

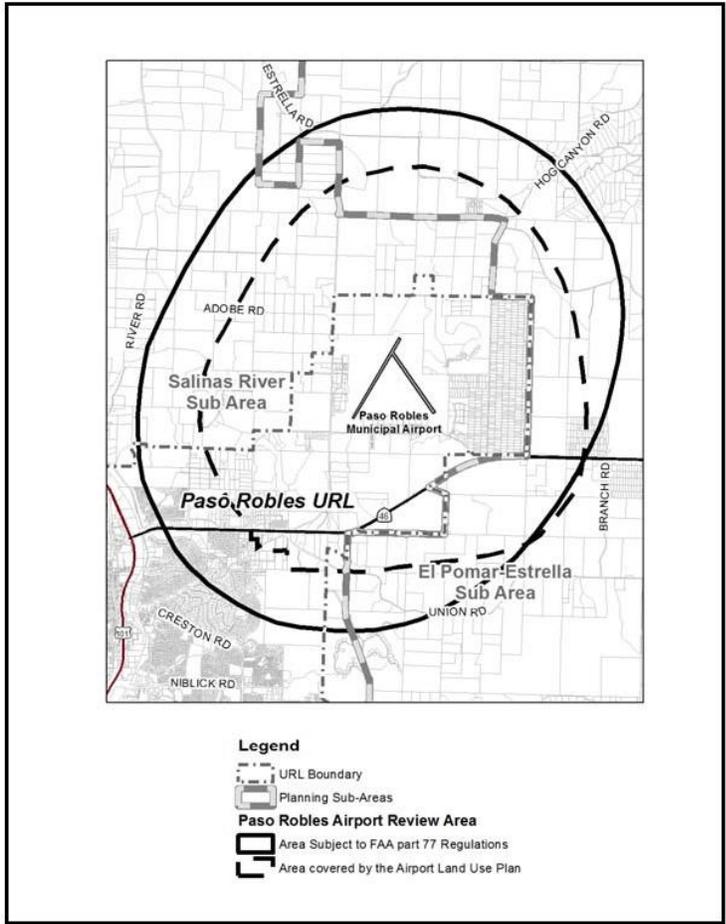
# Shandon Habitat Buffer

## PUBLIC REVIEW DRAFT

### 22.94.020 Combining Designation Standards.

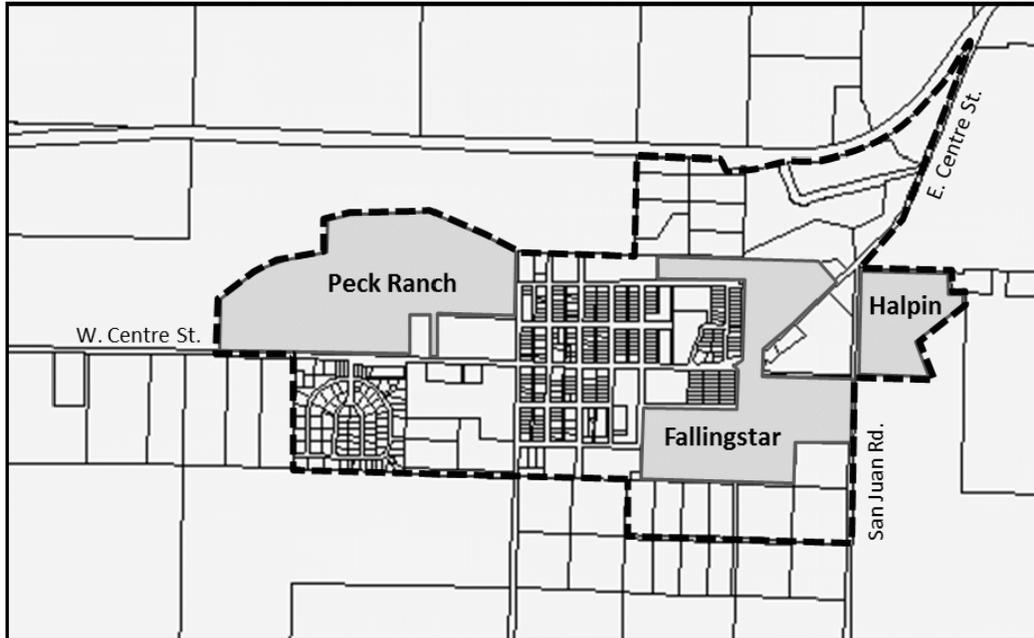
**A. Airport Review (AR).** The following standards apply within the Airport Review Area (AR) combining designation shown in Figure 94-1:

- 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.

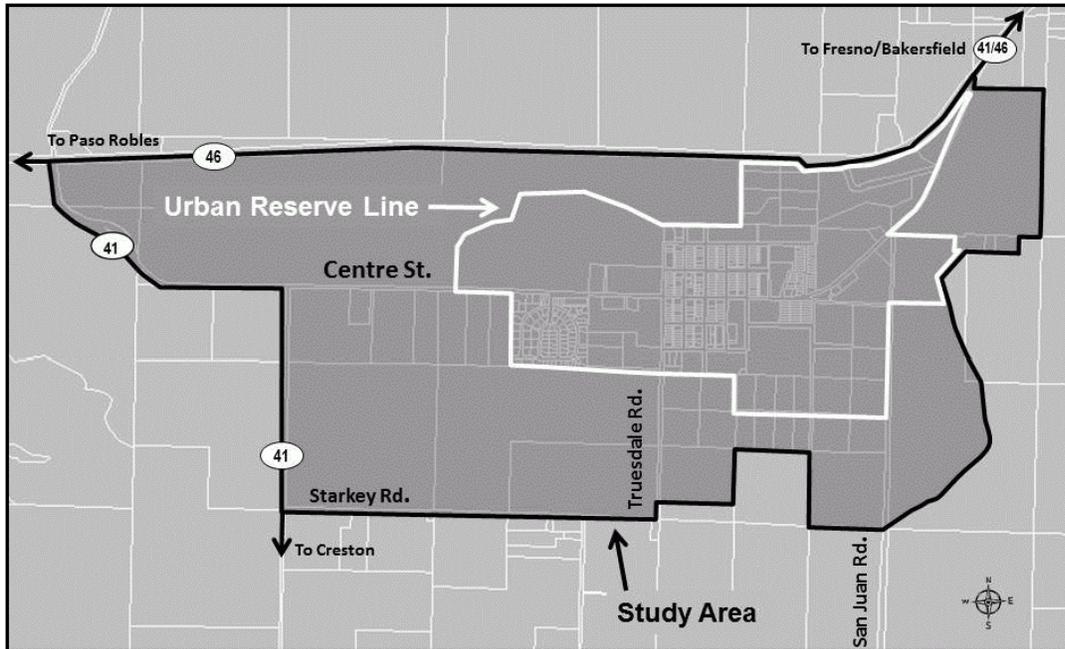


Figure 94-3: Shandon Community Plan Study Area

- 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 ~~110-394-4~~ shall be limited to [allowable uses in the Agriculture land use category as identified in Table 2-2](#), recreational trails, habitat corridors, or other uses that are consistent with Shandon Community Plan Habitat Conservation Plan (HCP) or other applicable HCP.

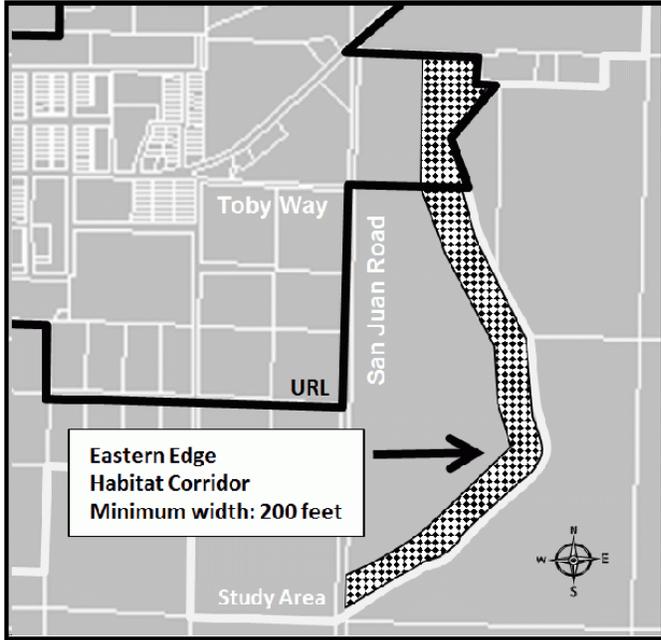


Figure 94-4: Habitat Buffer Area

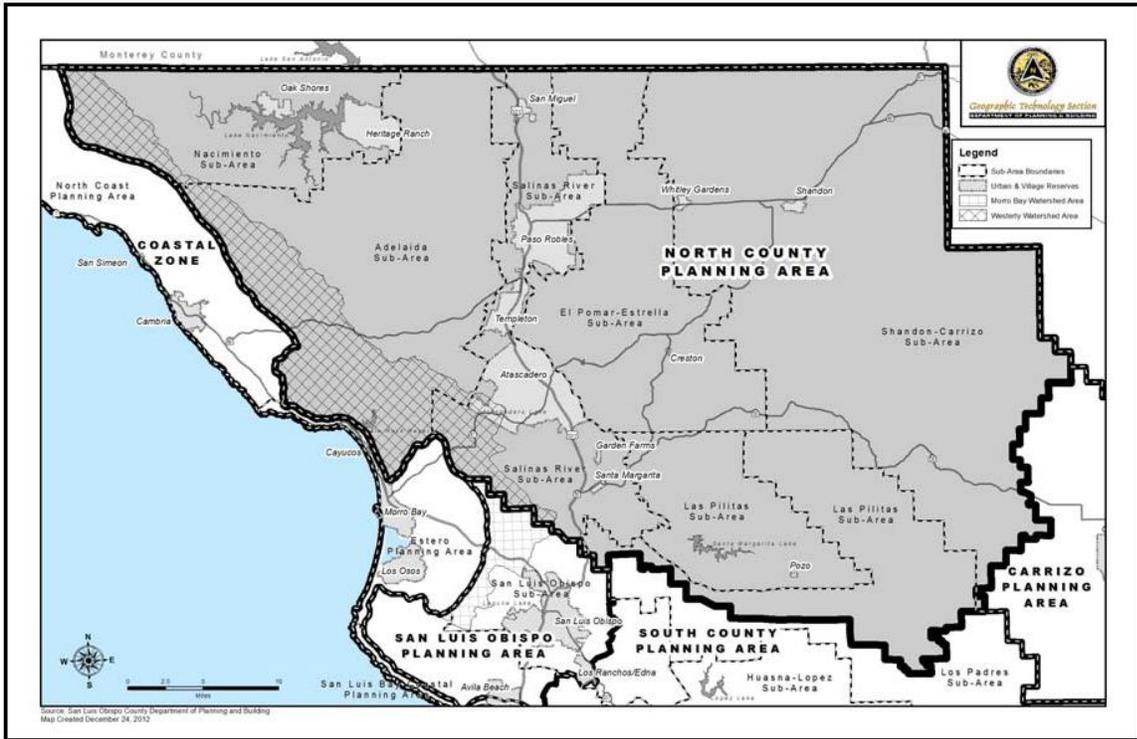


Figure 94-5: North County Planning Area

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