

CHAPTER 22.92 - ADELAIDA PLANNING AREA

Sections:

- 22.92.010 - Purpose and Applicability
- 22.92.020 - Areawide Standards
- 22.92.030 - Combining Designations - Geologic Study Area (GSA)
- 22.92.040 - Agriculture (AG)
- 22.92.050 - Rural Lands (RL)

22.92.010 - Purpose and Applicability

This Chapter provides standards for proposed development and new land uses that are specific to the Adelaida 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.

22.92.020 - Areawide Standards

The following standards apply to all development and new land uses in the Adelaida planning area, 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 Fringe Viewshed.** The following standards apply to development within the area shown in Figure 92-1, as more particularly defined herein. This viewshed is established to protect views of this scenic coastal area as seen from Highway 1.
 - 1. **Purpose.** This viewshed area includes the land, as depicted on Figure 92-1 that is visible from and within one mile of Highway 1, between Toro Creek Road and Villa Creek Road. This stretch of Highway 1 is a designated State Scenic Highway and "All American Road" in the National Scenic Byway program. The steep, open hillsides and narrow valleys visible from the highway provide a scenic backdrop to views of the Estero Bay, ocean and coastline.

The primary purpose of these standards is to protect scenic views that help define the rural character of this area. This is accomplished by reducing the negative visual effects of primarily residential development and associated grading of pads and roads.

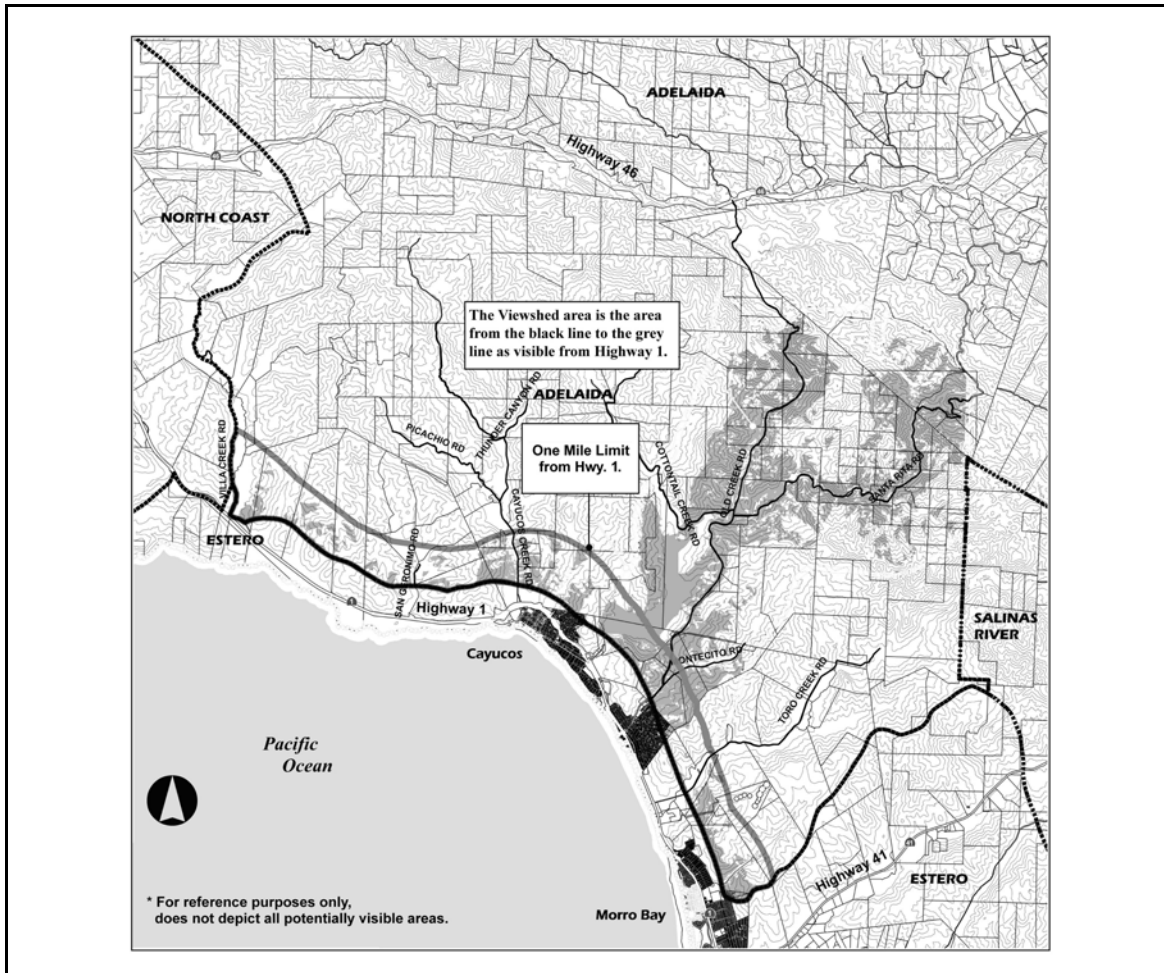


Figure 92-1 - Cayucos Fringe Viewshed

2. **Applicability.** The following Subsections C.3., C.4., C.5., and C.6. apply to development of the following uses and activities that are visible from and within one mile of Highway 1: residential structures, residential accessory structures (including residential water tanks), residential access roads, commercial structures, and the grading associated with the preceding structures and roads. Agricultural structures and agricultural accessory structures are not subject to the following standards unless they both a) are greater than 3,000 square feet in area, and b) otherwise require a Minor Use Permit or Conditional Use Permit.
3. **Exceptions.** The standards in Subsections C.4., C.5. and C.6. do not apply in any of the following cases:
 - a. **Development not visible.** Subsections C.4., C.5. and C.6. do not apply when documentation is provided demonstrating that the proposed structures and access roads will not be visible from Highway 1. "Visible" shall be defined as the ability to see 50 percent or more of the entire structure when viewed from a line of sight that is directly perpendicular from Highway 1 to the structure at the shortest distance from Highway 1. "Structure" shall be defined as any building comprised of at least

four walls, and a roof covering at least 95 percent thereof the total covered area of which is greater than 500 square feet. Structures which are otherwise not visible under Subsection C.3. shall not be deemed visible merely because the access road, water tank, residential accessory structure or building pad is otherwise visible from Highway 1. Such documentation shall provide, at minimum, topographic and building elevations with preliminary grading and building plans.

- b. **Expansion or alterations of structures.** Subsections C.4., C.5. and C.6. do not apply to proposed alterations or expansion of structures that legally exist at the time of application submittal, provided that the total aggregate (cumulative) increase in covered floor area occurring after the effective date of this ordinance does not exceed 25 percent of the structure.
 - c. **Destroyed Structures or Access Roads.** Subsections C.2., C.4., C.5. and C.6. do not apply when a structure or access road legally existing prior to the enactment of this ordinance is destroyed or partially destroyed to any extent by fire, explosion or act of God. In such a case the structure or access road may be restored to its former status provided that there is no increase in the length of the access road or in structure height or covered floor area greater than 25 percent of the original height, length or covered floor area and the replacement is located on substantially the same location as the original.
4. **Permit requirement.** Zoning Clearance, except as follows:
- a. **Project not consistent with Zoning Clearance requirements.** If the Zoning Clearance application cannot be found consistent with Subsection C.5., the application shall be converted to a Minor Use Permit application after the applicant pays the difference in application fees. The Minor Use Permit shall comply with the provisions of Subsection C.6..
 - b. **Other land use permit required by the Land Use Ordinance.** Development for which the Land Use Ordinance otherwise requires a Minor Use Permit or a Conditional Use Permit shall be subject to those land use permit requirements, and shall comply with the provisions of Subsection C.6. if applicable pursuant to the provisions of Subsection C.2.
5. **Zoning Clearance requirements.**
- a. **Development on prominent ridgelines.** Proposed structures shall not be located so that they silhouette against the sky on any of the prominent ridgelines shown in Figure 92-2 as viewed from Highway 1 without adequate landscape screening as set forth in Sections C.5.e.(2). The term "Prominent Ridgelines" is used to describe a contiguous, visually prominent and narrow piece of land that encompasses the highest points of elevation within a Watershed. "Watershed" shall be defined as a bounded hydrologic system where all the water that is under it, or drains off of it, goes into a common water course. Prominent Ridgelines shall not include hilltops. "Hilltops" shall mean prominent locations which are higher in elevation than the immediately surrounding terrain. Hilltops may occur on or along a Prominent Ridgeline but also may occur above or below a Prominent Ridgeline in the form of knolls, rounded hills and the top or peak of a hill. In order to determine whether this standard applies, the Director may require a visual analysis, including

topographic and building elevations, prepared by a qualified person reasonably acceptable to the Director. Notwithstanding the provisions of this Subsection C.5.a., development may encroach on a Prominent Ridgeline where it can be demonstrated that: (1) most (85 percent or better) of the Prominent Ridgeline remains undisturbed; (2) the development incorporates design elements that consider the natural terrain and protects streams and oak trees to the extent feasible; (3) the development complies with the requirements of Subsection C.5.e.

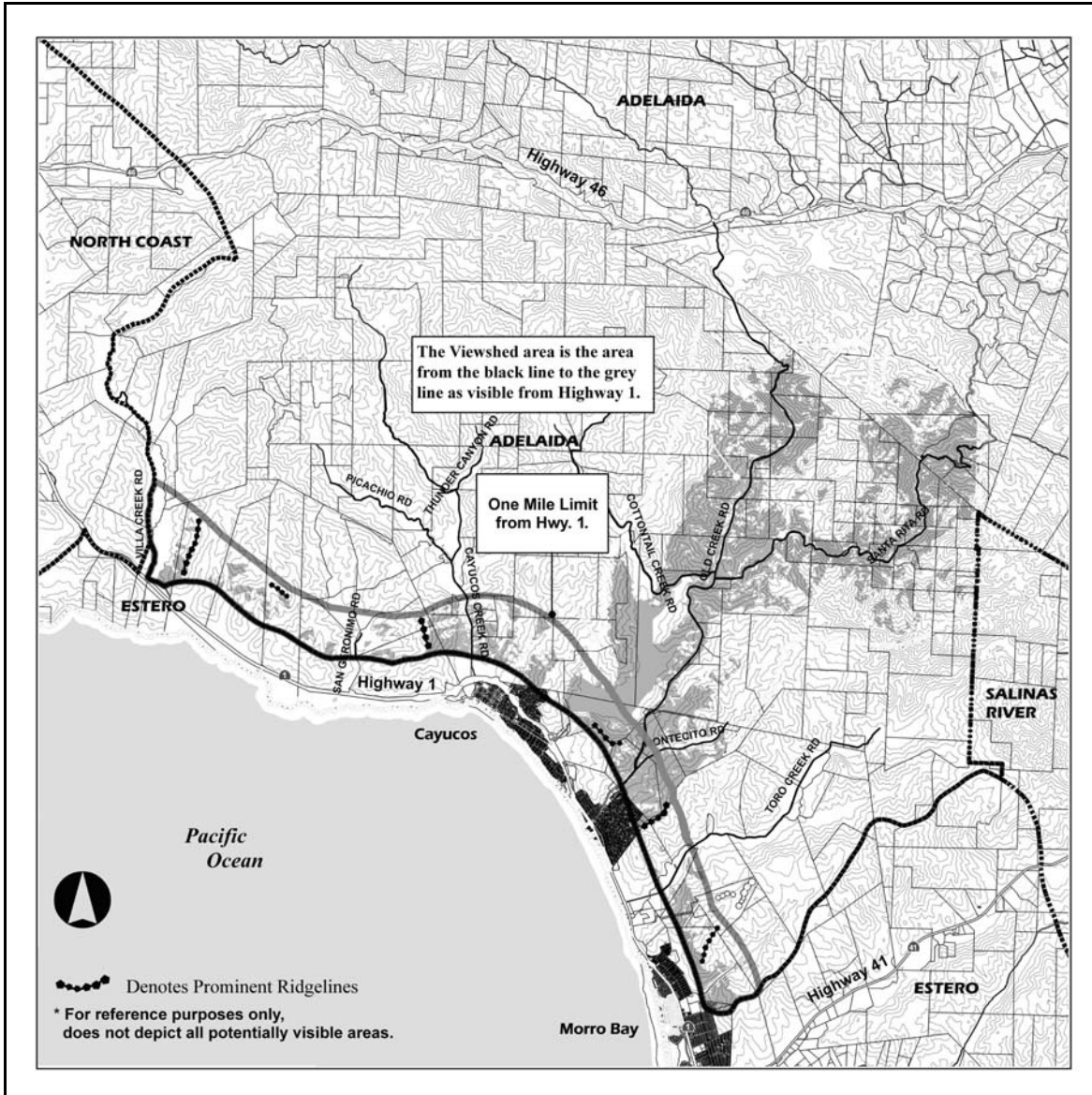


Figure 92-2 - Cayucos Fringe Viewshed - Prominent Ridgelines

- b. **Building exterior.** Building exteriors shall use non-reflective materials. Exterior siding shall be stucco, masonry, brick, wood or wood-appearing materials, or other natural-appearing materials. The Director may approve other siding materials if they are found to be in harmony with the surrounding natural environment.

- c. **Colors.** Building colors shall be no brighter than 6 in chroma and value on the Munsell color scale on file in the Department of Planning and Building.
- d. **Building height.** The maximum building height is 28 feet at all points as measured continuously through the building footprint from final grade to the highest point of the roof.
- e. **Landscaping.**
 - (1) **Landscaping plan.** A landscaping plan prepared by a licensed architect, licensed landscape architect or other qualified person acceptable to the Director of Planning and Building shall be submitted, and shall be used to demonstrate compliance with the following landscape-screening standard.
 - (2) **Landscape screening.** Landscape screening shall exist or shall be planted so that there will be at least 50 percent screening at plant maturity (see Figure 92-3), continuing for the life of structures that are visible from Highway 1. The landscape screening shall consist of native or low water-using vegetation (no invasive species) that is fire-resistant. Screening or backdrop vegetation shall be located and planted in conformance with CDF requirements for fire safety. The landscape screening shall maximize use of evergreen trees and large-growing shrubs that have shapes similar to existing vegetation. At least 50 percent of the plant materials shall consist of fast-growing species that will provide a landscape screen while the slower-growing species mature. The required landscape screening shall be reasonably maintained for the life of the structure.

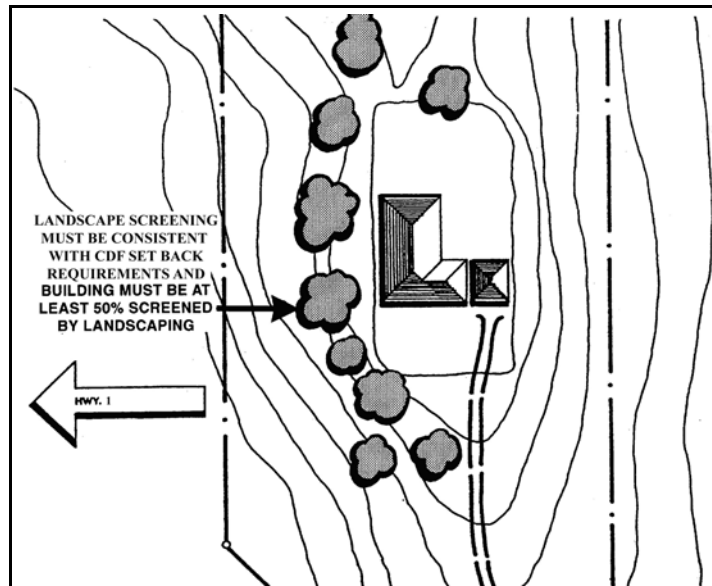


Figure 92-3 - Landscape Screening

- (3) **Guarantee of maintenance and survival.** A performance bond or equivalent financial guarantee shall be required to guarantee the maintenance and survival of required landscaping for a period of five years.

- 6. Permit requirements for Non-Complying Developments:** Subsections C.6. a-d apply to a development that is unable to meet the requirements for a Zoning Clearance as specified in Subsection C.5., and to development for which the Land Use Ordinance otherwise requires a Minor Use Permit or a Conditional Use Permit, as specified in Subsection C.4. Minor Use Permit and Conditional Use Permit applications shall include a landscaping plan and a visual analysis that is prepared by a licensed architect, a licensed landscape architect or other qualified person reasonably acceptable to the Director of Planning and Building. The landscaping plan and visual analysis shall be used to determine compliance with the intent of the provisions of Subsection C.5. and the following standards that are intended to minimize visual impacts:
- a. Location of development.** When reasonably feasible, locate the development specified in Subsection C.2. in an area on the site that minimizes visibility. In order to minimize the visibility of structures from public view, the landscaping requirements of this Subsection shall be applied.
 - b. Landscape screening on prominent ridgelines.** This standard applies when structures silhouette against the sky on more than 15 percent of a Prominent Ridgeline as viewed from Highway 1, consistent with Subsection C.6.a.
 - (1) Landscape screening.** Landscape screening shall exist or shall be planted so that there will be at least 50 percent screening at plant maturity, continuing for the life of structures that are visible from Highway 1. The landscape screening shall consist of native or low water-using vegetation (no invasive species) that is fire-resistant. Screening or backdrop vegetation shall be located and planted in conformance with Cal Fire requirements for fire safety. The landscape screening shall maximize use of evergreen trees and large-growing shrubs that have shapes similar to existing vegetation. At least 50 percent of the plant materials shall consist of fast-growing species that will provide a landscape screen while the slower-growing species mature. In addition, a landscape backdrop may be required where needed to soften the visual impacts from public view. The required landscape screening and backdrop shall be reasonably maintained for the life of the structure.
 - (2) Guarantee of maintenance and survival.** A performance bond or equivalent financial guarantee shall be required to guarantee the maintenance and survival of required landscaping for a period of five years.
 - c. Structure design.**
 - (1) Minimize building height and mass by using low-profile design that may include partially sinking structures below grade.
 - (2) Minimize the visibility of structures by using colors, consistent with C.5.c, that blend with colors of the surrounding environment.
 - (3) When structures silhouette against the sky on Prominent Ridgelines as viewed from Highway 1, consistent with Subsection C.6.a, building architecture shall include hip roofs with a pitch that causes the building to appear to recede from public view.

- d. **Site disturbance.** Minimize vegetation removal, landform alterations and grading of cut and fill slopes where visible from Highway 1. Graded areas shall blend in with adjacent terrain to achieve a natural appearance.

[Added 2007, Ord. 3138]

- D. **Cayucos Planning Impact Area.** Within the planning impact area shown in Figure 92-4, 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.

[Added 2004, Ord 3047]

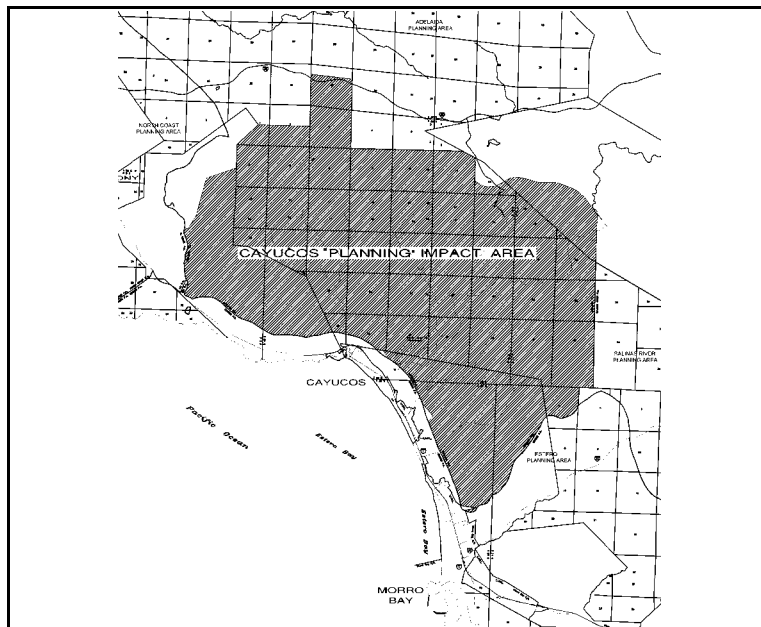


Figure 92-4 - Cayucos Planning Impact Area

22.92.030 - Combining Designations - 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, and within the Cayucos urban reserve line, shall include a geologic report.

22.92.040 - Agriculture (AG)

- A. Applicability.** The standards of this Section apply within the AG land use category to the entire Estero Marine Terminal ownership as shown in Figure 92-5.

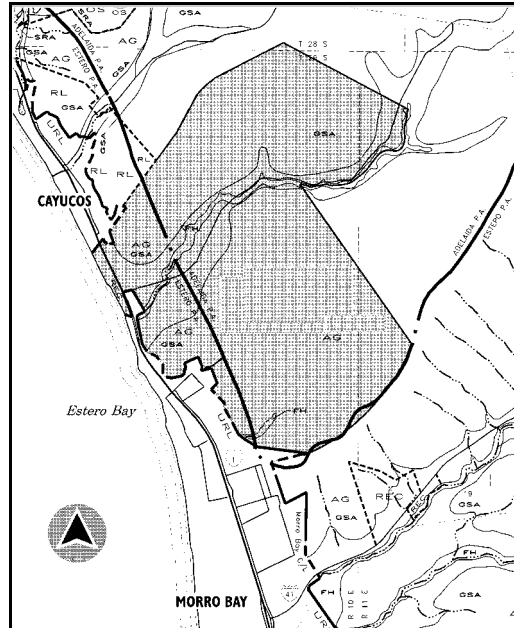


Figure 92-5 - Estero Marine Terminal

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.

[Added 2004, Ord 3047]

22.92.050 - Rural Lands (RL)

- A. Applicability.** The standards of this Section apply within the RL land use category north and northeast of Niderer Road, identified as 1998 Assessor Parcel Numbers 026-341-027, -042, -044, and -045, as shown in Figure 92-6.
- B. Minimum parcel size.** The minimum area for new parcels is 40 acres unless a larger parcel size is required by Chapter 22.22.
- C. 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.
- D. Site "A".** The following standards apply only to Site "A" as shown on Figure 92-6.
1. **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.

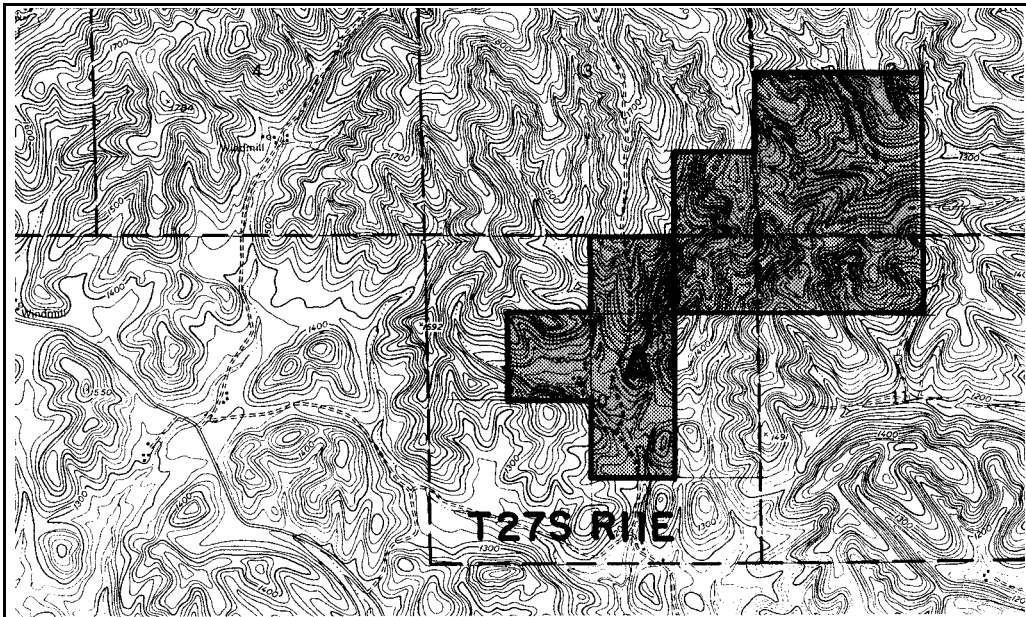


Figure 92-6 - 1996 Assessor Parcel Numbers 026-341-027, 042, 044, and 045

- a. If the historical single-family dwelling is destroyed, it shall not be replaced.
- b. No additional or secondary dwellings are allowed on lots of less than 80 acres.
- c. 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.

2. **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.

[Amended 2004, Ord. 3047]