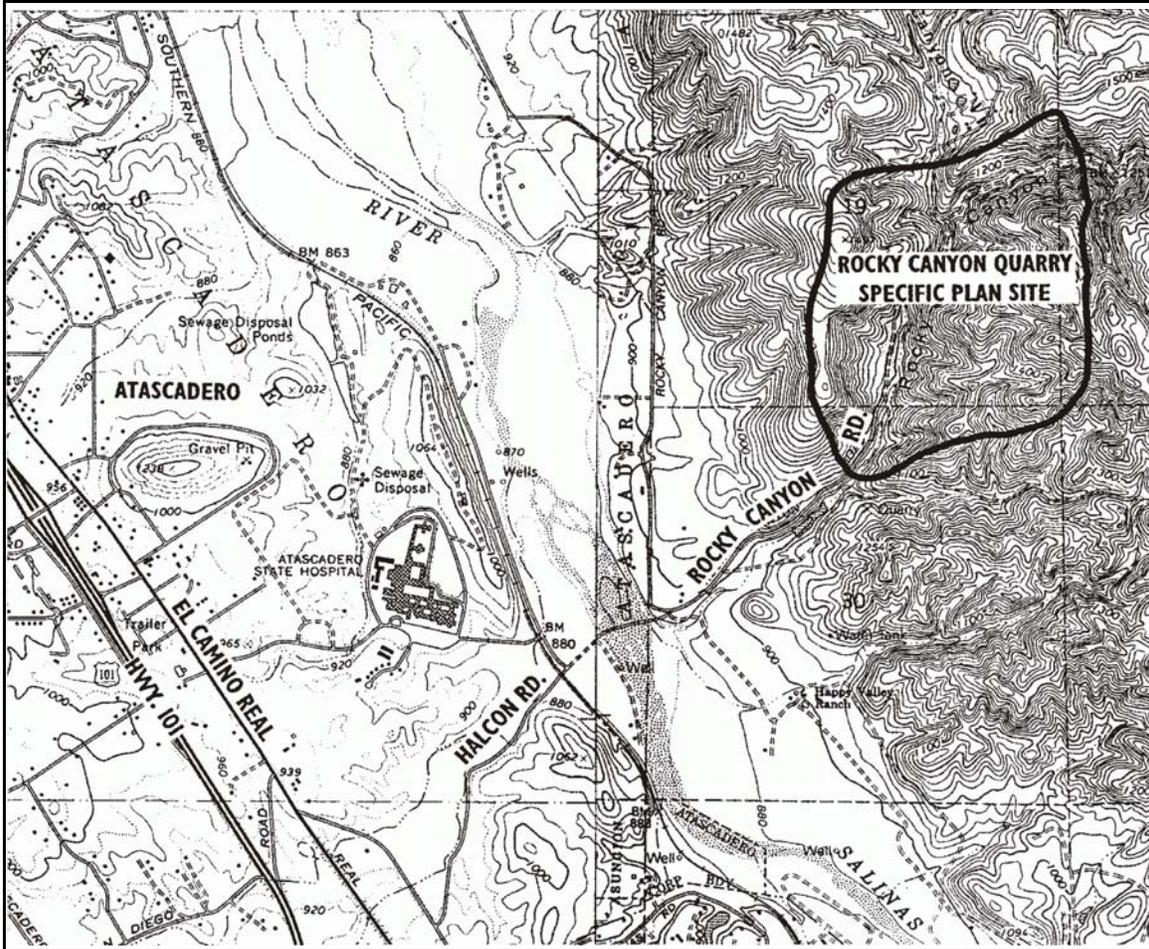


Figure 94-13 - Rocky Canyon Specific Plan Area

- G. **Landfill Operations-Disclosure.** Any approval of land use permits, land divisions and general plan amendments within one-half mile of either the Paso Robles Municipal Landfill or the Chicago Grade Landfill (shown in Figures 94-14 and 94-15) shall include a recordation of a disclosure statement as provided by the Planning and Building Department. The disclosure statement shall include language regarding possible inconveniences and discomforts resulting from continuing and future landfill operations, including possible expansion of the landfills, and shall state that persons are not prevented from notifying appropriate agencies or seeking available remedies concerning any improper or unlawful activities at the landfills.

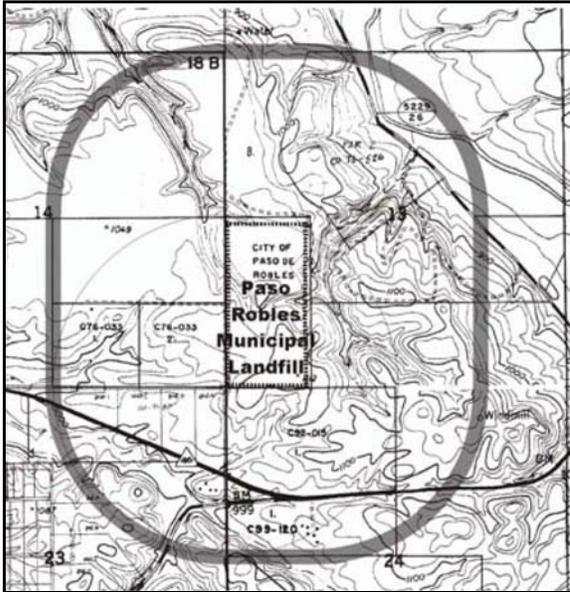


Figure 94-14: Paso Robles Municipal Landfill Area

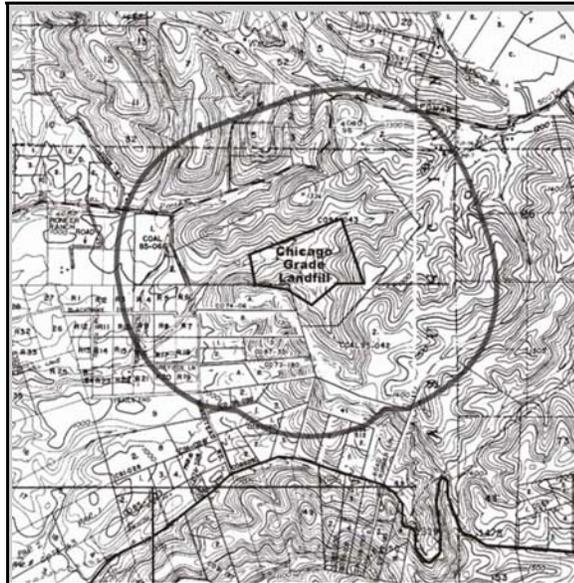


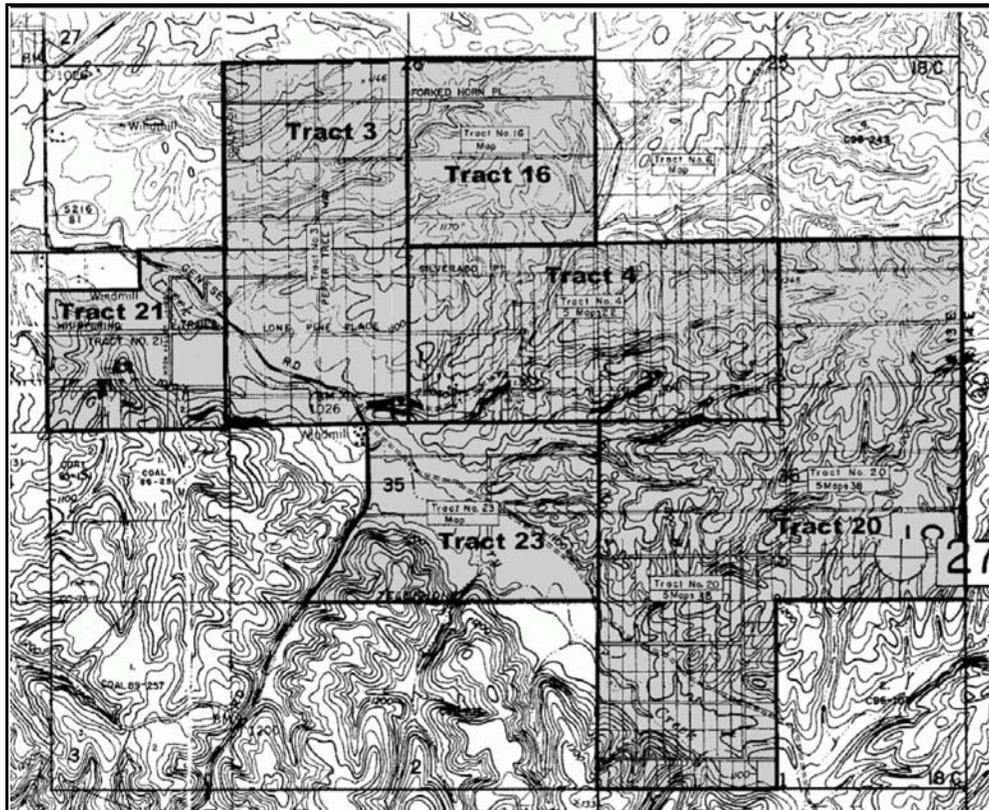
Figure 94-15: Chicago Grade Landfill Area

[Added 1996, Ord. 2760; Amended 1998, Ord. 2830; 2002, Ord. 2968; Added 2003, Ord. 3014; Amended 2010, Ord. 3188; 2014, Ord. 3256]

22.94.042 - Land Use Category Standards for the El Pomar-Estrella Sub-area

All development and new land uses in the El Pomar-Estrella Sub-area, as shown in Figure 94-5, shall comply with the following standards, as applicable to each land use category.

- A. Agriculture (AG).** The following standards apply within the Agriculture land use category.
 - 1. Protection of Productive Agricultural Land.** For projects requiring discretionary approval on irrigated lands or dry farm lands (as defined in the Agriculture Element), new buildings, structures and roads shall be located on the least productive area of the property or closest to access roads, so that development does not diminish the utility of farm fields, unless the discretionary review shows there is no practical alternative for siting the proposed improvements.
 - 2. Buffers on Non-Agricultural Land.** Any required buffer between agricultural operations and residential development shall lie completely within the property proposed for non-agricultural development, except for perimeter roads on agricultural property that are included as part of the required buffer.
 - 3. Tracts 3, 4, 14, 16, 18, 20, 21, 22 and 23.** The following standards apply only to properties shown in Figures 94-16 through 94-18.



- a. **Offer of Dedication.** Prior to issuance of any land use permit, offer for dedication a public road right-of-way across the entire property frontage along the proposed road. Offered rights-of-way should follow platted road alignments where feasible, and are to be one-half of a 50-foot wide road section from the future centerline
4. **Martingale Circle, Tract 1280.** The following standards apply within Tract 1280 as shown on Figure 94-19 and recorded with the County Clerk-Recorder in Book 16, Page 9 of Maps..

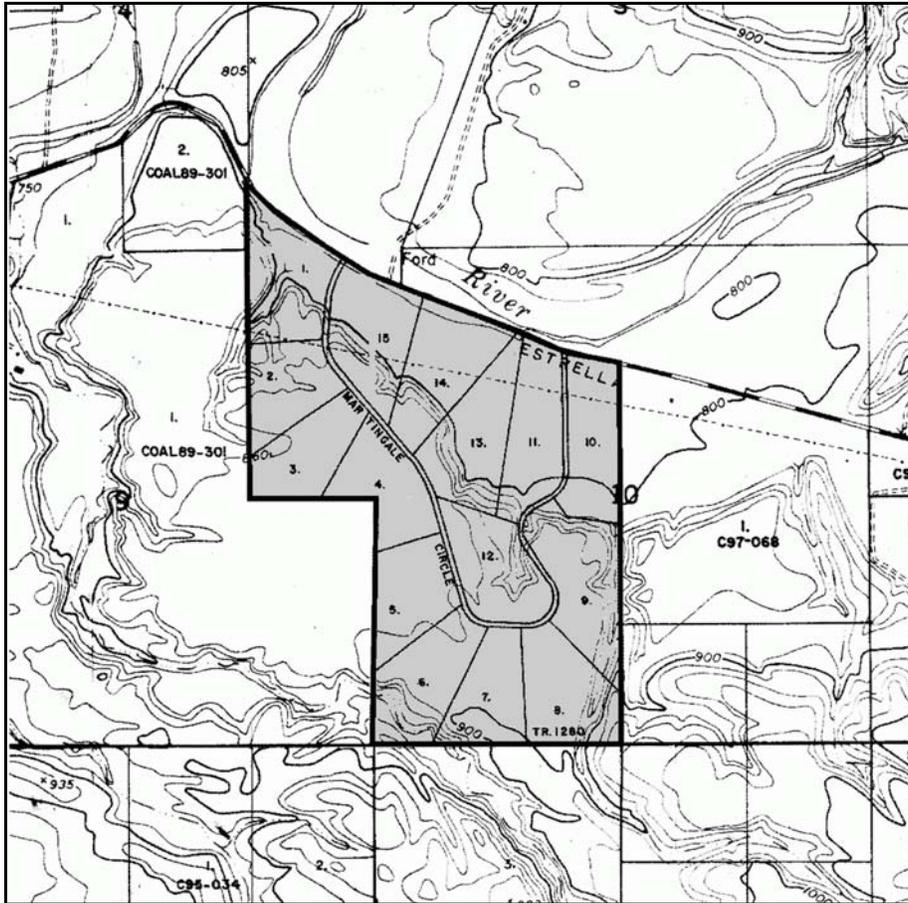


Figure 94-19: Martingale Circle - Tract 1280

- a. **Permit Requirement.** Minor Use Permit approval is required before residential and agricultural development of each parcel within Tract 1280. Each application shall show: a) the location and type of accessory buildings and other pertinent construction related to a horse-breeding operation or other agricultural use that qualifies for a 20-acre minimum parcel size per the Land Use Ordinance, and b) the size, location and design of any proposed residential site. Each application shall also show information necessary to comply with the conditions of Development Plan D850320:2 and Tentative Tract 1280.

- b. **Density Limitation.** Each parcel may develop with no more than one single-family dwelling and one farm support unit that qualifies consistent with the Land Use Ordinance.

B. Rural Lands (RL). The following standards apply within the Rural Lands (RL) land use category.

1. Old Adobe Way, Kingsbury Road and Vicinity. The following standard applies only to those parcels shown in Figure 94-20.

- a. **Land Division Requirements – Road Improvements.** New land divisions shall be conditioned to require that: a) the road providing access to the site be improved to county paved road (A-1 rural) standards fronting the site and continuing to the nearest publicly-maintained road, and b) an offer of dedication be made to the county for one-half of a 50-foot right-of-way fronting the site.

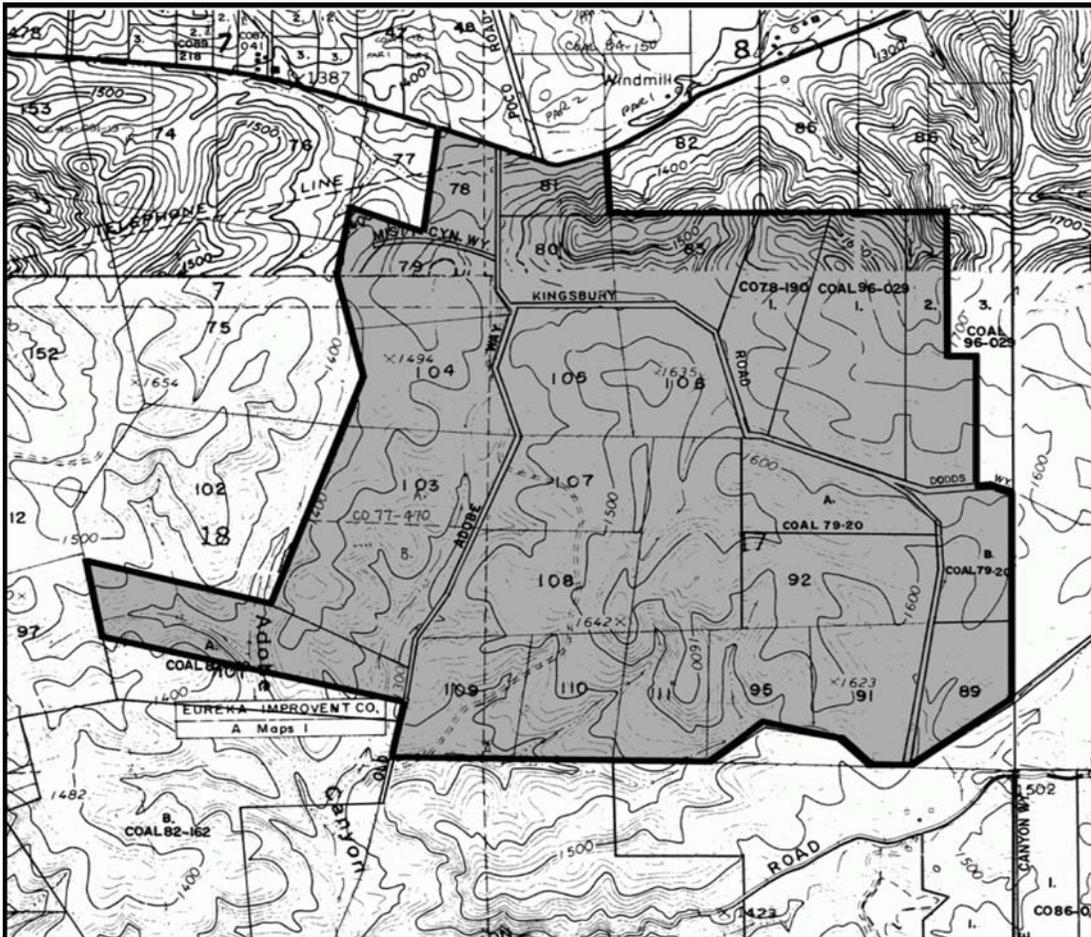


Figure 94-20: Old Adobe Way, Kingsbury Road and Vicinity

C. Residential Rural (RR). The following standards apply within the Residential Rural (RR) land use category.

1. General standards. The following standards apply to all parcels within the RR land use category, as applicable.

a. Offer of dedication. Prior to the issuance of any land use permit, offer for dedication a public road right-of-way across the entire property frontage along the proposed road. Offered rights-of-way should follow platted road alignments where feasible, and are to be one-half of a 50-foot wide road Section from the future centerline.

2. Eddy Ranch (Assessors Book 36) and Independence Tracts 6, 6A, 6B and 6D: The following standard applies only to properties shown in Figures 94-21 and 94-22.

a. Access Location. At the time of development, lots fronting the south side of Highway 41 (Eddy Ranch) and Hog Canyon Road (Independence Tracts 6, 6A, 6B and 6D) are to be provided with access roads from the building site to the internal street system of the subdivision wherever the County Engineer determines sight distances to be adequate and where the access roads can be constructed with slopes less than 15 percent.

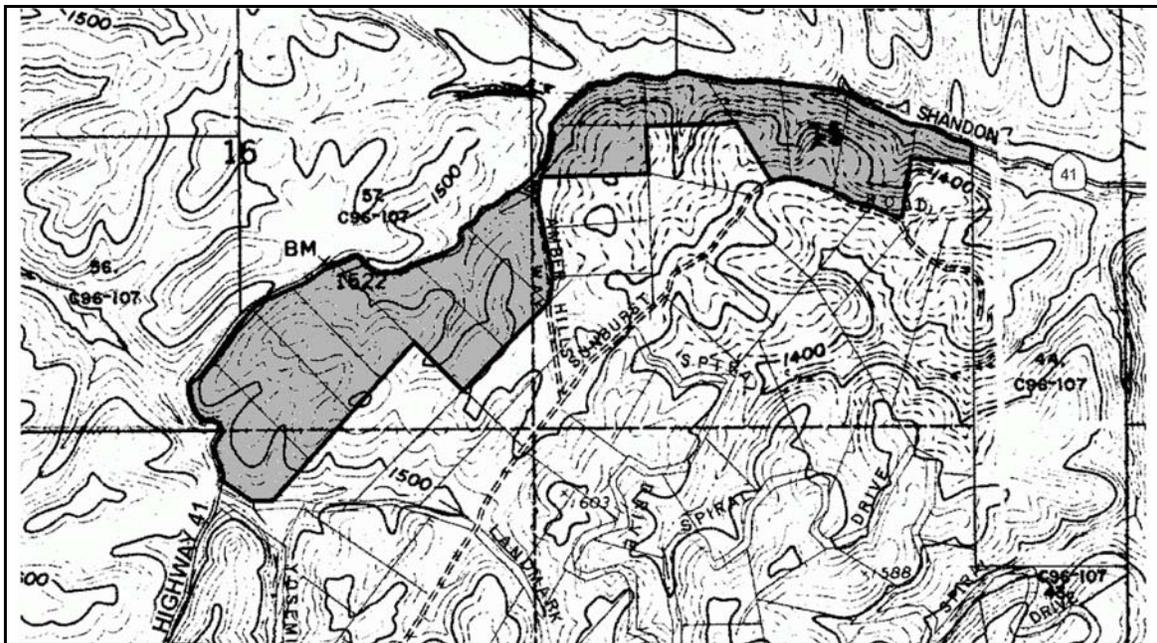


Figure 94-21: Portion of Eddy Ranch

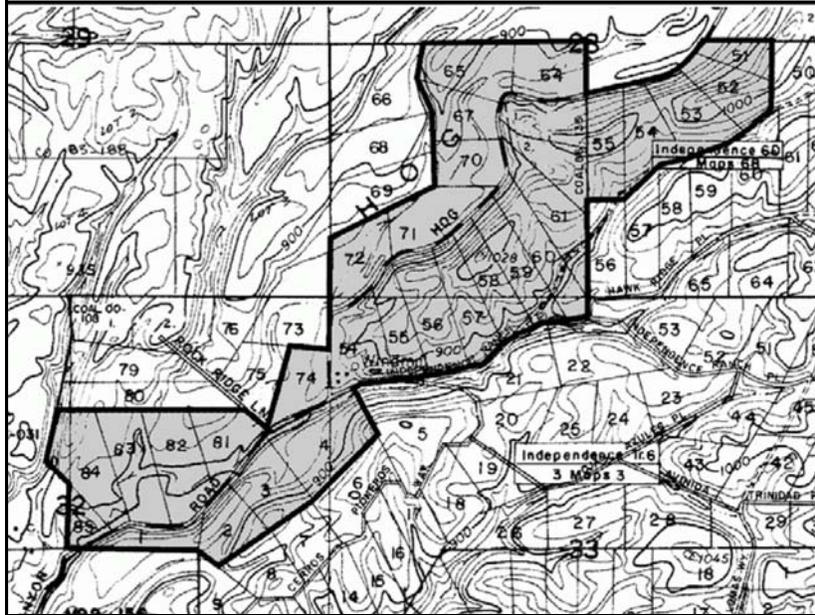


Figure 94-22: Portion of Independence Tract

3. **Dunning and Dresser Tract (including the Town of Linne) and a portion of Dresser Subdivision No. 1:** The following standard applies only to properties shown in Figures 94-23 and 94-24.



Figure 94-23: Portions of Dunning and Dresser Tract and Dresser Subdivision No. 1

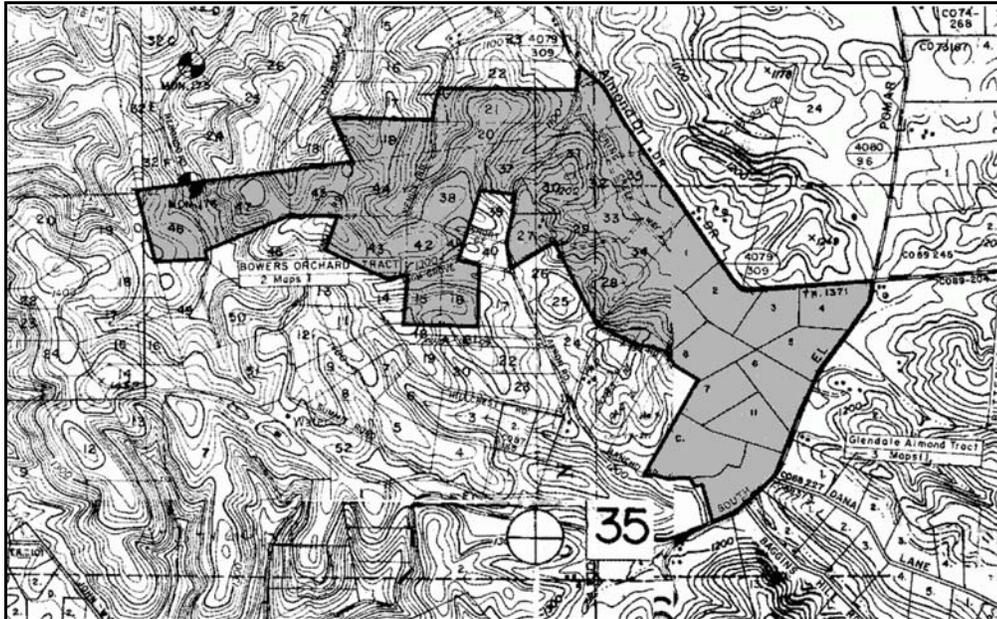


Figure 94-25: Tract 1371 and Vicinity, Portion Bowers Orchard Tract, and a Portion of Almond Ridge Orchard Tract No. 1

5. **Northwest and Northeast Corners of Highway 41 and Poco Road.** The following standards apply only to the parcels at the northwest and northeast corners of Highway 41 and Poco Road shown in Figure 94-26.



Figure 94-26: Northwest and Northeast Corners of Highway 41 and Poco Road

- a. **Minimum Parcel Size.** The minimum allowable parcel size for new land divisions in areas A and B is 10 acres.
 - b. **Residential Density.** The maximum allowable residential density in area A is one dwelling unit per ten acres.
6. **Tract 2308.** The following standards apply only to the parcels in Tract 2308 for possible future roadway purposes, as shown in Figure 94-27.
- a. **Required Setback.** A 150-foot setback shall be maintained along the southerly boundary of Tract 2308 for possible future roadway purposes. No structures shall be allowed to be constructed within this setback. Roads and driveways may be constructed within the setback.

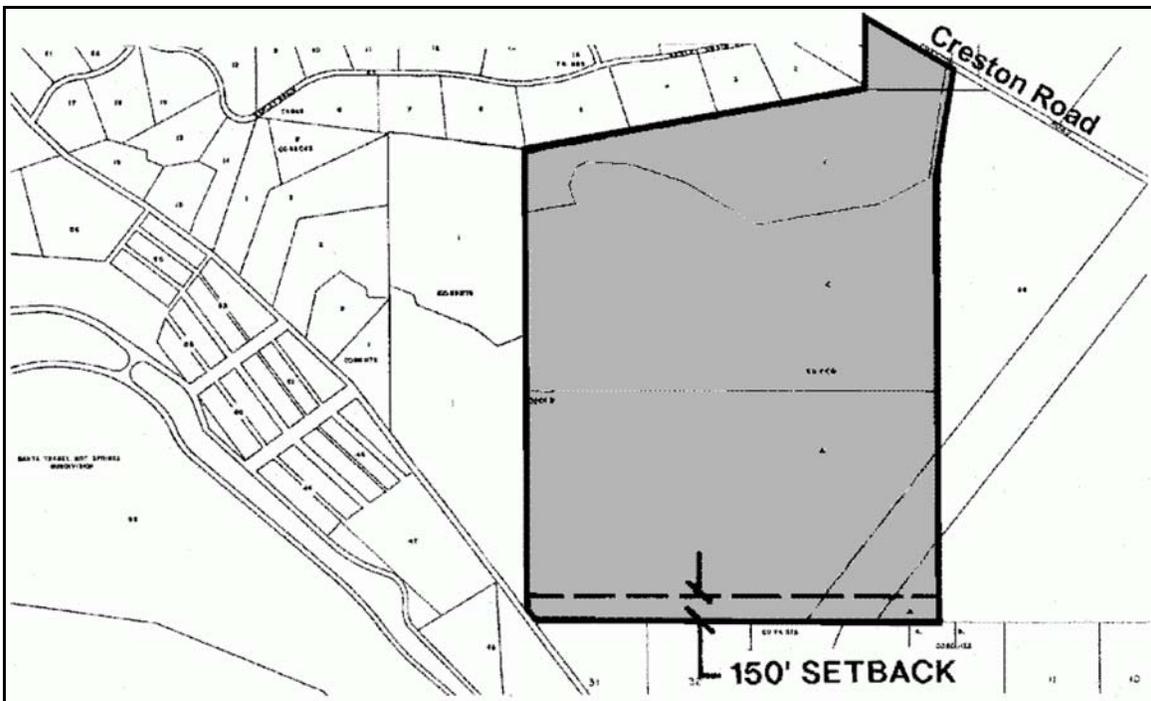


Figure 94-27: Tract 2308

7. **Southwest Corner of Neal Spring Road and Hollyhock Lane.** The following standards apply to all of the those parcels shown in Figure 94-28.
- a. **Density limitation.** Residential density shall be limited to a maximum of one primary dwelling, except that a secondary dwelling is allowable if it was legally established before June 14, 2007.

- b. Subdivision and development requirements.** Prior to approval of a tentative parcel map, the applicant for a subdivision shall designate building sites and parcel access roads that demonstrate how the following requirements can be met with approval of the map: The parcel layout shall, to the extent feasible, provide (1) residential building sites situated below ridges and hilltops such that allowed residential and accessory development will reduce silhouetting against the sky as seen from public roads, (2) road access with minimal visibility from public roads, (3) alternate residential setbacks from the interior and public roads, and (4) plant a minimum of six trees per lot clustered within the setback, to provide a generous landscape setting and significant screening so as to minimize their presence along this portion of the street. Any proposals should retain the intent of minimizing urban or suburban or rural residential character.
- c. Prior to submitting subdivision improvement plans and recording a subdivision map, the applicant shall include the following requirements on an additional map sheet and include relevant information on the subdivision improvement plans as applicable:
- (1) At the time of submittal of subdivision improvement plans and/or application for construction permits, the applicant shall clearly delineate the height of new development above the existing natural ground surface on the project plans, such that the appearance of buildings will be minimized from Neal Spring Road and Hollyhock Lane, and will reduce silhouetting against the sky as seen from public roads. New development on no less than half or two of the proposed or existing parcels (whichever is more) shall not exceed 20 feet and one story in height above the existing ground surface.
 - (2) At the time of submittal of subdivision improvement plans and/or application for construction permits, the applicant shall clearly delineate the vertical height of all cut and fill slopes on the project plans and the border of cut slopes and fills rounded off to a minimum radius of five feet. No cut or fill area that will be visible from Neal Spring Road or Hollyhock Lane shall exceed five feet in vertical height above or below the existing ground surface. For any visible cuts from Neal Spring Road or Hollyhock Lane, sufficient topsoil shall be stockpiled and reapplied or re-keyed over these visible cut areas to provide at least 8" of topsoil for the reestablishment of vegetation. As soon as the grading work has been completed, the cut and fill slopes shall be reestablished with non-invasive, fast-growing vegetation.
 - (3) At the time of submittal of subdivision improvement plans and/or application for construction permits, the applicant shall clearly delineate on the project plans the location and visual treatment of any new water tank(s), detached residential accessory and other out-buildings. All such structures shall be located in the least visually prominent location feasible when viewed from Neal Spring Road or Hollyhock Lane. Screening with topographic features, existing vegetation or existing structures shall be used as feasible. If the structures cannot be fully screened with existing elements, then they shall be a neutral or dark, non-contrasting color, and landscape screening shall

be provided. The applicant shall provide evidence that the proposed tank(s) are as low profile as is possible, given the site conditions. Landscape material must be shown to do well in existing soils and conditions, be fast-growing, evergreen and drought tolerant. Shape and size of landscape material shall be in scale with proposed tank(s) and surrounding native vegetation. Plans shall show how plants will be watered and what watering schedule will be applied to ensure successful and vigorous growth.

- (4) At the time of submittal of subdivision improvement plans and/or application for construction permits, the applicant shall submit architectural elevations of all proposed structures to the Department of Planning and Building for review and approval in consultation with the Environmental Coordinator. The elevations shall show exterior finish materials, colors, and height above the existing natural ground surface. Colors shall minimize the structure massing of new development by reducing the contrast between the proposed development and the surrounding environment. Colors shall be compatible with the natural colors of the surrounding environment, including vegetation, rock outcrops, etc.. Darker, non-reflective, earth tone colors shall be selected for walls, chimneys etc. and darker green, grey, slate blue, or brown colors for the roof structures. All color selections shall fall within a "chroma" and "value" of 6 or less, as described in the Munsell Book of Color (review copy available at County).
- (5) At the time of submittal of subdivision improvement plans and/or application for construction permits, the applicant shall submit landscape, irrigation, landscape maintenance plans and specifications to the Department of Planning and Building for review and approval in consultation with the Environmental Coordinator. The landscape plan shall be prepared as provided in Chapter 22.16 of the San Luis Obispo County Land Use Ordinance and shall provide at least six screening trees and other vegetation that will adequately blend the new development, including residences, driveways, access roads, outbuildings, water tanks, etc., into the surrounding environment when viewed from Neal Spring Road.
- (6) At the time of submittal of subdivision improvement plans and/or application for construction permits, the applicant shall demonstrate that retaining walls, sound walls, and understories that exceed six feet in height shall be constructed in colors and tones compatible with the surrounding environment, and shall use textured materials and/or construction methods which create a textured effect, when viewed from Neal Spring Road or Hollyhock Lane. Landscaping that will either screen from in front or grow over from above the wall shall be established prior to final inspection or issuance of a certificate of occupancy, whichever occurs first.

- (7) At the time of submittal of subdivision improvement plans and/or application for construction permits, the applicant shall demonstrate that the access road from Neal Spring Road or Hollyhock Lane to any subdivision shall be located and designed to avoid, or if not feasible, to minimize grading and tree impacts, and to minimize traffic and noise impacts to adjacent property, while still satisfying sight distance requirements.

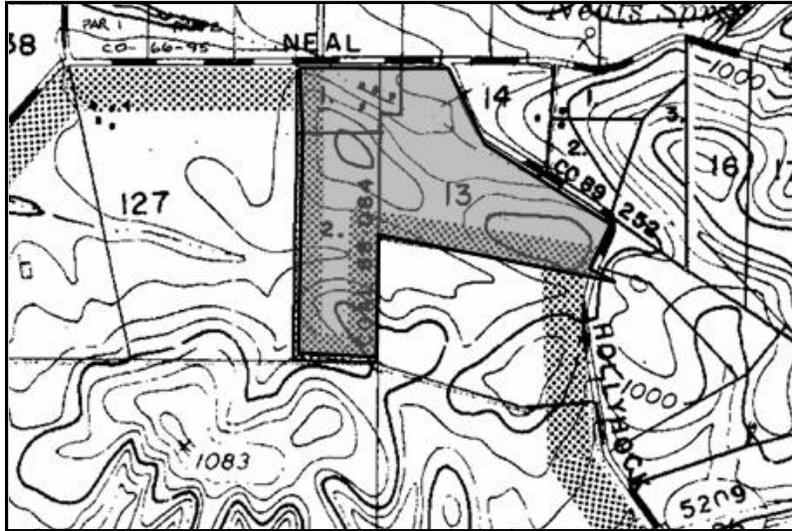


Figure 94-28: RR - Southwest corner of Neal Spring Road and Hollyhock Lane

D. Residential Suburban (RS). The following standards apply within the RS land use category.

- 1. **Offer of dedication.** Prior to the issuance of any land use permit, a public road right-of-way across the entire property frontage along the proposed road shall be offered for dedication. Offered rights-of-way should follow platted road alignments where feasible, and are to be one-half of a 50-foot wide road section from the future centerline.

[Amended 1985, Ord. 2226; 1986, Ord. 2270; 1993, Ord. 2646; Added 1994, Ord. 2674, 2686; Added 2003, Ord. 3014; 2006, Ord. 3106; 2007, Ord. 3126; 2014, Ord. 3256]

22.94.050 - Las Pilitas Sub-area Standards.

All development and new land uses in the Las Pilitas Sub-area, as shown on Figure 94-5, shall comply with the following standards, as applicable to each land use category.

A. Rural Lands (RL). The following standards apply within the RL land use category.

- 1. **Limitation on use.** All land uses identified by Section 22.06.030 as allowable, permitted, or conditional uses within the RL land use category may be authorized in compliance with the land use permit requirements of that Section, except off-road vehicle courses and correctional institutions.

2. **Access limitation - BLM lands.** Development of private properties bordering BLM lands shall not provide direct access to the government land.
- B. Commercial Retail (CR) - Limitation on use.** Land uses shall be limited to: bars and night clubs, caretaker residences, convenience and liquor stores, gas stations, general retail, grocery stores, restaurants, and vehicle storage, in compliance with the land use permit requirements of Section 22.06.030.
- C. Recreation (REC).** The following standards apply within the REC land use category.
1. **Location criteria.** New development proposals for private lands along the Santa Margarita Lake entrance road shall be located below the ridgetop (approximately the 1,600-foot elevation).
 2. **Sewage disposal.** New developments shall provide for transporting sewage effluent out of the Santa Margarita Lake watershed for disposal.
 3. **Water supply - Land divisions.** New developments in the Recreation land use category shall be served by shared wells or community water systems rather than individual wells.
- D. Residential Rural (RR).** The following standards apply within the RR land use category.
1. **Minimum parcel size.** The minimum size for new parcels in the Residential Rural land use category is 10 acres, unless a larger minimum parcel size is required by Chapter 22.22 of the Land Use Ordinance.
 2. **Limitation on use.** All land uses identified by Section 22.06.030 as allowable, permitted, or conditional uses within the RR land use category may be authorized in compliance with the land use permit requirements of that Section except residential care, and outdoor sports and recreation.
 3. **Driveways - New land divisions.** New land divisions shall include where possible design provisions for combining driveways and private access roads serving proposed parcels wherever terrain and adequate sight distance on the public road allow.

[Amended 2014, Ord. 3256]

22.94.060 - Los Padres Sub-area Standards

All development and new land uses in the Los Padres Sub-area, as shown on Figure 94-5, shall comply with the following standards where applicable.

- A. The County shall refer all land divisions proposed within the Los Padres Sub-area to the U.S. Forest Service for review.

[Amended 2014, Ord. 3256]

22.94.070 - Nacimiento Sub-area Standards.

All development and new land uses in the Nacimiento Sub-area, as shown on Figure 94-5, shall comply with the following standards, where applicable.

- A. Finished floor elevations.** Within the Lake Nacimiento watershed, the first floor of a building used for habitation shall not be constructed below the 825-foot elevation.
- B. Water treatment.** Where use of lake water is authorized by the County, the treatment of lake water shall include storage, coagulation, sedimentation, filtration, and chlorination. Intake systems shall be protected to prevent contamination either by means of a closed zone or other approved method. The systems shall be designed by a registered civil engineer and approved by the County Health Department.
- C. Sewage disposal.**
1. **Individual sewage disposal systems.** Individual sewage disposal systems are not permitted:
 - a. On lots with an area less than 2½ acres per dwelling unit, except where a parcel is located within a cluster subdivision in compliance with Section 22.22.140 with a maximum density of 2½ acres or more per dwelling unit;
 - b. Below an elevation of 825 feet above mean sea level (MSL);
 - c. In any case closer than 200 feet, horizontal projection, from the lake's high water elevation of 800 feet;
 - d. On slopes of 30 percent or greater; or
 - e. Where percolation rates are less than one inch in 30 minutes.
 2. **Substandard sewage disposal systems.** Substandard sewage disposal systems that do not meet the requirements of the building code or the Regional Water Quality Control Board shall be replaced in conjunction with any new development.
- D. Circulation - New land divisions and Conditional Use Permit Plan projects.**
1. Proposals shall be integrated into areawide circulation and utility easements, providing for future extensions into adjacent undeveloped properties wherever feasible or where known areawide rights-of-way are planned.
 2. Road alignments shall be designed and constructed to minimize terrain disturbance consistent with safety and construction cost. Altered slopes shall be replanted with indigenous plants where practical or protected by other appropriate erosion control measures.

3. New projects shall include an offer of dedication for interior and abutting roads where needed for public access and circulation. Until these roads are accepted for public use, maintenance shall remain the responsibility of the involved property owners.
4. New developments shall include, where possible, design provisions for combining driveways and private access roads serving proposed parcels wherever terrain and adequate sight distance on the public road allow.
5. New developments shall provide for safe and site-sensitive pedestrian and bike circulation facilities in the design of roads where feasible.

E. Density calculations - Usable area. In the Lake Nacimiento watershed only land above the 800-foot elevation shall be used when computing density or minimum building site area.

F. Easterly of the Santa Lucia Range. The following standards apply only to the area east of the Santa Lucia Range corresponding to the pre-1990 boundaries of the Nacimiento Planning Area as shown in Figure 94-29.

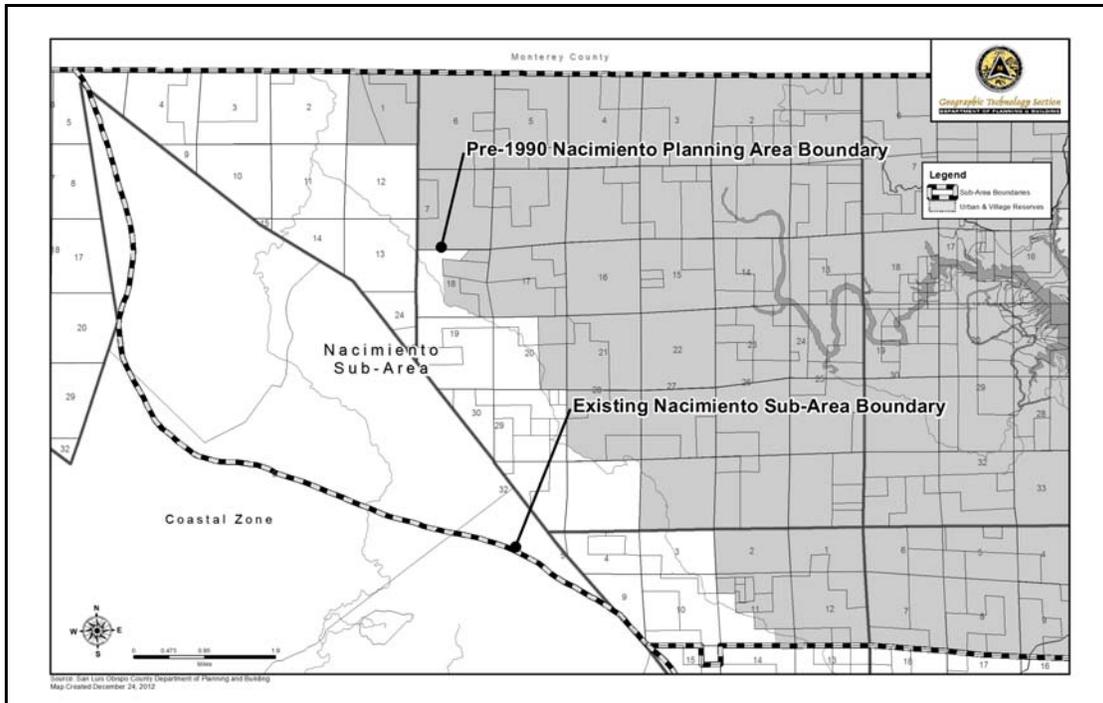


Figure 94-29 - Pre-1990 Nacimiento Planning Area Boundaries

1. **Open space preservation.** Approval of an application for land division, Site Plan, Minor Use Permit, or Conditional Use Permit is contingent upon the applicant executing an agreement with the County to maintain portions of the site not intended for development in open space use. Guarantees of open space preservation may be in the form of agreements, easements, contracts or other appropriate instrument, provided that such guarantees are not to grant public access unless desired by the property owner.

2. **RV parks - Location criteria.** Proposed recreational vehicle parks shall be located within one mile of a road improved to County standards.
 3. **Public recreation.** Future public campgrounds or picnic areas shall be designed and located in compliance with the densities and location specified in Figure B.1-1 and Table B.1-2 in Appendix B of the Area Plans.
 4. **Sloping Sites.** Conditional Use Permit proposals for sites with varied terrain shall include design provisions for concentrating developments on moderate (less than 20 percent) slopes, retaining steeper (20 percent or greater) slopes that are visible from public roads undeveloped where practical except that outside of the pre-1990 planning area boundaries as shown in Figure 94-28, steeper slopes that are visible from public roads shall be kept undeveloped.
- G. Utility services - Undergrounding with Conditional Use Permit projects.** All projects requiring Conditional Use Permit approval (including commercial and residential uses fronting the shoreline) shall provide for utilities being placed underground unless the Commission determines either that: the proposed development will be of low intensity or in an isolated location; or that supporting overhead utilities will not be visible from public roads; or that overriding operational, economic or site conditions of the project warrant waiver of this requirement.
- H. Site selection criteria.** New development shall be located to not be visible from Highway 1, as follows:
1. Sites shall be selected where hills and slopes would shield development, unless no alternative location exists or the new development provides visitor-serving facilities; and
 2. New development shall be located so that no portion extends above the highest horizon line of ridgelines as seen from Highway 1.

[Amended 2014, Ord. 3256]

22.94.072 - Land Use Category Standards for the Nacimiento Sub-area

All development and new land uses in the Nacimiento Sub-area, as shown in Figure 94-5, shall comply with the following standards, as applicable to each land use category.

- A. Rural Lands (RL) - Limitation on use.** All land uses identified by Section 22.06.030 as allowable, permitted, or conditional uses within the RL land use category may be authorized in compliance with the land use permit requirements of that Section, except correctional institutions.
- B. Commercial Retail (CR).** The following standards apply within the Commercial Retail land use category.

1. **Bee Rock - Area of use.** Future development, expansion or alteration of the Bee Rock store shall not exceed one acre in total area.
 - a. Minor Use Permit approval is required for all allowable uses.
 - b. Access to the site shall be from Bee Rock Road.
 - c. Curbs and gutters are not required but ingress and egress shall be defined by landscaping or barricades.

2. **North Entrance to Oak Shores.** The following standards apply only to the land designated Commercial Retail and located on the west side of Oak Shores Drive adjacent to its intersection with Lynch Canyon Drive at the north entrance to the Oak Shores community as shown in Figure 94-30.

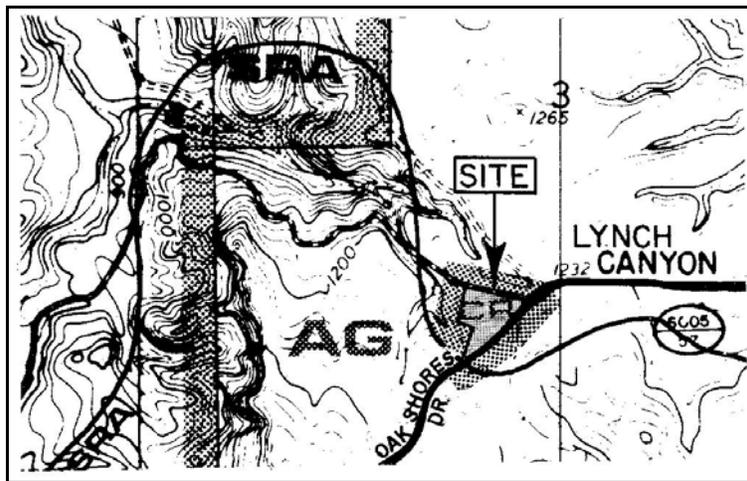


Figure 94-30 - CR Land Use Category at North Entrance to Oak Shores

- a. **Limitation on use.** Land uses shall be limited to convenience and liquor stores, gas stations, general retail, grocery stores, and offices (real estate offices only), in compliance with the land use permit requirements of Section 22.06.030.
 - b. **Permit requirement.** Minor Use Permit approval is required for new development, unless Conditional Use Permit approval would otherwise be required by this Title for a particular use. The Review Authority shall adopt conditions of approval that provide for the preservation of trees to the maximum extent feasible.
- C. Recreation (REC) - Limitation on use - Bee Rock.** Within the Recreation land use category at Bee Rock (Sections 13, 23 and 24 in T25S, R9E, and Section 18 in T25S, R10E), all uses identified by Section 22.06.030 as allowable, permitted, or conditional within the REC land use category may be authorized subject to the land use permit requirements of that Section, except multi-family dwellings, all uses listed by Table 2-2, Section 22.06.030 in the Retail Trade use group; financial services; health care services; personal services; storage yards and sales lots; and hotels and motels.

D. Residential Rural (RR) - Limitation on use. All land uses identified by Section 22.06.030 as allowable, permitted, or conditional uses within the RR land use category may be authorized in compliance with the land use permit requirements of that Section, except nursing and personal care.

[Amended 1982, Ord. 2112; 2014, Ord. 3256]

22.94.074 - South Shore Nacimiento Standards

The following standards apply within the South Shore area of Lake Nacimiento as shown in Figure 94-31, to the land use categories and specific areas listed.

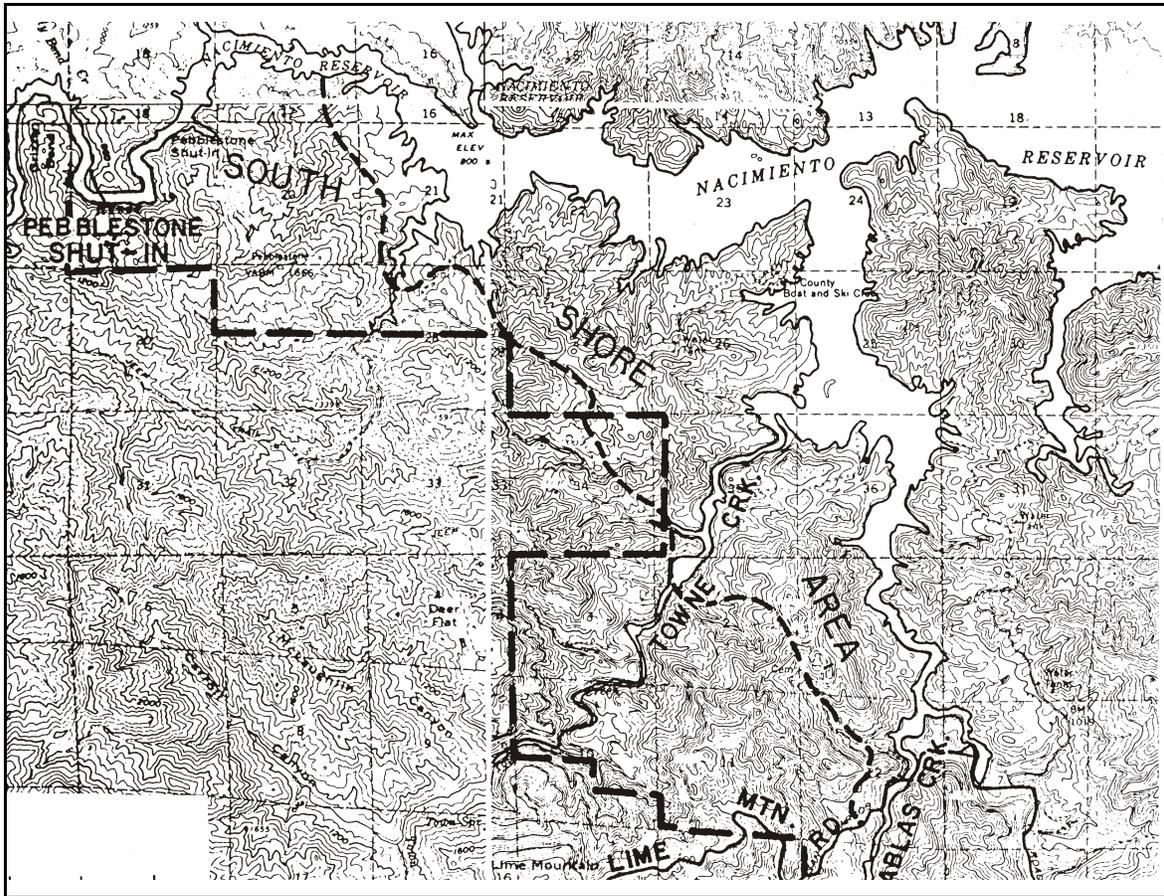


Figure 94-31 - South Shore

A. Areawide standards.

1. **Applicability.** The standards of this Subsection apply to all lands within the South Shore area as applicable, regardless of the land use category applicable to any particular site.

2. **Road access for new subdivisions.** Land divisions proposing parcels of less than 80 acres or densities exceeding 80 acres per unit shall not be approved unless the access road between the property and the nearest County-maintained road satisfies—at minimum—the access standards of the Uniform Fire Code as adopted by the County, or will be improved as a condition of the land division to satisfy those standards.

B. Rural Lands (RL). The following standards apply within the RL land use category.

1. **Limitation on use.** All land uses listed by Section 22.06.030 as allowable, permitted, or conditional within the RL land use category may be authorized in compliance with the land use permit requirements of that Section, except residential care, manufacturing and processing activities, correctional institutions, ag processing, and farm equipment and supplies, which are not allowed.
2. **Minimum parcel size.** The minimum parcel size for the area designated Rural Lands west of Chimney Rock Road and accessed from High Meadow Way or Tres Vista Place, shown in Figure 94-32, is 80 acres instead of the minimum otherwise required by this Title. This area is more specifically described as Parcel Map CO83-0204, recorded with the County Clerk-Recorder in Book 39, Page 73 of Parcel Maps.

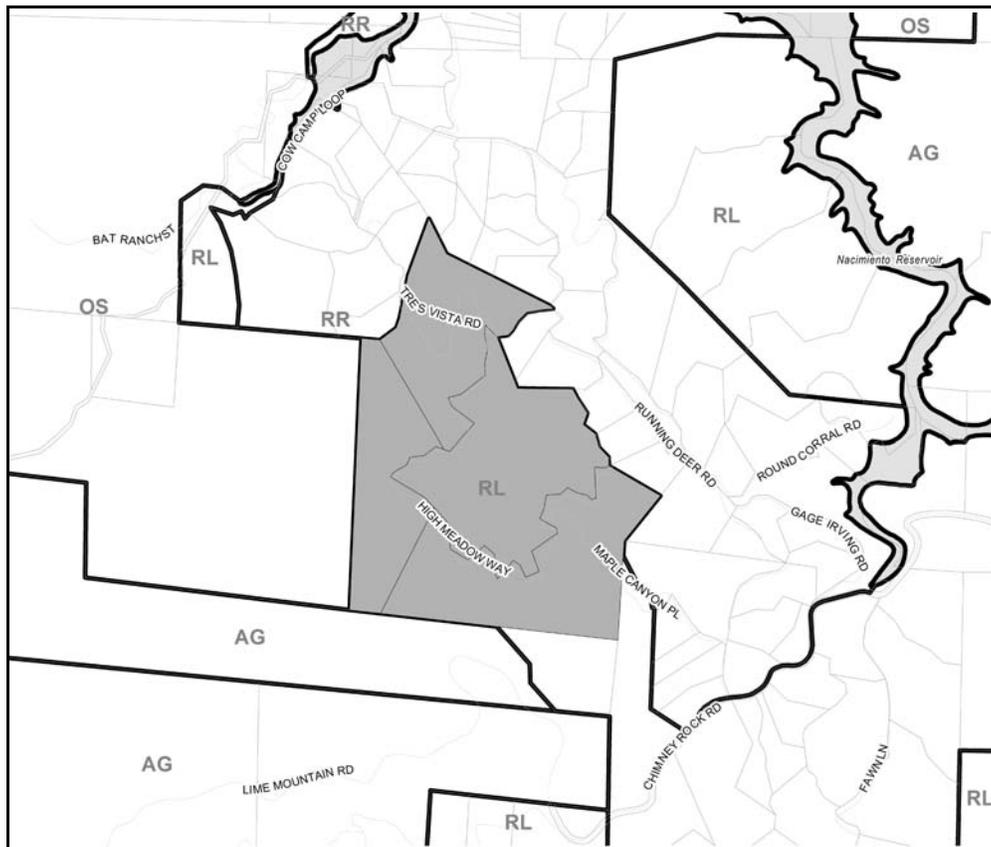


Figure 94-32 - Parcel Map CO83-0204

C. Recreation (REC). The following standards apply within the REC land use category.

1. **Limitation on use.** Land uses shall be limited to crop production and grazing, marinas, rural recreation and camping, recycling collection stations, animal keeping, single-family dwellings, mobile homes, and fisheries and game preserves, in compliance with the land use permit requirements of Section 22.06.030.
2. **Application content - Development Plans.** Where Conditional Use Permits are required for residential projects and all uses under the definitions of hotels and motels, RV parks, religious facilities, and rural recreation and camping, the Conditional Use Permit application shall include documentation of the adequacy of water, sewerage, drainage, fire and police services.
3. **Campground standards.** Public campgrounds and picnic areas shall comply with the following requirements.
 - a. **Permit requirement.** Campgrounds shall require Conditional Use Permit approval.
 - b. **Site design standards.** Proposed campgrounds and alterations to existing campgrounds shall be designed in compliance with the following standards.
 - (1) Proposed facilities shall be planned for average rather than peak use, for more efficient year-round utilization.
 - (2) Trailer sites shall be concentrated in small clusters at a density of 10 units per acre, with intervening open space.
 - (3) Tent sites shall be developed at a maximum density of four units per acre.
 - (4) Picnic sites shall be developed at a maximum density of eight units per acre.
 - (5) Campsites shall be designed for maximum privacy; clearing of vegetation and grading shall be minimal.
4. **Residential density and minimum lot size.** Residential projects may be approved with minimum lot sizes of 6,000 square feet only when an overall density of one unit per 2½ acres is maintained.
5. **Parking facilities.** New parking areas shall be dispersed into small clusters separated by landscaped areas.

D. Residential Rural (RR). The following standards apply within the RR land use category.

1. **Limitation on use.** All land uses listed by Section 22.06.030 as allowable, permitted, or conditional within the RR land use category may be authorized in compliance with the land use permit requirements of that Section, except animal facilities, farm equipment and supplies, nursery specialties, grocery stores, and restaurants.

2. **Land division standards - North of Towne Creek.** New land divisions shall comply with the following standards.
 - a. New land divisions shall be designed in compliance with the cluster division provisions of Chapter 22.22.
 - b. Building sites shall be located on soils best suited for septic system use.
 - c. Provide coordinated interior streets.
 - d. Provide lake access for the involved property owners through roads, easements, or common open space areas.
 - e. Serve clustered lots by a common water source rather than individual wells.
 - f. Common areas shall be owned and maintained by property owners groups.
 - g. Locate new building sites on slopes less than 20 percent.

E. Open Space (OS). The following standards apply within the OS land use category.

1. **Limitation on use and permit requirement.** Land uses shall be limited to crop production and grazing, fisheries, hunting, riding and hiking trails, in compliance with the land use permit requirements of Section 22.06.030. Primitive trail-side camps, walk-in picnic areas, and picnic areas accessible by boat may be allowed subject to Conditional Use Permit approval. Clearing and grading shall be minimal.
2. **Public lands.** Public lands shall be retained in public ownership with a minimum parcel size of 640 acres.

[Amended 1983, Ord. 2122; 1989, Ord. 2399 Amended 1990, Ord. 2488; 2014, Ord. 3256]

22.94.080 – Salinas River Sub-area Standards

All development and new land uses in the Salinas River Sub-area, as shown on Figure 94-2, shall comply with the following standards, where applicable.

- A. **Santa Lucia Mountains - Coordination of land divisions.** Proposed discretionary permits and land divisions within the area in the Santa Lucia Mountains shown in Figure 94-33 shall be referred by the County to the U.S. Forest Service for review and comment.

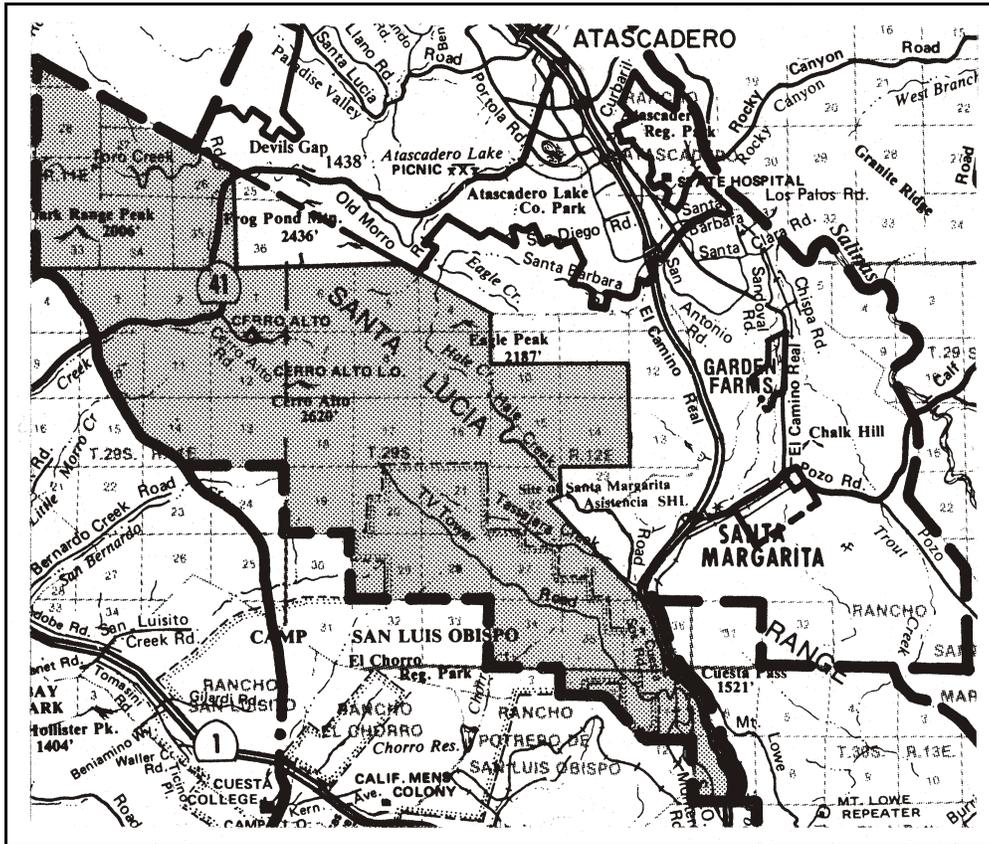


Figure 94-33 - Santa Lucia Mountains - Rural

B. Planning impact areas. The following standards apply within the planning impact areas of the cities of Paso Robles and Atascadero, shown in Figures 94-34 and 94-35. These areas are not intended to be considered as a basis for annexation or establishing spheres of influence.

1. **Application referral.** Discretionary permit, General Plan Amendment and Ordinance Amendment applications shall be referred to the cities of El Paso de Robles or Atascadero, as applicable, for review and comment prior to approval.
2. **Development impacts.** Discretionary projects with potential impacts that are associated with and that include, but are not limited to, water quantity and quality, drainage, erosion and sedimentation, traffic and circulation and cumulative impacts, shall be addressed as subjects for additional review as part of the environmental review process.
3. **Consistency with City Plans.** Improvements and/or offers of dedication consistent with City plans shall be considered and may be required for projects depending on the location, scale of the proposed development and an appropriate and feasible connection between the proposed development and the improvement.

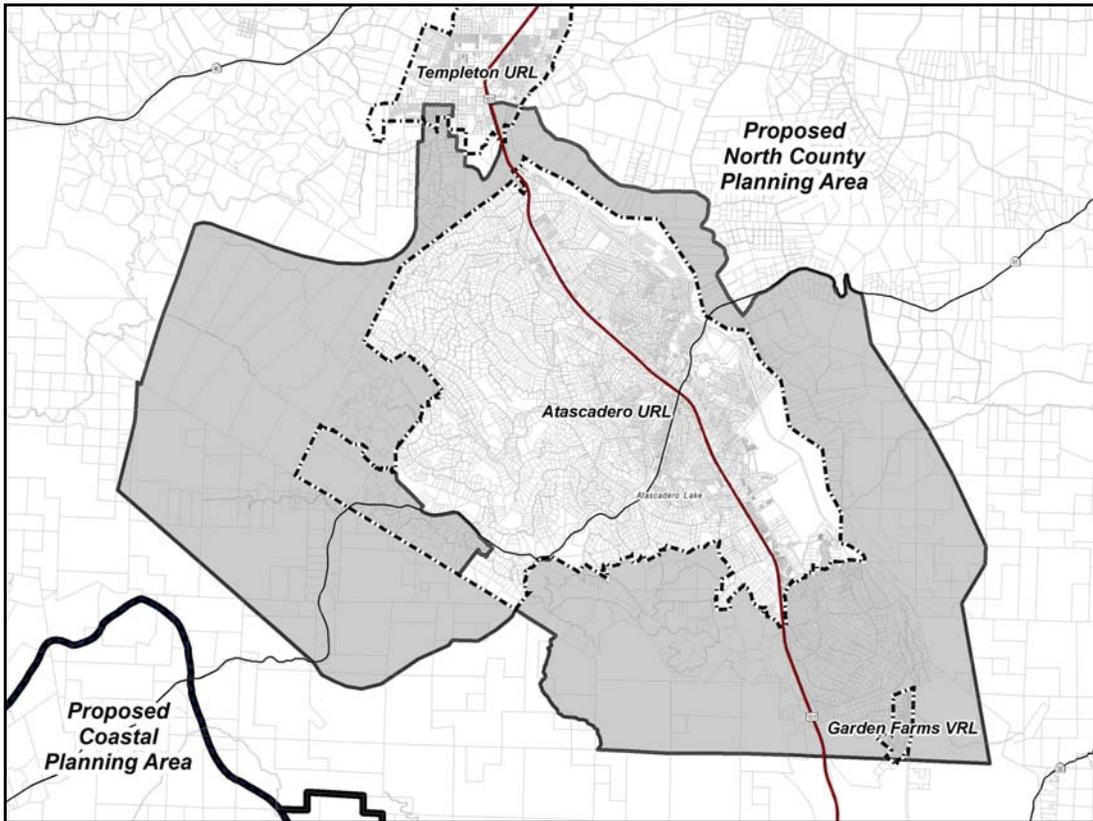


Figure 94-34 - Atascadero Planning Impact Area

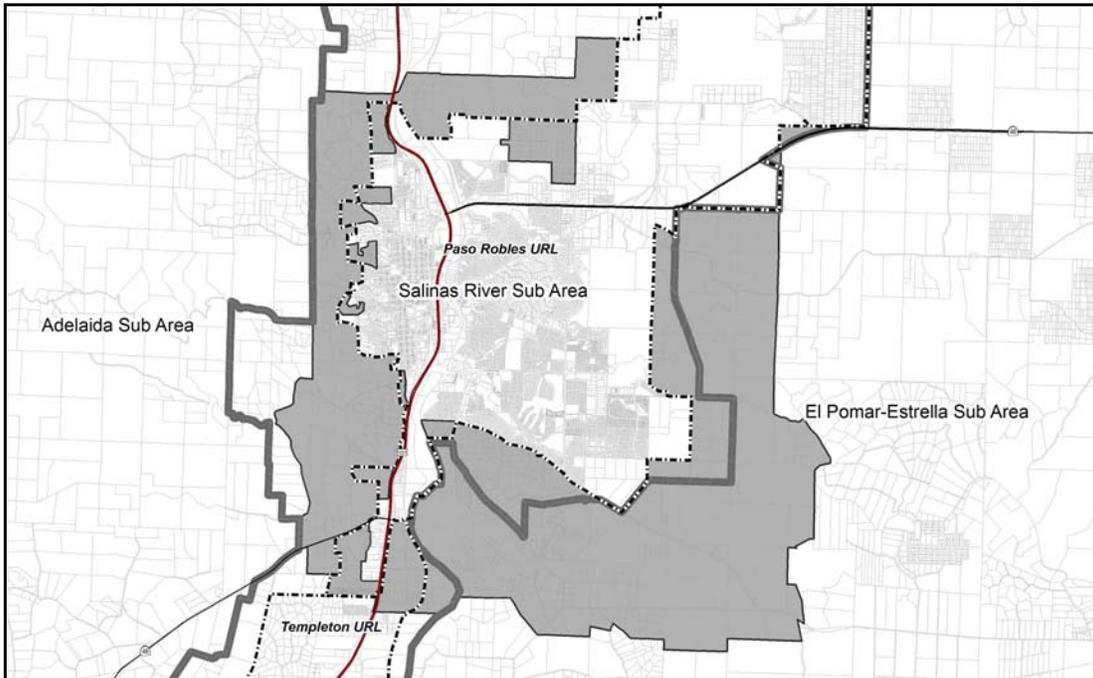


Figure 94-35 - Paso Robles Planning Impact Area

- C. Open space preservation.** The following standards apply to land where important physical, biological, visual or historic resources are identified both on-site and on adjacent properties, to offer incentives and encourage such measures as cluster land divisions that will leave such resources in permanent open space.

Guideline: New land divisions should retain land in open space that will preserve oak woodlands, riparian and other important biological habitats, physical landmarks, prime agricultural, visual and historic areas.

1. **Cluster land division incentive.** Cluster divisions of land may utilize an open space parcel area that is smaller than otherwise required by Chapter 22.22 where an important biological habitat, riparian creek corridor, scenic site or historic place is identified through the application's review process. The size of the open space area may be determined by a biological, visual or other applicable analysis of the area in question. The analysis shall identify the area necessary to maintain open space or to preserve the features of the applicable resource while not impeding its natural function.
 2. **Lot Line Adjustments.** In cases where land that is intended for development includes more than one legal lot, the lot lines may be adjusted to concentrate development in suitable areas and leave other areas undeveloped and subject to open space or conservation easements.
- D. Salinas River resource protection.** Within the Salinas River floodplain as defined by the Flood Hazard combining designation shown on the official maps in both rural and urban areas, discretionary permits and land divisions shall protect the habitats and resource integrity of the floodplain. Development shall be designed and located to protect the river as a water resource and to maintain the natural features and habitats within the floodplain.
- E. Prime agricultural areas - Prime soils retention.** New development on land that is classified by the Soil Conservation Service as prime, Class I or II soil if irrigated, shall be designed to minimize the loss of prime agricultural soils for potential agricultural use by selective placement of buildings and new parcels.
- F. Other land of agricultural value - Soils retention.** New development on land that has existing agricultural production or that is classified by the Soil Conservation Service as Class III and IV soils shall be designed to minimize the loss of soils for potential agricultural use by selective placement of buildings and new parcels.

[Amended 2014, Ord. 3256]

22.94.082 – Land Use Category Standards for the Salinas River Sub-area

All development and new land uses in the Salinas River Sub-area, as shown in Figure 94-2, shall comply with the following standards, as applicable to each land use category.

A. Agriculture (AG) - Santa Margarita Ranch. The following standards apply only to the area shown in Figure 104-24 within the Agriculture land use category.

1. **Subdivision requirement.** All new land divisions that are proposed prior to approval of the Specific Plan required by Subsection A.2 shall cluster the allowed residential density of the Santa Margarita Ranch property ownership shown in Figure 94-36 in compliance with agricultural lands clustering standards of Section 22.22.150. This agricultural clustering division shall reconfigure and/or relocate existing parcels with minimal or no visual impact on Santa Margarita, Garden Farms and Highway 101.

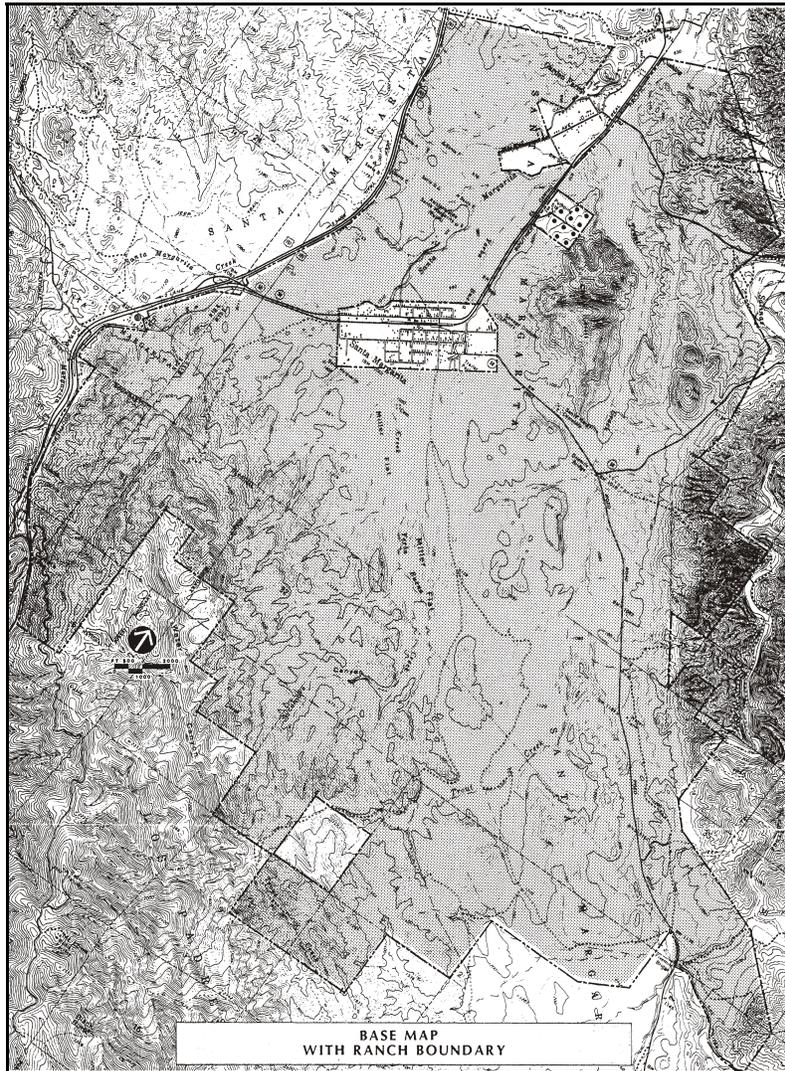


Figure 94-36: Santa Margarita Ranch - Rural

2. **Specific Plan requirement.** A Specific Plan shall be prepared in compliance with Government Code Section 65450 for the entire Santa Margarita Ranch as shown in Figure 94-36, for review and approval before an application is approved for any subdivision of land other than the agricultural cluster division that is allowed by Subsection A.1. This restriction shall not apply to lot line adjustments.

A development agreement in compliance with Government Code Section 65864 et seq. that reflects the standards that follow shall be entered into between the ranch owners and the Board in an expeditious manner.

A General Plan amendment to implement the land use designations at the locations shown in the Specific Plan may be filed concurrently with the Specific Plan.

The following principles shall guide the Specific Plan preparation:

- a. **Public participation.** The public shall be provided opportunities to participate in each component of the Specific Plan process through meetings, written comments, surveys, and other means of dialogue with the applicant and staff.
 - b. **Resource constraints.** Development proposals shall reflect the resource constraints of the Santa Margarita Ranch and the North County region.
 - c. **Limited development areas.** Development area(s) shall be selected from within 1,800 acres consistent with the existing agricultural character of the ranch.
 - d. **Open space surroundings.** Development shall be located with clearly defined edges surrounded by other residential uses, or by open space and agricultural uses which serve as a greenbelt adjacent to the project.
 - e. **Economic integration.** Development shall be designed and operated to be available for a mix of income levels.
 - f. **Mixed land uses.** Development shall be organized to provide a convenient mix of land uses to residents.
 - g. **Pedestrian orientation.** Development shall be located for convenient pedestrian access to potential transit and to neighborhood convenience and civic functions or downtown Santa Margarita.
3. **Specific Plan objectives.** The Specific Plan shall be prepared to achieve the following objectives:
- a. **Agricultural protection.** Identify and avoid development on land capable of supporting viable agricultural operations:
 - (1) Identify areas capable of supporting viable agricultural operations, areas where agricultural operations will be marginal and/or not viable, and lands which may best be utilized for other purposes.

- (2) Define buffer standards for agricultural/residential interfaces where needed.
 - (3) All of the approximately 900 acres of prime soils (Class I and II) which have access to bedrock aquifers of the Santa Margarita formation shall be protected by permanent agricultural easement(s).
 - (4) 7,500 acres (totaling 8,400 acres when combined with the land referred to in Subsection A.3) shall be protected for agricultural uses, and watershed protection and management, through the use of permanent agricultural easements (nos. 3 and 4 can comprise eight parcels).
 - (5) 3,600 acres shall be protected for agricultural uses by placement into a Williamson Act agricultural preserve contract(s) for a 40-year term (no. 5 can be comprised of four or five parcels).
 - (6) The remainder of the 1,800 acres described in Subsection A.2.c that is outside areas designated for development and public uses shall be protected for agricultural uses by placement into a Williamson Act agricultural preserve contract(s) for a 40-year term.
- b. Open space preservation and use.** Utilize an assessment of open space resources as a primary guide for locating development areas:
- (1) Inventory environmentally sensitive areas that are appropriate to be preserved for open space. Areas with the highest biological sensitivity shall be included in the permanent protection provided as a part of Subsections A.3.a(3) and A.3.a(4).
 - (2) Non-structural golf course and other resort uses may be included in open space areas (except a clubhouse and other support buildings).
 - (3) Identify areas that are suitable for public parklands and recreation.
 - (4) Require measures to permanently protect scenic viewsheds, environmentally sensitive areas, public parklands and recreation areas.
 - (5) Conduct a viewshed analysis from public highways and arterial streets to identify areas with ratings and recommendations for a range of open space values, to protect views from Highway 101 and to identify potential impacts to views from other areas.
 - (6) Define grazing practices and/or protective barriers to eliminate or minimize cattle access to creeks and vernal pools to restore riparian habitat.
- c. Resource and service capacities.** Identify the existing and projected resource and service capacities of the Santa Margarita Ranch for potential development, utilizing relevant environmental documents and additional new information for such site-specific resources as water supply and drainage. Topics for this Subsection include those required for an environmental impact report by the California Environmental Quality Act.

- d. **Residential density.** Utilizing the documentation in Subsections A.3.a, b. and c., prepare a development program for 500 residential units plus 50 affordable residential units.

The program shall identify thresholds for potential environmental and fiscal impacts on site and regional resources and services at different numbers of residential units or other development. It shall identify points at which certain community benefits, at various degrees of improvement, are warranted and shall be required.

- e. **Local employment opportunities.** To deter encouraging long-distance commuting, identify local employment opportunities associated with ranch development as well as build-out of the existing commercial and industrial areas. Identify the potential types of commercial, industrial, service and office uses that would be most related to local needs with special emphasis on maintenance and restoration of a viable downtown commercial district.

- 4. **Specific Plan - Land use categories.** The Specific Plan shall identify locations for appropriate land use categories to implement the following concepts:

- a. **Agriculture (AG).** Reconfiguration of the ranch parcels into locations for ranch and farm operations on properties that are adequately sized to support the long-term economic viability of appropriate types of productive agriculture within ranch resource constraints. The ranch shall be reconfigured into no more than 14 parcels.
- b. **Residential uses.** Residential areas shall be clustered with the first priority to be an extension of the community of Santa Margarita, or within open space surroundings such as adjacent to park land, agriculture or a golf course.

Clusters shall be oriented to have a small-scale village environment that will encourage social interaction. Traditional town planning principles shall be emphasized, with residences in close proximity to each other, fronting the street.

The residential clusters shall contain a variety of housing types and prices for different economic and age groups.

The location of all residential uses shall be generally south and east of the existing community of Santa Margarita.

Notwithstanding the foregoing, the project may be done as a new village, expansion of the existing community, or both.

- c. **Non-residential uses - Optional.** In an effort to provide a more balanced community, the following private and public non-residential uses and mitigation measures shall be considered but not required in the Specific Plan:

- (1) A golf course and accessory buildings, clubhouse and incidental cafe.
- (2) A guest ranch and lodge.

- (3) One equestrian center with horse boarding, outdoor show arena, stables and other animal facilities.
 - (4) Public parklands dedication to accommodate passive and active recreation areas that are buffered appropriately from residential areas and streets, sized to function as mini-parks, neighborhood, community and regional parks, and community center enhancement.
 - (5) Public separated bikeways between Santa Margarita and south Atascadero.
 - (6) Depending on the results of the environmental analysis, public improvements may include a community drainage basin upstream from Santa Margarita, local street and/or creek drainage improvements or clean-up; a sewage treatment plant and collection system serving ranch development; community water well and storage tank sites; realignment of Highway 58 diverting traffic around Santa Margarita; El Camino Real Street improvements in Santa Margarita and Garden Farms in addition to other street improvements that are identified in environmental review; and school site dedication(s).
- d. Non-residential uses - Required.** The following amenities and mitigation measures shall be required in the Specific Plan.
- (1) Dedication of land within Santa Margarita or five acres elsewhere for a community swimming pool and payment of \$500 per approved dwelling unit (up to 500 units) in contribution for construction funding.
 - (2) Dedication of land for a potential future sewage treatment facility for the existing community if necessary (up to 10 acres).
 - (3) Dedication of five acres for an expansion of the cemetery.
 - (4) Dedication of public hiking/equestrian trails connecting and looping between Santa Margarita, Garden Farms, national forest and the ranch boundary;
- 5. Specific Plan - Allowable uses.** The Specific Plan shall refine the list of allowable land uses in Section 22.06.030 (Allowable Land Uses and Permit Requirements) with more specific types of uses related to the development concepts in Subsection A.4.
- 6. Development phasing.** The Specific Plan shall contain a phasing plan that relates the major thresholds of development to specific mitigating actions for the following topics:
- a. Project sequence.** Location and order of each development project, with criteria to implement each phase consistent with environmental documents and with the residential unit thresholds.
 - b. Public improvements.** Identify public improvement projects and funding and responsibility for implementation as needed to provide mitigation for each development phase and the cumulative impacts of ranch development.

- c. **Agricultural management.** Identify the location, size and phase for creation of proposed agricultural parcels and the location and phasing of improvements proposed, if any, to increase opportunities for viable agricultural operations.
 - d. **Agricultural protection.** Timing for implementation of agricultural protection measures that are identified in compliance with Subsections A.3.a(3, 4, 5 and 6).
 - e. **Resource conservation.** Projects to minimize resource usage, such as water conservation, transportation management, riparian habitat protection, and hardwood forest protection and reforestation.
7. **Design guidelines.** The Specific Plan shall contain design guidelines that are compatible with local architecture and address the scenic, rural and historic character of the ranch and community.

The Specific Plan shall contain traditional site planning and architectural elements for each development area and show the conceptual location for proposed circulation systems including roads and trails. At minimum, the design guidelines shall, at a conceptual level, also identify road widths and levels of improvement, permitted building heights, minimum lot size, percentage of lot coverage and setbacks from roads or trails within each proposed development area.

B. Rural Lands (RL). The following standards apply within the Rural Lands land use category.

- 1. **Santa Margarita Ranch – Application contents.** Within the area shown in Figure 94-37, residential Zoning Clearance or other land use permit applications shall demonstrate compliance with the following to minimize the visual impact of development, unless modified by Minor Use Permit or Conditional Use Permit:
 - (1) **Building height.** Maximum building height shall be 25 feet.
 - (2) **Building color.** Building colors other than trim shall be no brighter than 6 in value and chroma on the Munsell color scale, on file in the Department.
 - (3) **Roofs.** Roofs shall be pitched 3:12 or greater, with eave overhangs of one foot or more.
 - (4) **Landscaping.** Drought-tolerant landscaping for residences and residential accessory buildings shall be provided and use trees and large-growing shrubs consistent with fire hazard regulations and the water-conserving landscaping provisions of Chapter 22.16 (Landscaping Standards).
- 2. **Biaggini Ranch.** The following standards apply to the property shown in Figure 94-38.
 - a. **Density limitation.** The maximum density and the number of parcels allowed shall be computed on the basis of one parcel per 160 acres of gross site area.
 - b. **Primary residence limitation.** No more than one primary residence shall be constructed on each parcel.

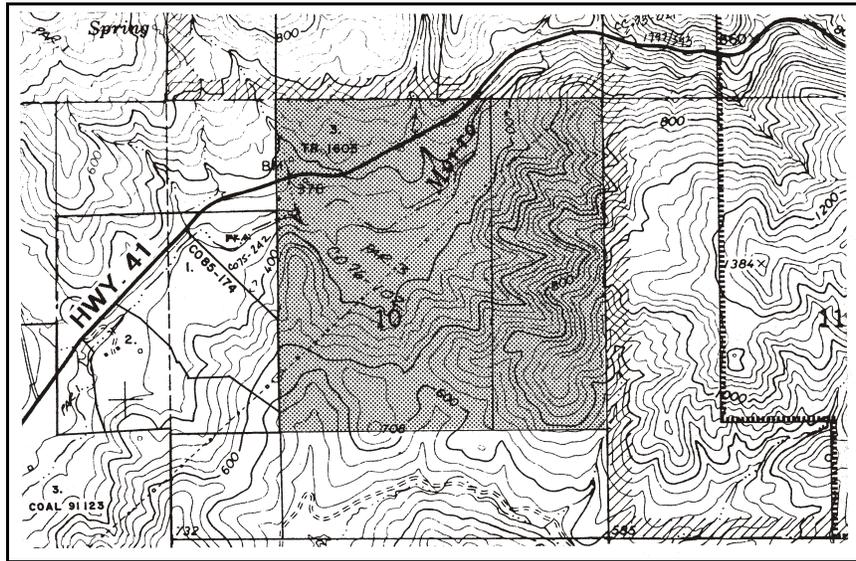


Figure 94-38 - RL - Biaggini Ranch - Rural

C. **Commercial Retail (CR) - Stockdale Road area.** The following standards apply within the Commercial Retail land use category on Stockdale Road, as shown in Figure 94-39.

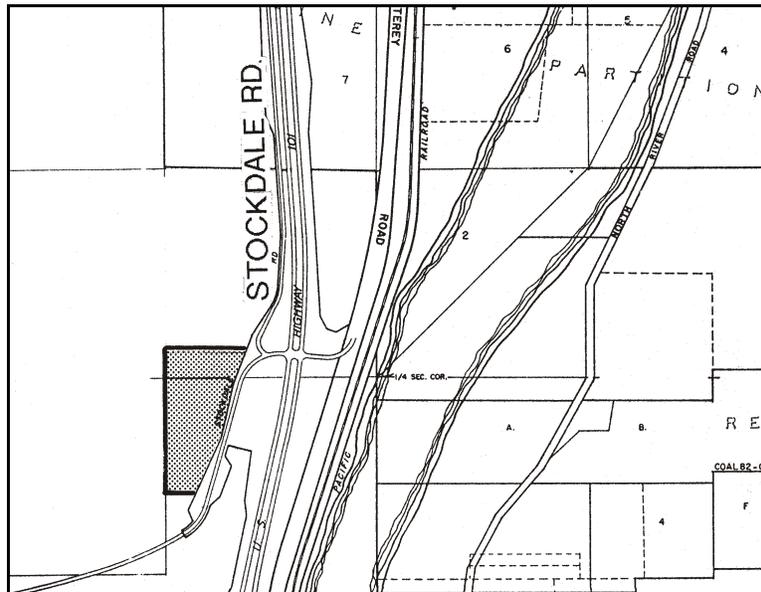


Figure 94-39 - CR - Stockdale Road Area - Rural

1. **Limitation on use.** Land uses shall be limited to the following:

Animal keeping	Outdoor sports and recreation
Bars and night clubs (limited to 60 customer seats)	Pipelines and transmission lines
Caretaker residence	Public safety facilities

Convenience and liquor stores (limited to 2,000 square feet)	Public utility facilities
Crop production and grazing	Recycling collection stations
Food and beverage products manufacturing	Residential accessory uses
General retail (limited to 2,000 square feet)	Restaurants (limited to 60 customer seats)
Grocery stores (limited to 1,500 square feet)	Small scale manufacturing
Mail order and vending	Vehicle storage
Offices, temporary	

2. **Permit requirement.** Minor Use Permit approval is required for any new use and any expanded use that increases use area more than 10 percent, unless a Conditional Use Permit is otherwise required by this Title.
3. **Development intensity and standards.** Land use permit applications shall include a traffic study, and shall comply with Subsections D.4, and D.7 through D.15 for the Wellsona Road area in the Commercial Service category.

D. Commercial Service (CS) - Wellsona Road area. The following standards apply within the Commercial Service category from the vicinity of the intersection of Highway 101 and Wellsona Road to the Exline Road intersection with the highway, as shown in Figure 94-40.

1. **Limitation on use - Wellsona Road area.** Allowable land uses on the Wellsona Road properties shown in Figure 94-40 are limited to:

Agriculture accessory structures	Recycling and scrap
Bars and night clubs	Recycling collection stations
Bed and breakfast inns	Residential accessory use
Caretaker residences	Restaurants
Concrete, gypsum and plaster products	Roadside stands
Construction contractors	Small scale manufacturing
Convenience and liquor stores (maximum gross floor area of 5,000 square feet)	Stone and cut stone products
Crop production and grazing	Storage, accessory
Existing motorcycle dealer	Storage yards

Gas stations	Temporary offices
General retail (limited to gifts, novelties, souvenirs, and antiques)	Transmission facilities
Grocery stores (maximum gross floor area of 5,000 square feet)	Truck stops
Hotels, motels if associated with truck stops as uses	Vehicle and freight terminals
Personal services	Vehicle storage
Public safety facilities	Warehousing
Recreational Vehicle Parks	Wholesaling and distribution

2. **Limitation on use - Other Commercial Service properties.** Land uses shall be limited to the following for other Commercial Service properties shown in Figure 94-40. Retail sales are limited only to the incidental sale of goods produced, assembled or manufactured on the site. All other sales shall be wholesale to other businesses only.

Ag accessory structures	Small scale manufacturing
Caretaker residence	Stone and cut stone products
Concrete, gypsum and plaster products	Storage, accessory
Construction contractors	Storage yards
Crop production and grazing	Temporary offices
Existing motorcycle dealer	Transmission facilities
Public safety facilities	Vehicle and freight terminals
Recycling and scrap	Vehicle storage
Recycling collection stations	Warehousing
Residential accessory uses	Wholesaling and distribution

Recreational vehicle parks are also an allowable use on a property at Exline and Stockdale Roads, as shown in Figure 94-41.

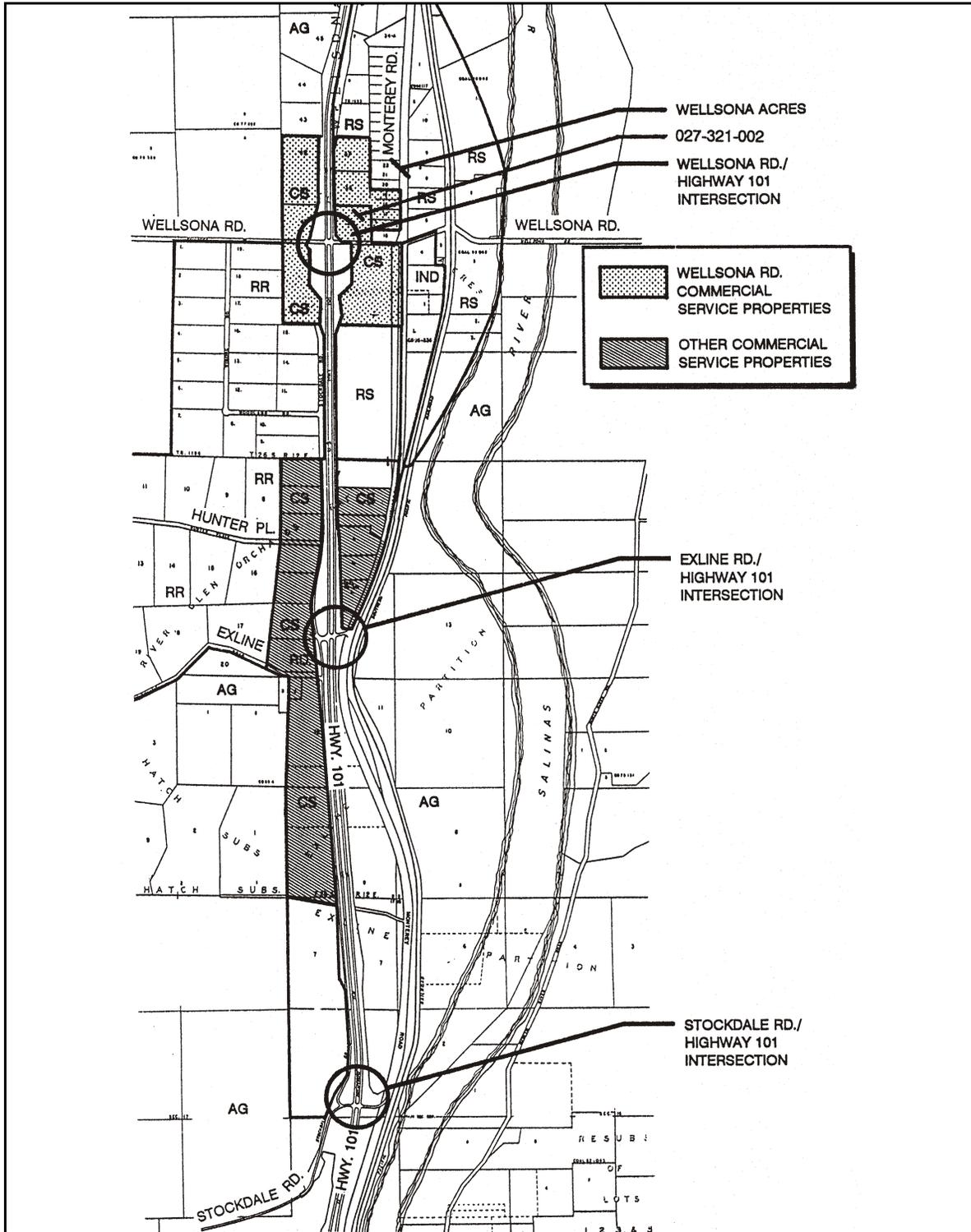


Figure 94-40 - CS - Wellsona Road Area - Rural

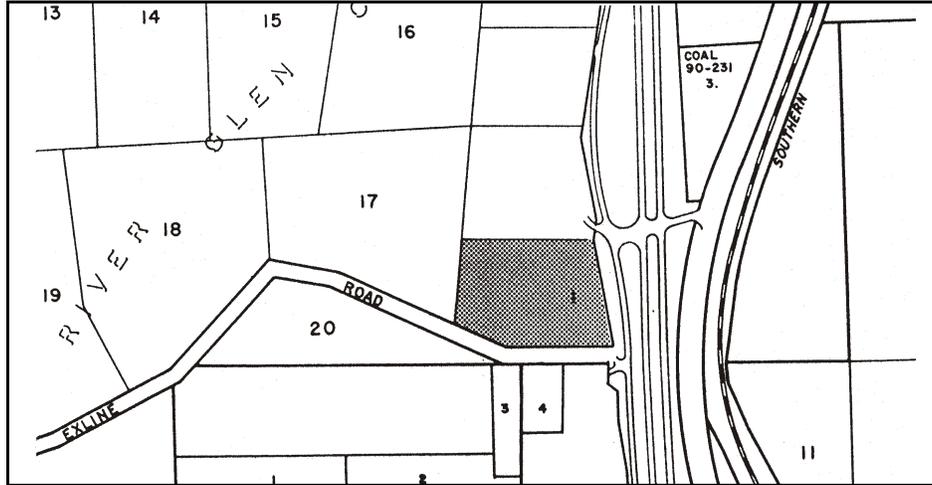


Figure 94-41 - CS - Exline and Stockdale Roads

3. **Permit requirement.** Minor Use Permit approval is required for all new uses, or expanded uses that increase use area more than 10 percent, unless a Conditional Use Permit is otherwise required by this Title.

4. **Development limitation.** The Minor Use Permit or Conditional Use Permit shall include a traffic study showing existing and projected traffic volumes at all Highway 101 intersections shown in Figure 94-40, including the proposed development and other development that is approved but not yet constructed in the study area. Those figures shall be compared to the threshold volume of 2,300 trips per day for either side of each intersection (per the Final Environmental Impact Report for the Moe and Dotson General Plan Amendments, ED 85-195 and 85-223). A traffic study shall not be required if the Environmental Coordinator determines that it would be unnecessary for the proposed scale of development.
 - a. Development may be permitted within the Wellsona Road area shown in Figure 94-40 to the extent that:
 - (1) Existing traffic;
 - (2) Plus traffic to be generated from any filed and accepted Conditional Use Permit applications;
 - (3) Plus traffic to be generated from approved but unbuilt development applications in the vicinity;
 - (4) Plus project-generated traffic, do not exceed the threshold volume of 2,300 trips per day on either side of each of the Highway 101 intersections.

 - b. When any Highway 101 intersection shown in Figure 94-40 reaches the threshold traffic volume described in Subsection D.4.a, no further development shall occur for that intersection in the Commercial Service category until construction of the needed interchange improvements described in the EIR are funded and programmed.

5. **Offer of dedication.** Development on the parcel located at the southeast corner of Highway 101 and Wellsona Road, as shown in Figure 94-42, requires that approximately three acres needed for a loop interchange (as described in the EIR referenced in Subsection D.4) shall be offered for dedication. The offer shall not be accepted until the Highway 101/Wellsona interchange is programmed for construction. The value of the property offered for dedication shall be credited against any future assessment district fees or other funding mechanisms for the interchange improvements.

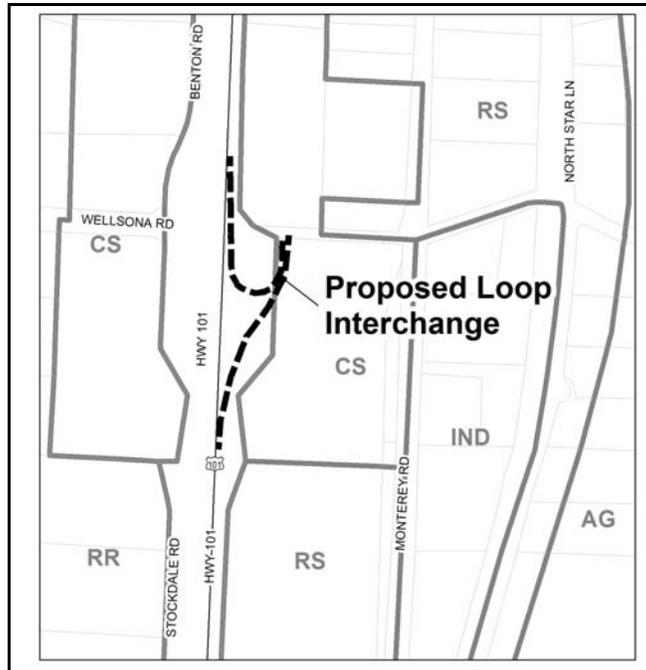


Figure 94-42: Wellsona-Dotson Interchange

6. **Development intensity.** The ratio of gross floor area (exclusive of parking and non-structural development) to net site area shall be limited in reference to the following slope gradients. The coverage ratio of all use areas (including buildings, parking and outdoor use areas) to the net site area shall be no more than the following:

Slope Gradient	Floor Area Ratio	Site Coverage Ratio
0 - 15%	0.40	0.65
15 - 25%	0.20	0.30
More than 25%	0.05	0.10

7. **Minimum parcel size.** The minimum parcel size for new land divisions is five acres.
8. **Minimum frontage width.** For new subdivisions, the minimum lot width at the frontage on any street or road is 300 feet.
9. **Site access.** Access to each site from any street or road shall be at a single point or driveway and shall be shared between properties if feasible given existing terrain and

vegetation, as shown in Figure 94-43. Where a creek or arroyo divides a site, an additional access point to the road may be provided to reduce impacts to the creek. Access shall be provided between sites for pedestrian and vehicle movement to reduce traffic conflicts on the road, as shown in Figure 94-43.

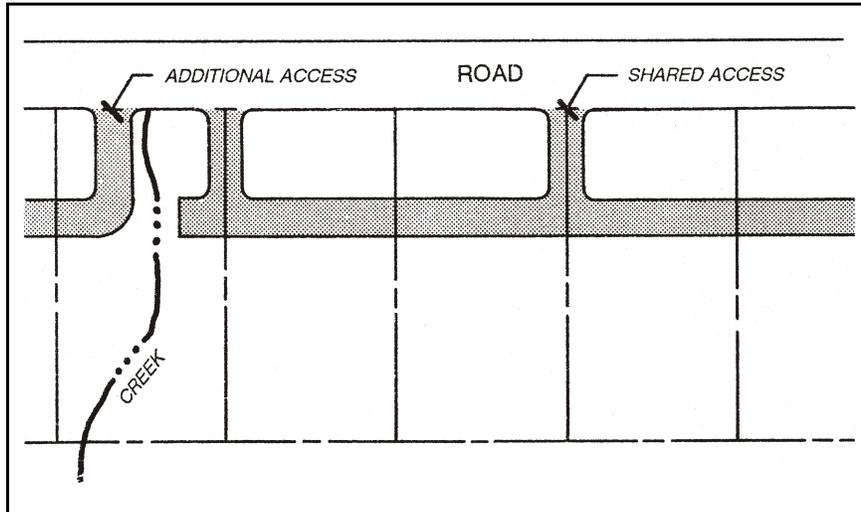


Figure 94-43 - Site Access Concepts

10. **Setbacks.**

- a. **Landscaping setback.** A landscaped buffer shall be located in the following setbacks, in which no use areas, including building, parking or outdoor use, are allowed:

Location	Minimum Setback for Landscaping
Front	40 ft
Side	20 ft
Rear	20 ft

Setback areas shall be fully landscaped for an attractive natural appearance. Trees shall be planted in groups at a density of two trees for every 25 feet of frontage, and in a continuous canopy at a density of one tree for every 25 feet of side or rear yards. A combination of trees and shrubs shall be used to provide at least 50 percent screening in front, and full screening in side and rear yards if visible from Highway 101. Plant material shall be a mix of evergreen and non-evergreen species. Tree species shall be selected that will achieve heights equal to or greater than the heights of project buildings.

Within setbacks that separate the roadway from parking or outdoor use areas, a berm shall be constructed to aid in screening parking or outdoor uses. The berm shall not conflict with native vegetation and have a slope no steeper than 3 to 1. Height of

the berm shall be at least three feet, which may necessitate a wider setback than prescribed above on some topography.

- b. **Building setback.** The required setbacks for structures are in relation to their height and location on the site, in order to scale development back from view of Highway 101 and adjacent residential properties, as follows:

Minimum Setback from Property Line Based on Building Height		
Setback	Building Height	
	16 Feet or Less	More Than 16 Feet
Front	70	100
Side	40	70
Rear	60	80

Figure 94-44 illustrates the front setbacks as an example of both the landscaping and building setbacks.

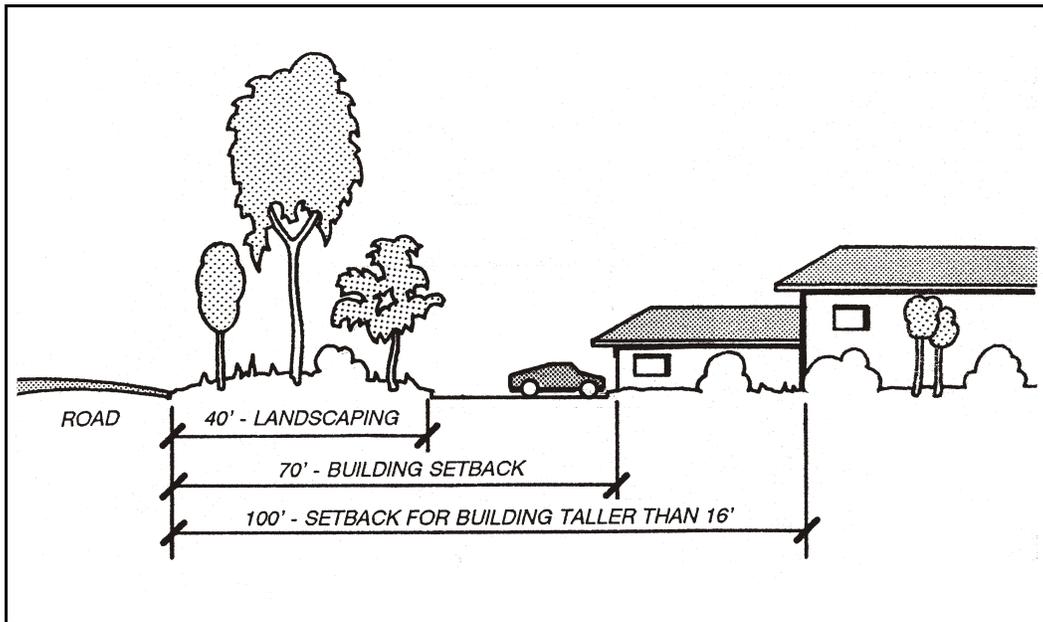


Figure 94-44 - Front Setbacks Illustration

- c. **Creek/arroyo setback.** All development shall be set back at least 20 feet from the bank of any creek, arroyo or drainage swale.

- 11. **Height limitation.** The maximum height for structures is 25 feet if parapet walls are used, and 30 feet if pitched roof lines are used, as illustrated in Figure 94-45.

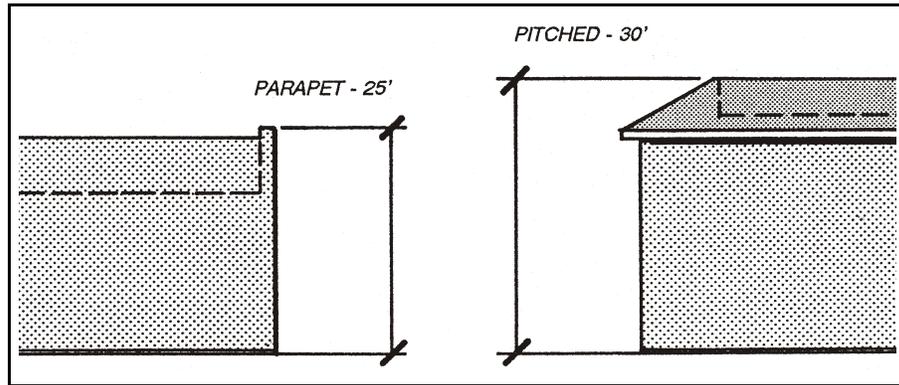


Figure 94-45 - Building Heights

12. **Building color.** Building color shall be in harmony with surrounding natural colors, be greater than or equal to 4 in value, and no brighter than 6 in chroma on the munsell color scale on file at the Department. Trim colors shall be complementary to wall colors (not contrasting), and shall comprise no more than five percent of any wall surface.
13. **Sign limitation.** Free-standing signs are limited to a height of 12 feet. Freeway identification signs, as identified in Chapter 22.20, are not allowed.
14. **Building design.** Architecture shall be responsive to the need to minimize building massing as seen from Highway 101 and from adjacent residential properties.
 - a. **Massing.** Building walls and height shall be varied to avoid a "boxy" appearance and to transition from ground level to the top of the walls using canopies, porches, arcades or awnings.
 - b. **Orientation.** Buildings will be oriented so that customer entrances face the front or side, and bay doors do not face the road or Highway 101, as illustrated in Figure 94-46.

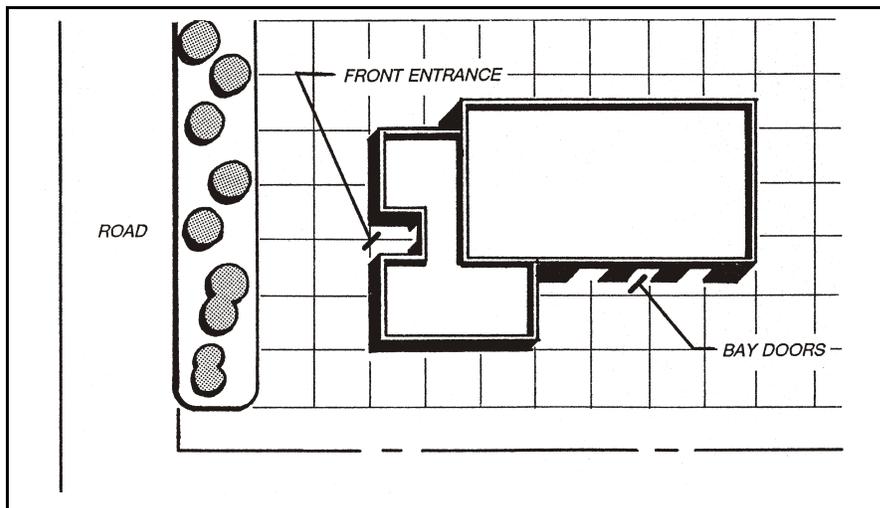


Figure 94-46 - Building Orientation

- c. **Windows.** The major entry facade shall be 30 percent transparent, but no more than 50 percent of any facade may be glass or reflective material.
 - d. **Materials.** Non-reflective materials shall be utilized. Primary wall material should be stucco, wood or anodized painted metal. Particular attention should be given to trim and accent materials that include wood, brick, split masonry block, river rock or unglazed tile. Materials such as unpainted metal, unfinished or painted concrete block, unfinished concrete "tilt-up" construction, or box-like pre-fabricated metal structures are not appropriate.
15. **Fencing.** Fencing materials shall include wood, wood-appearing concrete, finished (stuccoed) or split-face masonry block. Solid fencing locations on sides and rear of a site shall be within the landscaped setback required by Subsection D.10.a as illustrated in Figure 94-47, or open fencing may be located on side and rear property lines outside of the required landscaping.

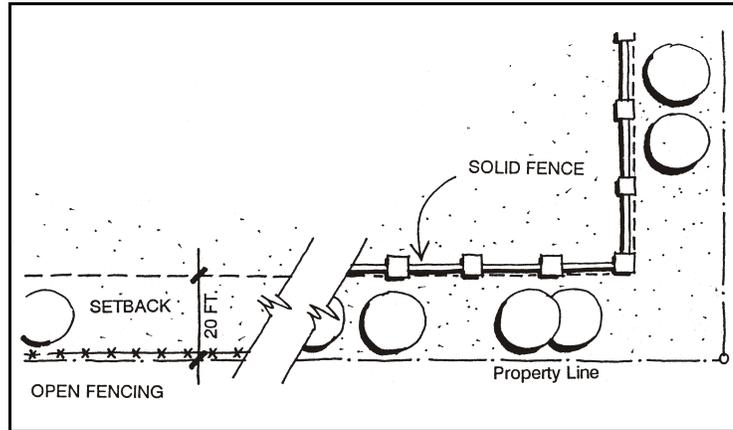


Figure 94-47 - Fencing Location

E. Industrial (IND). The following standards apply within the Industrial land use category located at Wellsona Road east of Highway 101 as shown in Figure 94-48.

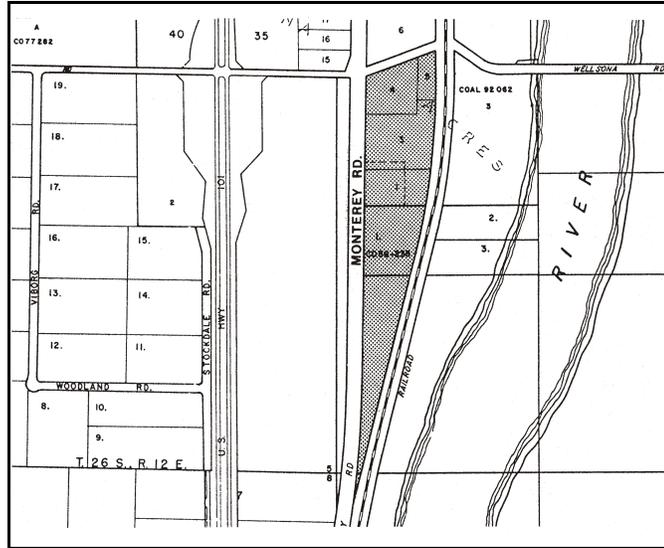


Figure 94-48 - IND - Wellsona Road Area - Rural

1. **Limitation on use.** Land uses shall be limited to fuel dealers and those listed in Table 2-2, Section 22.06.030 within the Manufacturing and Processing group as allowable, permitted, or conditional in the Industrial land use category. Retail trade uses are only allowed incidental to the manufacture, assembly or processing of products on the same site.
2. **Permit requirement.** Minor Use Permit approval is required for all proposed uses, unless a Conditional Use Permit is otherwise required by this Title.

F. Recreation (REC) - Cerro Alto area - Limitation on use. Land uses shall be limited to the following in the Recreation category on Highway 41 shown in Figure 94-49, in compliance with the land use permit requirements of Section 22.06.030.

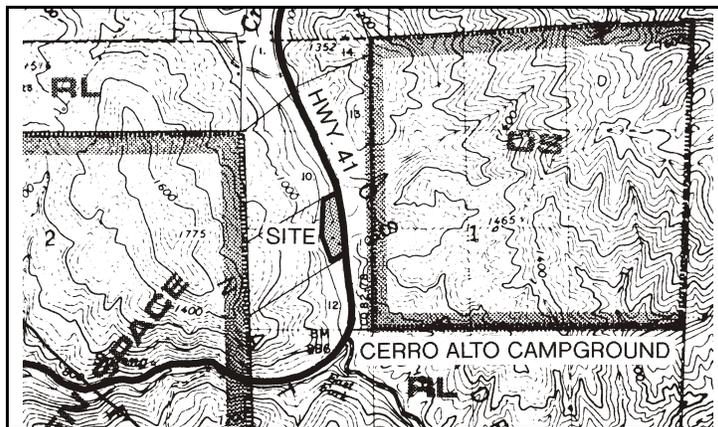


Figure 94-49 - REC - Highway 41 - Cerro Alto Area

- | | |
|---|----------------------------------|
| Caretaker residence | Pipelines and transmission lines |
| General retail (no more than 1,500 square feet) | Restaurant |
| Grocery stores (no more than 1,500 square feet) | |

G. Residential Rural (RR). The following standards apply within the Residential Rural land use category.

- 1. North of 10th Street, west of Highway 101, San Miguel - Minimum parcel size.** For the lands comprising Parcel Map CO84-0143, as shown in Figure 94-50 and recorded with the County Clerk-Recorder in Book 35, Page 77 of Parcel Maps,, the maximum number of lots shall be computed on the basis of one residential lot per 15 acres of gross site area unless Chapter 22.22 would otherwise require larger sizes.

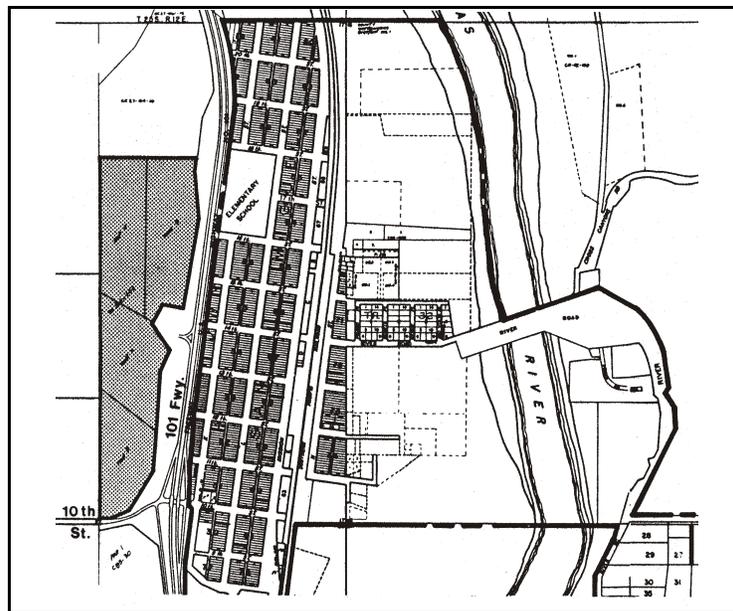


Figure 94-50 - RR - North of 10th Street, West of 101 - Rural

2. **Wellsona Road area - Minimum parcel size and residential density.** The maximum density and the number of residential lots allowed on the land north of Wellsona Road and west of Highway 101, as shown in Figure 94-51, shall be computed on the basis of one residential lot and single-family dwelling per 10 acres of gross site area.

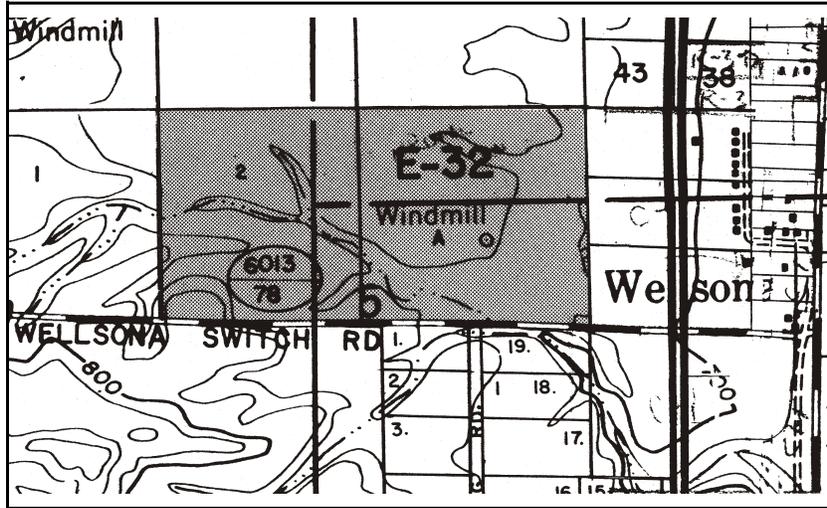


Figure 94-51 - RR - Wellsona Road Area - Rural

3. **Stockdale Road area - Subdivision requirement.** On the land west of Stockdale Road, north of Paso Robles shown in Figure 94-52, land divisions creating residential parcels shall be clustered in compliance with Section 22.22.140. Permanent open space shall include but not be limited to prime agricultural soil areas.

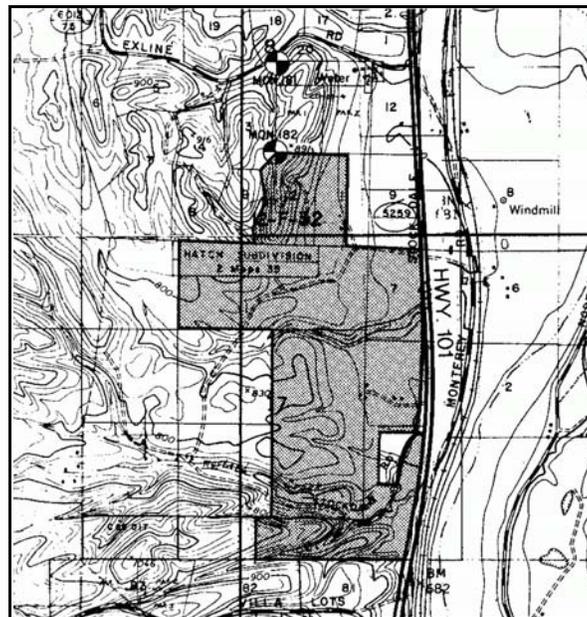


Figure 94-52 - RR - Stockdale Road Area - Rural

4. **Spanish Camp Area.** The following standards apply only to the area south of Charolais Road, east of Highway 101, as shown in Figure 94-53.

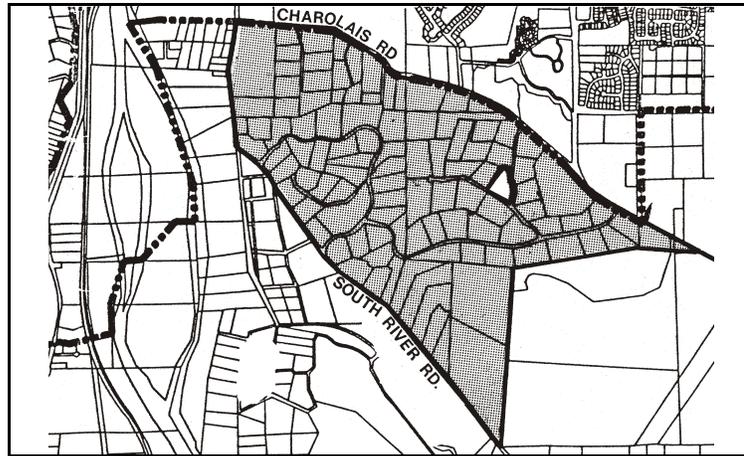


Figure 94-53 - RR - Spanish Camp Area - Rural

- a. **Limitation on use - Spanish Camp area.** Land uses shall be limited to the following, in compliance with the land use permit requirements of Section 22.06.030: agricultural accessory structures; crop production and grazing; caretaker residence; animal keeping; home occupations; residential accessory uses; single-family dwellings; storage-accessory; and temporary construction yards.
 - b. **Access - Spanish Camp area.** Wherever possible, land divisions shall use existing roads for access, and combine driveways adjacent to Creston and South River Roads where feasible based upon terrain and safe sight distance.
5. **Almira Park area.** Allowable land uses within the Almira Park area as shown in Figure 94-54 are limited to agricultural accessory structures; crop production and grazing; caretaker residences; animal keeping; home occupations; residential accessory uses; single-family dwellings; storage-accessory; temporary construction yards; and bed and breakfast inns.

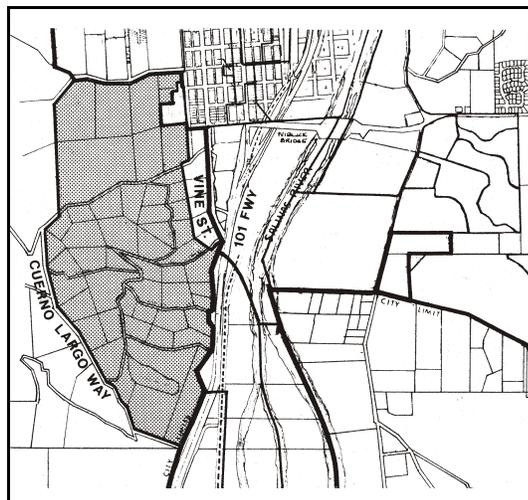


Figure 94-54 - RR - Almira Park Area - Rural

- a. **Design standards for secondary dwellings.** Secondary dwellings proposed within the Almira Park area as shown in Figure 94-54 shall comply with the following design standards.
- (1) Secondary dwellings shall be subject to all standards set forth in Section 22.30.470 in addition to the following standards, except where Subsection 22.30.470F.3 would allow the Review Authority to approve alternatives to Subsection 22.30.470C.2, no alternatives shall be allowed.
 - (2) **Driveway consolidation.** The primary and secondary dwellings shall use combined driveways, where feasible, based upon terrain and safe sight distance.
 - (3) **Tree protection/Vegetation Removal.** Avoid native vegetation removal. Where vegetation removal can not be avoided then removal shall be minimized. No removal of trees having a diameter of more than eight inches at four feet above grade shall occur.
 - (4) **Aesthetics.** All development shall visually blend with the existing topography, including minimization of grading and design of the secondary dwelling unit so that it does not silhouette against the sky. Development shall be sensitive to the character of the area and shall protect public viewsheds. Structures shall be located away from exposed ridges or hilltops to areas of minimum visibility. Existing vegetation, topographic features and landscaping shall be used to screen the visibility of development. Exterior colors be muted, earthtone shades, and shall not have a Munsell chroma or value greater than six. Building height shall not exceed 25 feet above average natural grade.
 - (5) **Slope.** No development, including new access roads and driveways, shall be permitted on slopes steeper than 15 percent. Alteration of land forms shall be minimized. Locate development to minimize grading for residences and access roads. An erosion control and drainage plan in compliance with Chapter 22.52, and landscaping plan, emphasizing vegetation to stabilize and screen all visible cut and fill slopes, shall be submitted at time of application for a construction or land use permit. Adequate erosion and sedimentation control measures shall be implemented during grading and construction.
 - (6) **Riparian protection.** The second dwelling on the site shall be set back a minimum of 30 feet from the top of the bank of any watercourse, as defined in the Land Use Ordinance, or outside the dripline of riparian vegetation, whichever distance is greater.
 - (7) **Noise exposure.** A noise study shall be submitted at time of application for a construction permit for the second dwelling on the site if the site is located within 1,000 feet of Highway 101, unless an existing intervening landform is located between the residence and the highway.

- (8) **Water conservation.** Water conservation measures shall be incorporated into the design and operation of the second dwelling on the site in accordance with Chapter 22.16 (Water efficient landscaping methods) and Chapter 19.20 (Water conservation provisions) of the County Code.
 - (9) **Road Fees.** Evidence shall be submitted at the time of application for a construction permit for the second dwelling on the site, that all applicable City of Paso Robles road fees have been paid to the City of Paso Robles.
 - (10) **Air Quality.** Evidence shall be submitted at the time of application for a construction permit for the second dwelling on the site, that an agreement has been entered into between the applicant and the Air Pollution Control District that prohibits backyard burning.
 - (11) **Energy Efficiency.** Construction plans for the second dwelling on the site shall incorporate measures to increase the building energy efficiency rating by 10 percent above what is required by Title 24 requirements.
6. **Kiler Canyon Road, Highway 46 West, and Vineyard Drive Areas - Minimum parcel size and residential density.** The maximum density and the number of residential lots allowed shall be computed on the basis of one residential lot and single-family dwelling per 10 acres of gross site area, on the following properties:

- a. The Kiler Canyon Road area shown in Figure 94-55.

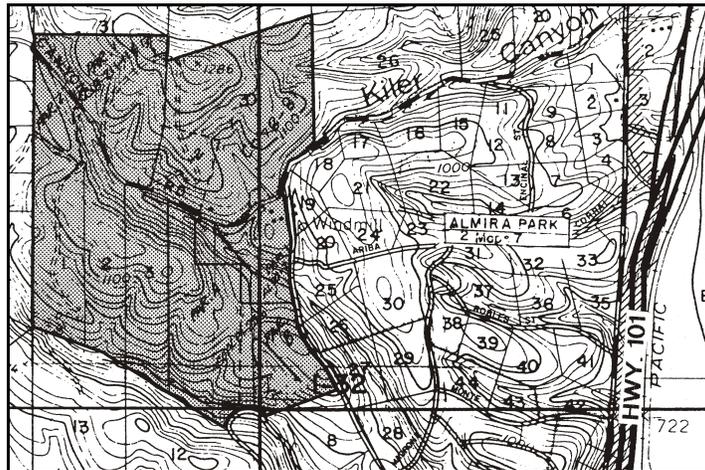


Figure 94-55 - RR - Kiler Canyon Road Area - Rural

- b. The area north and south of Highway 46 West near Classen Ranch Lane, Twelve Oaks Drive, and Arbor Road area shown in Figure 94-56. This area includes the land comprising the following subdivision maps, on file with the County Clerk-Recorder:

- (1) Parcel Map CO84-0031, recorded in Book 44, Page 11 of Parcel Maps.

- (2) Parcel Map CO85-0057, recorded in Book 48, Page 61 of Parcel Maps.
- (3) Parcel Map CO88-0077, recorded in Book 45, Page 99 of Parcel Maps.
- (4) Parcel Map CO89-0145, recorded in Book 46, Page 86 of Parcel Maps.
- (5) Parcel Map CO91-0231, recorded in Book 57, Page 5 of Parcel Maps.
- (6) Parcel Map CO93-0044, recorded in Book 50, Page 97 of Parcel Maps.
- (7) Tract Map 1464, recorded in Book 14, Page 83 of Maps.

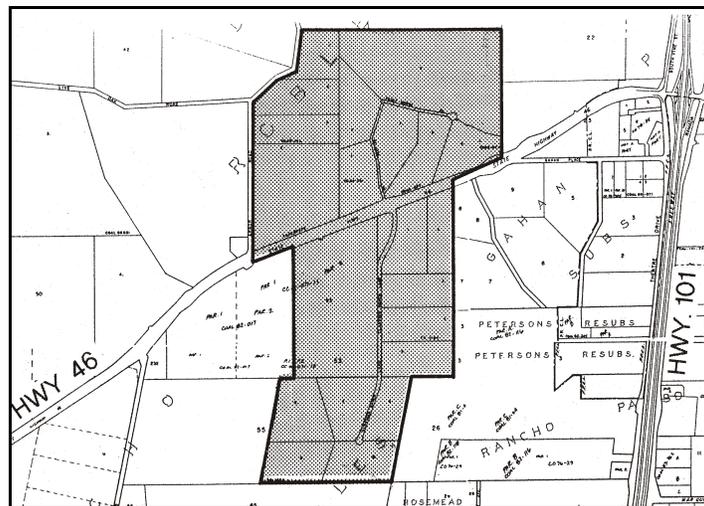


Figure 94-56: RR – Highway 46, West of 101 – Rural

- c. **The 44-acre area on Vineyard Drive shown in Figure 94-57.** This area is comprised of the land shown in Parcel Map CO 86-0239, on file with the County Clerk-Recorder in Book 48, Page 17 of Parcel Maps.

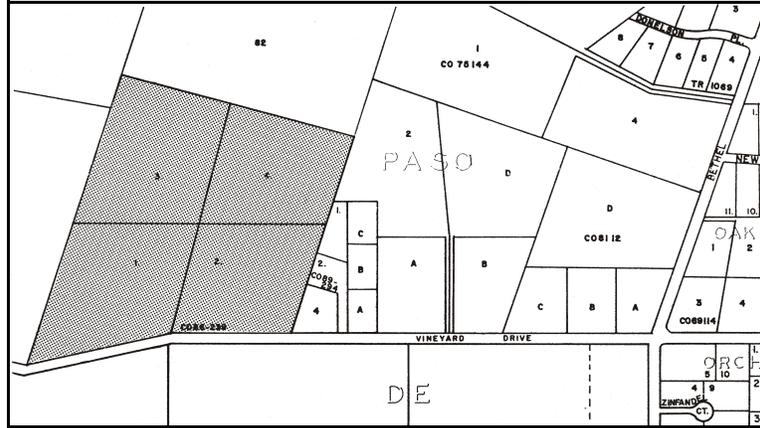


Figure 94-57: RR – Vineyard Drive – Rural

- 7. **Paso Robles Creek area.** Within the Paso Robles Creek area shown in Figure 94-58, open space dedications shall be retained in perpetuity and no further subdivision shall be permitted. Residential density has been transferred to this area through the Transfer of Development Credits program, and legal lots have been established through the recordation of the following maps, on file with the County Clerk-Recorder:
 - a. Tract 2365, recorded in Book 19, Page 93 of Maps.
 - b. Tract 2423, recorded in Book 21, Page 5 of Maps.

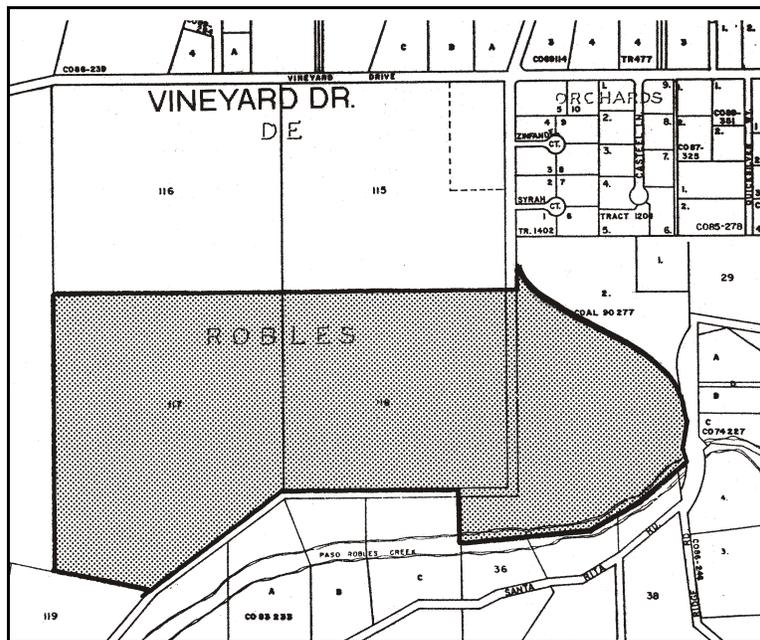


Figure 94-58: RR – Paso Robles Creek Area – Rural

8. **Tassajara Canyon.** The following standards apply only to Tassajara Canyon as shown in Figure 94-59.

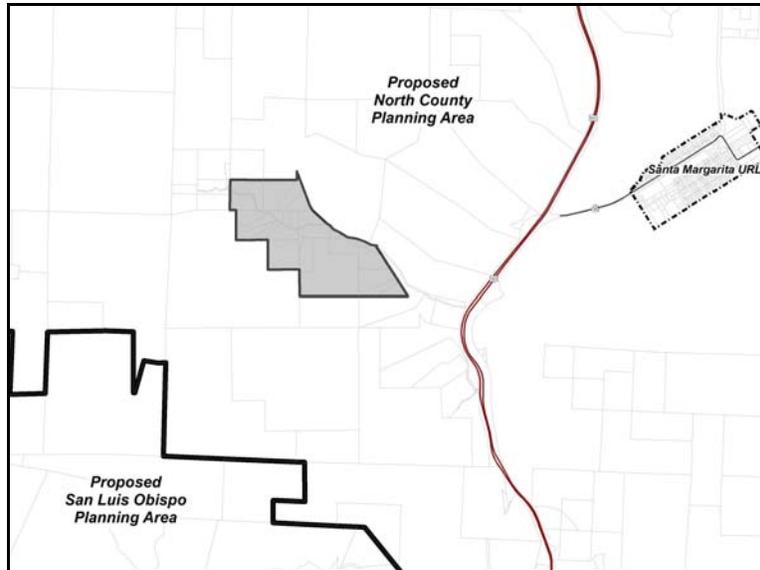


Figure 94-59 - RR - Tassajara Canyon - Rural

- a. **Limitation on creek crossings.** New land divisions proposing lots that require crossing Tassajara Creek shall be designed using a single creek crossing for access to the proposed parcels.
 - b. **Permit requirement.** Proposed methods and locations of proposed crossings of Tassajara Creek shall be approved by the California Department of Fish and Game.
 - c. **Stream protection.** Channelization, culverts or major alterations which may adversely affect the stream bed or course or cause siltation of the creek through grading are prohibited.
- H. **Residential Suburban (RS).** The following standards apply within the Residential Suburban land use category as shown in Figure 94-60.
- 1. **Minimum parcel size - Atascadero Colony.** For new land divisions the maximum number of residential lots allowed shall be computed on the basis of one lot per a minimum parcel size of 2 ½ acres, unless Chapter 22.22 would otherwise require larger parcel sizes
 - 2. **Driveway consolidation.** Shared driveways are encouraged between parcels for access to individual residences to minimize the number of access points to the street.

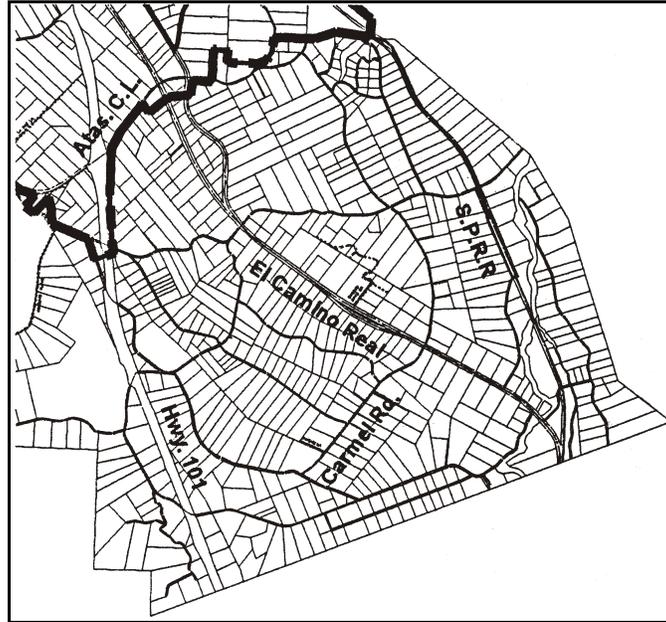


Figure 94-60 - RS - South Atascadero - Rural

[Amended 1990, Ord. 2443; 1996, Ord. 2776; 2003, 3013; 2004, Ord. 3054; 2014, Ord. 3256]

22.94.084 – Atascadero Urban Area Standards

The standards of Section 22.94.080 apply to areas within the Atascadero Urban Reserve Line that are outside the City limits, in the land use categories or specific areas listed.

[Amended 2014, Ord. 3256]

22.94.086 – Paso Robles Urban Area Standards

The standards of Section 22.94.080 and the following standards apply within the Paso Robles Urban Reserve Line that are outside the City limits, in the land use categories or specific areas listed.

- A. **Combining Designations - Airport Review Area (AR).** All development applications for private lands within the boundary of the Paso Robles Municipal Airport Land Use Plan shown in Figure 94-1 and on the official maps are subject to the development standards set forth in that plan, in addition to all applicable provisions of this Title. In the event of conflicts between the provisions of the Airport Land Use Plan and this Title, the more restrictive provisions shall prevail.

B. Commercial Service (CS). The following standards apply within the Residential Suburban land use category.

1. Theater Drive. The following standards apply only to the Commercial Service category on Theater Drive shown in Figure 94-61.

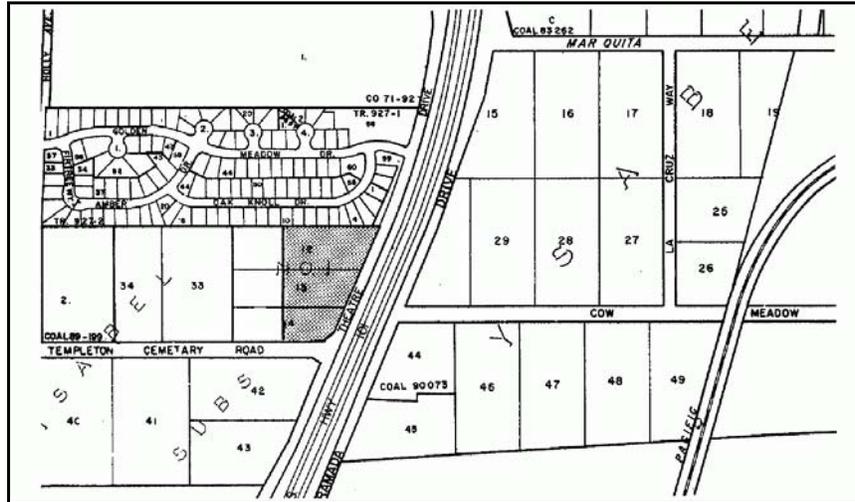


Figure 94-61 - CS - Theatre Drive - Paso Robles Urban Area

- a. **Limitation on use.** All land uses identified by Section 22.06.030 as allowable, permitted, or conditional uses within the CS land use category may be authorized in compliance with the land use permit requirements of that Section, except: concrete, gypsum and plaster products; metal industries, fabricated; recycling and scrap; fuel dealers; storage yards and sales lots; and vehicle storage.
- b. **Subdivision and development requirement.** Conditional Use Permit or Tentative Map approval is required to establish a plan for the development of the entire property. The plan shall set circulation, site planning and architectural requirements consistent with the character of the area.

C. Residential Rural (RR). The following standards apply within the Residential Rural land use category.

- 1. **Subdivision design.** Proposed land divisions that abut properties within the Agriculture land use category shall be planned in compliance with the cluster provisions of Section 22.22.140, or other measures that will achieve the same purpose as clustering. Residential parcels and building sites shall be located outside the agricultural buffer area east of Buena Vista Drive shown in Figure 94-62.
- 2. **Subdivision circulation.** Prior to Tentative Map recordation, the applicant shall submit an agreement to participate in the formation of assessment districts for water, sewer and circulation when it becomes necessary to provide future facilities.

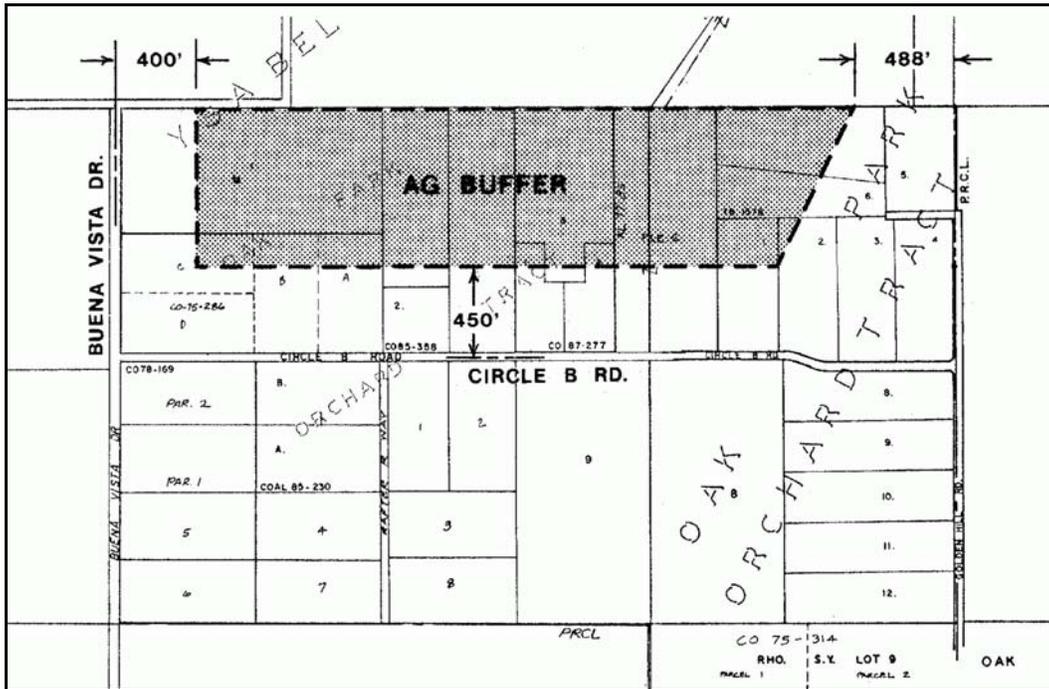


Figure 94-62 - RR - Circle B Road - Ag Buffer - Rural

D. Residential Suburban (RS). The following standards apply within the Residential Suburban land use category.

1. **Cluster land divisions.** New land divisions are encouraged to be clustered in compliance with Section 22.22.140, or utilize similar techniques that achieve the same result as clustering.
2. **Tract 7.** The following standards apply to the properties in Tract 7 shown in Figure 94-63.
 - a. **Offer of dedication.** Prior to the issuance of any land use permit that increases the number of dwelling units or parcels, offer for dedication a public road right-of-way across the entire property frontage along the proposed road. Offered rights-of-way shall follow platted road alignments and shall be one-half of a 50-foot wide road section from the future centerline.
 - b. **Road improvements - Residences.** New residences shall be provided public safety access road improvements in compliance with the Uniform Fire Code and California Public Resources Code Section 4290, prior to final building inspection. Depending on the condition of existing roads, improvements may be required to provide emergency response access along the frontage of the project site and between the project site and the nearest improved road.
 - c. **Fire safety plan.** A fire safety plan is required for all new residential development, in compliance with Chapter 22.50.

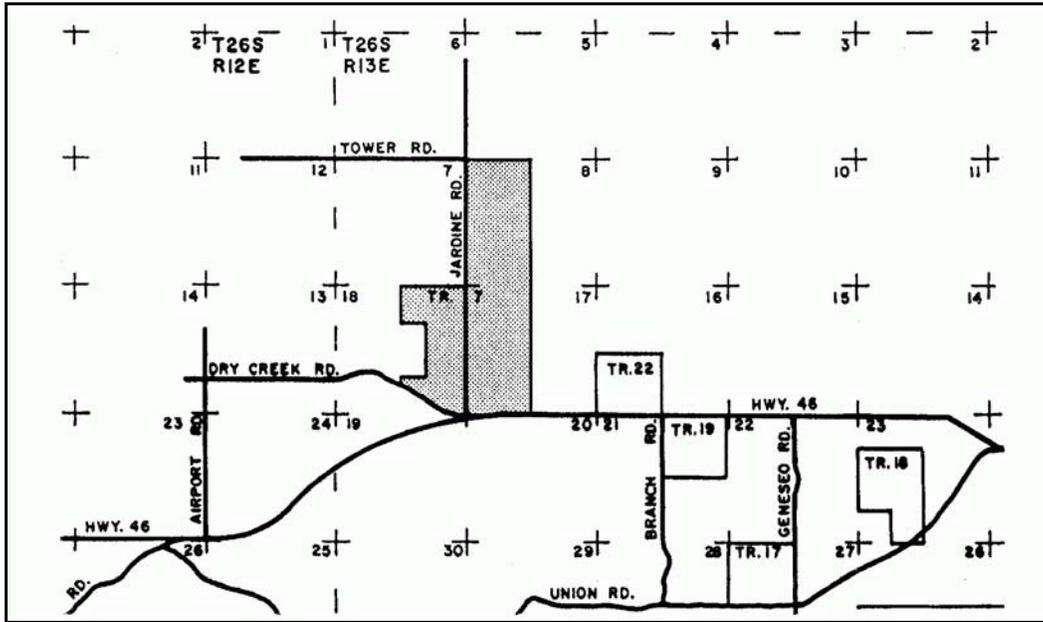


Figure 94-63 - RS - Tract 7 - Paso Robles Urban Area

[Amended 2014, Ord. 3256]

22.94.090 – Shandon Sub-area Standards

The following standards apply to all development and new land uses in the Shandon Sub-area, as shown on Figure 94-5, as applicable to each land use category.

- A. **Agriculture (AG).** The following standard applies to the Shandon wastewater treatment facility site as shown in Figure 94-64.

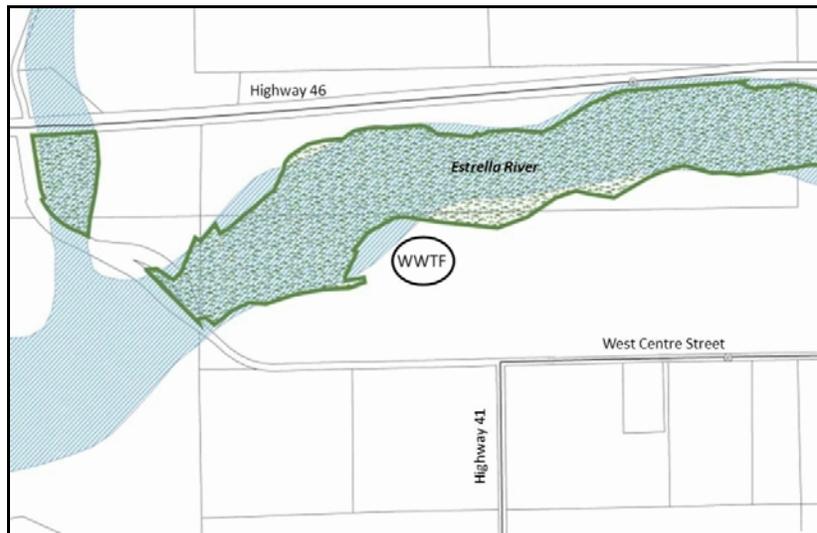


Figure 94-64 - Shandon Wastewater Treatment Facility Site

B. Commercial Retail (CR). The following standards apply within the Commercial Retail land use category.

1. **Cholame commercial area defined.** The Cholame commercial area on the west side of Highway 46 is 200 feet wide and 500 feet in length, in the northwest quarter of the southwest quarter of Section 30, Township 25 South, Range 16 East.
2. **Permit requirement.** Minor Use Permit approval is required for all new uses unless Section 22.06.030 or Article 4 would otherwise require Conditional Use Permit approval.

C. Commercial Service (CS). The following standards apply within the Commercial Service land use category.

1. **Highway 46 between Shandon and Cholame - Commercial Service area.** The following standards apply to the area located on the northwest side of Highway 46 between Shandon and Cholame, which is 200 feet wide with 390 feet of frontage on Highway 46 extending southwesterly from the intersection of the highway and the easterly line of the northwest quarter of Section 2, Township 26 South, Range 15 East as shown on Figure 94-65.

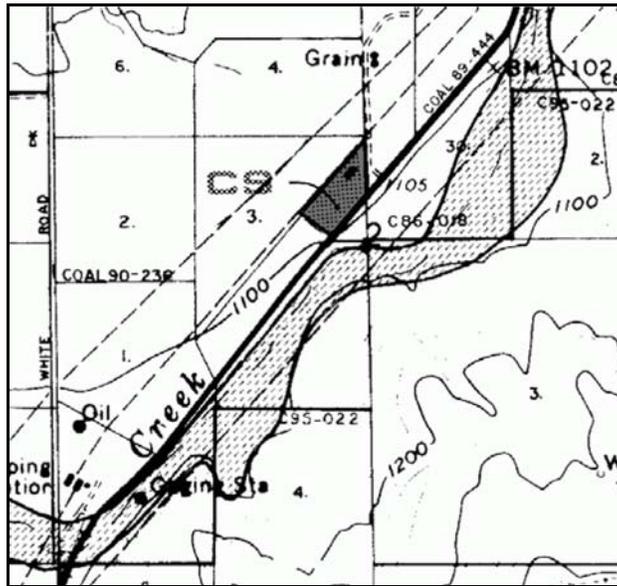


Figure 94-65 - Service Commercial Area

- a. **Limitation on use - service commercial area.** Land uses shall be limited to the following, subject to the land use permit requirements of Section 22.06.030: Metal Industries - Fabricated; Small Scale Manufacturing; Agricultural Processing (excluding wine tasting and special events); Warehousing (no wholesale or retail sales from the site), Caretaker's Quarters and Residential Accessory Uses. All uses are limited to the producing, assembling, manufacturing and storing of goods and products that are for rural or agricultural applications or operations.

- b. **Permit requirement.** Minor Use Permit approval is required for all new or expanded uses, unless a Conditional Use Permit is otherwise required by this Title.
2. **West Centre and Highway 46.** The following standards apply to the property near the intersection of West Centre Street and State Highway 46 as shown in Figure 94-66.

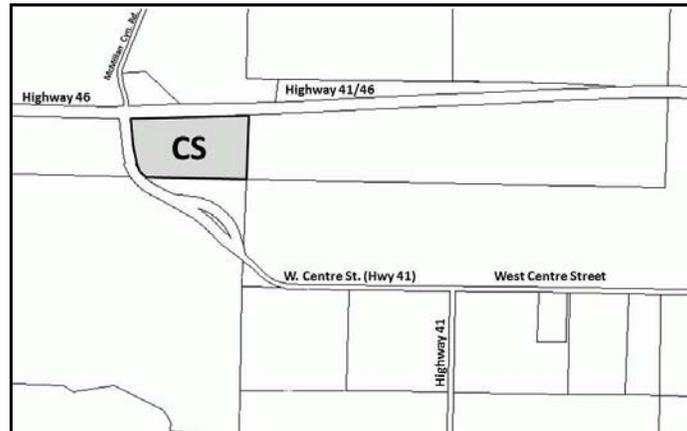


Figure 94-66 - CS - West Centre Street and Highway 46

- a. **Permit requirement.** Conditional Use Permit is required prior to the first entitlement on the site. The Conditional Use Permit shall specify the permit requirements for the full build-out of the site for all new construction. If a separate entitlement has not been obtained prior to the master Conditional Use Permit for the Peck Ranch Master Plan area required by Section 22.110.050.B.1, development of this site shall be included as part of that master Conditional Use Permit.
- b. **Limitation on use.** Allowable uses shall be limited to Ag Processing, Animal hospitals and veterinary medical facilities, Crop Production and Grazing, Nursery Specialties, Small Scale Manufacturing (limited to artisan / craftsman type operations), Indoor Amusement and Recreation Facilities, Automobile Service Stations and Gas Stations, Restaurants, Libraries and Museums, Outdoor Sports and Recreational Facilities, Public Assembly and Entertainment Facilities, General Retail, Restaurants, Lodging and Personal Services.
- c. **Groundwater offset.** New non-agricultural uses of groundwater shall be completely offset through one or more of the means listed below prior to issuance of construction permits for any of the following new development: 1) development resulting from new land divisions, 2) development of more than 9,999 square feet of floor area for allowed Small Scale Manufacturing uses, 3) development of more than 2,499 square feet of floor area for all other uses listed in Subsection C.2.b. All criteria are cumulative for a single site. In determining the amount of groundwater to offset, recharge from on-site septic system(s) shall be taken into account.
- (1) Retrofit high-flow toilets and other plumbing fixtures within the Paso Robles Groundwater Basin with low-flow toilets and plumbing fixtures;

- (2) Participate in a county approved plumbing retrofit program for the Paso Robles Groundwater Basin;
 - (3) Use the California Urban Water Conservation Council's (CUWCC) best management practices for water conservation;
 - (4) Pay a "fair share" of the costs for delivering State water in excess of CSA-16's 2011 allocation of 100 acre-feet per year;
 - (5) Participate in a county approved lot retirement program for the Paso Robles Groundwater Basin;
 - (6) Participate in the County's Transfer of Development Credits (TDC) program pursuant to Chapter 22.24, provided eligible sending sites are located within the Paso Robles Groundwater Basin, and receiving sites shall not be eligible for a density bonus. The receiver site will receive credit for the water demand that the sending site would have otherwise used, if developed. The ground water off-set shall be determined at the same time the receiver site determination is made.
 - (7) Participate in a county-approved rural water conservation program that results in reducing groundwater pumping within the Paso Robles Groundwater Basin.
 - (8) Participate in a county-approved fee program that results in reducing groundwater pumping within the Paso Robles Groundwater Basin.
- d. Project design.** Buildings and associated improvements shall be designed to be small and low-profile, with a maximum height of 28 feet above average natural grade. Architecture shall be a village and/or agricultural style that blends with the surrounding area. Structures shall connect to natural gas facilities. This standard may be waived with Conditional Use Permit approval provided propane tanks, if proposed, can be adequately screened from public view.
- e. Signage.** Allowed signs shall be complementary to the site design and surrounding area. Signage is limited to monument signs of three feet or less in height, highway identification signs a maximum of 32 square feet in area and ten feet in height and one projecting, suspended, marquee or wall sign with a maximum area of 20 square feet, or one suspended sign with a maximum area of 10 square feet for each tenant or business.
- f. Landscape.** In addition to the requirements of Chapter 22.16 (Landscaping) landscape materials shall be selected to break up the view of the project from Highway 46 and West Centre Street. Trees shall be selected from the Shandon Community Plan Master Tree List. Landscaping shall use permeable hardscape to the greatest extent feasible and native low water using landscape materials. Irrigated turf may be authorized by the Review Authority for active use areas only.

g. Stream bank setbacks. Buildings shall be setback a minimum of 100 feet from the top of the stream bank, delineated wetland and riparian habitat.

h. Circulation.

(1) Transportation impact fees. Prior to recording a final map, issuance of construction permits or establishment of a use, transportation impact fees shall be paid per the Shandon Capital Improvement Plan (SCIP), unless, as part of the approval of a prior discretionary land use permit or land division application, the appropriate fees were paid and/or circulation facilities were constructed consistent with the SCIP or Chapter 8 of the Shandon Community Plan in order to cover the cost of the transportation impact fees for subsequent projects or land uses.

Prior to the adoption of the SCIP and an associated impact fee ordinance circulation facilities shall be constructed pursuant to Section 22.110.050.A.20.j(1), unless the Review Authority finds, based on a subsequent traffic study, that alternative circulation improvements are sufficient to mitigate the project's transportation impacts.

(2) Road improvements required. West Centre Street shall be improved to Caltrans standards with new development.

i. Drainage.

- (1) Drainage shall be handled to maximize percolation and recharge.
- (2) Limit the development of impervious surfaces to reduce run-off volumes.
- (3) Run-off control measures shall be included in new development to minimize the discharge of urban pollutants into drainage areas.
- (4) Stormwater quality measures, such as vegetated swales, linear bio-retention cells within open channels, and permeable paving materials shall be incorporated in new development.

j. Energy conservation.

- (1) New development shall use energy-efficient equipment, including but not limited to Energy Star appliances, high-energy efficiency equipment, heat recovery equipment, and building energy management systems.
- (2) New development shall include at least four of the following energy conserving techniques:
 - (a) Install alternative energy equipment and devices such as solar thermal heating;

- (b) Integrate, where feasible, alternative energy mechanical equipment and accessories within roofing materials and/or blend them with a structure's architectural form;
 - (c) Pre-wire commercial and residential development for rooftop photovoltaic (PV) panels or other advanced technology;
 - (d) Employ passive solar design and natural daylighting techniques in the design and construction of buildings;
 - (e) Provide surfaces and windows (with "low-e" glazing), on south-facing walls, that add significant thermal mass, with proper ventilation, to control and distribute energy throughout structures;
 - (f) Use deciduous shade trees on the south, east and west sides of buildings, and low shrubbery immediately south of buildings to maximize passive solar performance; and use evergreen trees, where appropriate, to protect buildings from winter winds, provided the evergreen trees do not conflict with the purpose of the deciduous trees.
 - (g) Use energy-saving landscaping around buildings and in parking lots to reduce solar gain in summer and allow solar gain in winter;
 - (h) Use building materials, components, and systems found locally or regionally to reduce energy use, emissions and transportation costs;
 - (i) Use non-toxic building products (e.g. formaldehyde-free insulation, low Volatile Organic Compounds [VOC] paints, etc.); and
 - (j) Use lowest water-using or waterless plumbing fixtures, water saving practices, and greywater recycling systems.
- k. Solid waste disposal.** New development shall be required to subscribe to waste collection service.
- l. Cultural resources protection.** All applications for land divisions and land use permits subject to discretionary review that involve grading, trenching or other ground disturbance shall include a Phase I archaeological survey of the site performed by a qualified archaeologist approved by the Environmental Coordinator. The survey shall include sufficient background archival research and field sampling to determine whether subsurface prehistoric or historic remains may be present. Any further evaluations and investigations and mitigation measures shall comply with County requirements and the provisions of Appendix D of the Shandon Community Plan relating to cultural resources.

- m. Habitat conservation.** All land use permits, land divisions and other "covered activities" as defined in the Shandon Community Plan Habitat Conservation Plan (HCP) or other applicable plan shall be developed consistent with HCP. Prior to adoption of an HCP, projects shall be consistent with the applicable mitigation measures shown in Appendix D of the Shandon Community Plan for biological resources.
 - n. Environmental mitigation.** New development shall comply with the applicable mitigation measures in the Shandon Community Plan Update and San Juan Village (Fallingstar Phase I) Project Final Environmental Impact Report. Table 9.1 in the Shandon Community Plan identifies the type of development for which the mitigation measures in the Final Environmental Impact Report are required.
- D. Residential Rural (RR) - Parcel size.** The minimum allowable parcel size for new land divisions in the Residential Rural land use category is 10 acres unless a larger parcel size would otherwise be required by Chapter 22.22.

[Amended 1987, Ord. 2331; 2004, Ord. 3045; 2012, Ord. 3222; 2014, Ord. 3256]