



CORRIDOR PROTECTION PROGRAM & VISUAL ASSESSMENT

This binder contains the “Corridor Protection Program” and the “Visual Assessment” prepared for proposed State Scenic Highway Designation for segments of State Route 180 from Trimmer Springs Road to the Tulare County Boundary Line and from the Kings Canyon National Park Boundary near General Grant Grove to the Kings Canyon National Park Boundary near Cedar Grove



**Public Review Draft
December 2014**

These documents were prepared as a collaborative effort between the Public Works and Planning Department of Fresno County, the Sierra Gateway Trust and California Department of Transportation (Caltrans) District 6 Landscape Architecture Division.

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CORRIDOR PROTECTION PROGRAM

For Proposed State Scenic Highway Designation for State Route 180 from Trimmer Springs Road to the Tulare County Boundary Line and from the Kings Canyon National Park Boundary near General Grant Grove to the Kings Canyon National Park Boundary near Cedar Grove

Part I

Introduction:

These documents were prepared as a collaborative effort between the Public Works and Planning Department of Fresno County, the Sierra Gateway Trust and California Department of Transportation (Caltrans) District 6 Landscape Architecture Division.

History of the Fresno County General Plan and County Scenic Highways:

1937: The State of California began requiring all cities and counties to adopt Master Plans for planning consistency.

1965: The Master Plan was renamed the General Plan and jurisdictions were authorized to draw up Specific Plans to implement the General Plan in Specific geographical areas. (Note: At this time many jurisdictions used their Zoning Ordinance as a priority legal document and the General Plan was a secondary legal document).

1971: The California State Legislature passed the Consistency Law which essentially reversed the legal hierarchy of the General Plan and the Zoning Ordinance making the General Plan the priority legal document.

1975: In November 1975, the Fresno County Planning Commission recommended adding the Scenic Highway Element to the Fresno County General Plan (General Plan) to the Board of Supervisors (Planning Commission Resolution No. 6729). In December 1975, a notice was mailed to Caltrans District 6 Director, R.H. Ramey, regarding the date, time and place of the Fresno County Board of Supervisors public hearing regarding the proposed adoption of the General Plan Scenic Highway Element. Additional agencies were also notified by mail regarding the proposed adoption of the General Plan Scenic Highway Element including, but not limited to the 15 incorporated cities within Fresno County, Chambers of Commerce within the County, local ranger stations, and the Sierra National Forest local office.

1976: On February 17, 1976, the Scenic Highway Element was added to the General Plan by the Board of Supervisors. The General Plan Scenic Highway Element designated several routes, including two segments of State Route (SR) 180 in the eastern portion of the County, as County Scenic Highways. The two SR 180 County Scenic Highway routes are described in detail below.

The first segment of the SR 180 County Scenic Highway starts at Trimmer Springs Road (State Post Mile Marker 74.9) and goes to the Tulare County Line (State Post Mile Marker 110.8). (See General Plan Figure OS-2 on page 12.)

The second segment of the SR 180 County Scenic Highway starts at the Kings Canyon National Park boundary (State Post Mile Marker 112.1), near the west boundary of General Grant Grove and goes to the north boundary of the Kings Canyon National Park boundary near Cedar Grove (State Post Mile Marker 137.9). (See General Plan Figure OS-2 on page 12.)

NOTE: Kings Canyon National Park is separated into two sections: the Grant's Grove Section (west section) and the Cedar Grove (east section). These sections of the park are separated by Sierra National Forest lands. SR 180 is not a State Route through Kings Canyon National Park; instead it is a National Park Highway. SR 180 ends at the entrance to the Grant Grove Section (west section, State Post Mile Marker 110.8,) and begins again at the north boundary, the end of that section of the Park at PM 112.1.

SR 180 begins again at the north boundary of the Cedar Grove Section, at PM 112.1, where the state route traverses through the Sierra National Forest (approximately 26 miles), and ends again at the west boundary of Kings Canyon National Park, Cedar Grove Section (PM 137.9). The Sequoia National Forest lands are on the north, east, and west of both sections of the Kings Canyon National Park highway, and both sections are connected to Sequoia National Park on the south.

1984: The Sierra-South Regional Plan was adopted on September 25, 1984. The sections of SR 180 covered by this Corridor Protection Program were designated as County Scenic Highways (as noted above). Starting at Trimmer Springs Road, SR 180 is designated as a County Scenic Highway. The County Scenic Highway portion of SR 180 crosses the Friant-Kern Canal 4.3 miles from its beginning at Trimmer Springs Road.

The Friant-Kern Canal is the western boundary of the Sierra-South Regional Plan, which is a subsection of the General Plan. One of the General Plan's countywide goals is to preserve and enhance the character of, and values inherent in, the natural and resource lands in the County. One of the Sierra-South Regional Plan goals is to preserve the County's natural resources in a manner consistent with the need to conserve the physical environment and beauty of the County.

1990: The Kings River Regional Plan was first adopted by the Board of Supervisors in 1981, and the amended document, which added a map, was adopted on November 27, 1990. Approximately 2.79 miles of the proposed State Scenic Highway route is within the Kings River Regional Plan, from the western boundary of the Kings River Regional Plan at Trimmer Springs Road to the eastern boundary a quarter-mile past Reed Avenue (between Reed and Frankwood Avenues). One of the Kings River Regional Plan objectives is to maintain the environmental and aesthetic qualities of the area.

2000: The Fresno County Board of Supervisors adopted the Fresno County General Plan (General Plan) on October 3, 2000. With the adoption of the General Plan the two segments of SR 180 listed above were carried forward as Fresno County designated Scenic Highways in the Open Space and Conservation Element. (See General Plan Figure OS-2 on page 12.)

Goals and policies in the Open Space and Conservation Element of the General Plan were created and intended to protect the scenic resources of the County and ensure that development enhances those resources through the identification of important scenic resources, development review, acquisition and encouragement of easements, coordination with other agencies and groups, and other methods.

General Plan Goals and Policies related to scenic roads and highways are included in the General Plan Open Space and Conservation Element, Sections 'K', Scenic Resources and 'L' Scenic Roadways. A summary of the General Plan Open Space and Conservation Element scenic roads and highways goals and policies is provided below.

Goal OS-K: To conserve, protect, and maintain the scenic quality of Fresno County and discourage development that degrades areas of scenic quality.

Goal OS-L: To conserve, protect, and maintain the scenic quality of land and landscape adjacent to scenic roads in Fresno County.

A summary of each the General Plan Policies related to Goal OS-L are listed below. The full text of the policies is included on pages 17 and 18.

Policy OS-L.3: Policies OS-L.3 (a) through (g), of Goal OS-L, address managing the use of land adjacent to scenic drives and scenic highways.

Policy OS-L.4: Addresses undergrounding utility lines within and adjacent to new developments.

Policy OS-L.5: Addresses preservation of ornamental trees.

Policy OS-L.6: Addresses maintenance of scenic landscaped drives, scenic drives, and scenic highways.

Policy OS-L.9: Promotes that the County work with the California Department of Transportation to apply for scenic highway designation for the State highway segments eligible for such designation.

The Implementation Program for Policy OS-L.9 is noted below:

Program OS-L.B: The County shall work with the California Department of Transportation to apply for scenic highway designation for the State highway segments eligible for such designation, and take necessary steps for approval, including adoption of scenic corridor protection programs for eligible segments.

History of Proposed State Scenic Highway Designation for Portions of SR 180

State Route (SR) 180 in eastern Fresno County encompasses a diverse landscape ranging from fine cultivated farmlands of the valley and foothill grasslands to high mountain peaks. The scenic qualities of the area are an important component of the quality of life in Fresno County. Scenic resources also play an important role in the economic development of the region, including the expansion of tourism-based industries, and the locational decisions of businesses.

2008: In 2008, the Sierra Gateway Trust offered its assistance to the Department of Public Works and Planning as an implementation of General Plan Open Space and Conservation Element Policy OS-L.9 and Implementation Program OS-L.B, to prepare the State Scenic Highway designation of portions of eastern SR 180.

Since then, the Sierra Gateway Trust has been working on drafting the Corridor Protection Program and the Visual Assessment in collaboration with Department of Public Works and Planning staff and Caltrans District 6 Landscape Architecture staff.

These documents are required by the State Department of Transportation (Caltrans) to be adopted by the County prior to submittal to Caltrans requesting approval of the Officially Designated State Scenic Highway designation by the State Scenic Highway Coordinator and the Director of Caltrans.

2013: On November 12, 2013, the Fresno County Board of Supervisors voted unanimously for the Chairman to sign and send a Letter of Intent to Caltrans, supporting the proposed Officially Designated State Scenic Highway for portions of SR 180. (See pages 10 and 11 for a copy of this letter).

2014: The rough draft SR 180 Corridor Protection Program was submitted to County staff for review in October, 2014. Public Works and Planning staff reviewed and edited/revised the document to provide a final draft in a format that is being released for public review. The Plan contains existing policies and regulations contained in the Fresno County General Plan and

the Zoning Ordinance aimed at protection of scenic roads and highways. No changes or additions to the General Plan or Zoning Ordinance regulations are proposed at this time.

Part II

Caltrans State Scenic Highway Requirements and Protocol for Review and Granting a Scenic Highway Designation to a State Route:

The Caltrans State Scenic Highway Guidelines can be accessed at:
http://www.dot.ca.gov/hq/LandArch/scenic/guidelines/scenic_hwy_guidelines_04-12-2012.pdf

Implementation of Caltrans State Scenic Highway Guideline's Nomination Process:

The following Steps 1 - 4 (Section III: Nomination Process) of Caltrans State Scenic Highway Guidelines Implementation of the nomination and designation process as outlined in Appendix B of Caltrans Scenic Highway Guidelines is summarized below. The draft SR 180 Scenic Highway Visual Assessment and the draft SR 180 State Scenic Highway Corridor Protection Program were prepared 2008.

Step 1 (Visual Assessment): The draft 2008 SR 180 Scenic Highway Visual Assessment prepared by the Sierra Gateway Trust was reviewed and was deemed acceptable by the Caltrans District 6 Scenic Highway Coordinator in July, 2008.

Step 2 (Consultation with Caltrans): In July, 2014, the draft Visual Assessment was reviewed again by the Caltrans District 6 Scenic Highway Coordinator and revisions to the Visual Assessment were suggested by Caltrans. County staff made the appropriate revisions to the Visual Assessment and discussed the proposed revisions with the Sierra Gateway Trust. However, the Board of Supervisors resolution approving the required documents must accompany the documents when submitted to Caltrans.

Step 3 (Scenic Highway Proposal)

- **Step 3 A. (Letter of Intent from the local governing body):** On November 12, 2013, the County Board of Supervisors voted unanimously to support the Official State Scenic Highway designation for portions of SR 180 and authorized the Chairman to sign and send a Letter of Intent to Caltrans. (See pages 10 and 11 for a copy of the letter.)
- **Step 3 B. (Topographic and Intrusion Overlay Maps):** A topographic map and a visual intrusion overlay map are included in the SR 180 Scenic Highway Visual Assessment.

- **Step 3 C. (Zoning Map):** A zoning map is included in the SR 180 Scenic Highway Visual Assessment.

All lands adjacent to the County Scenic Highways, including the proposed State Scenic Highway on SR 180, are currently subject to Zoning Ordinance regulations regarding developments and preserving visual resources. Policies in the General Plan Open Space and Conservation Element promote the preservation of visual resources by protecting scenic views for the traveling public on major travel routes to recreation destinations and improve the opportunity for visitors to view our federal lands. Obtaining State Scenic Highway designation status for the 60.7 mile portion of SR 180 will help ensure the continued preservation of this segment of Fresno County's spectacular scenic resources.

- **Step 3 D. (Narrative and Intrusion Percentage):** The required draft Visual Assessment with a narrative of the corridor of the proposed Scenic Highway was first submitted to the County and Caltrans on May 15, 2008. The Caltrans District 6 Scenic Highway Coordinator notified the County and the Sierra Gateway Trust of Caltrans' review and acceptance of the draft SR 180 Scenic Highway Visual Assessment on July 22, 2008.

On July 31, 2014, the draft SR 180 Scenic Highway Visual Assessment was re-evaluated by the Caltrans District 6 Scenic Highway Coordinator who notified the County and the Sierra Gateway Trust that the draft Visual Assessment was missing an intrusion percentage table. County staff made the appropriate revisions to the Visual Assessment and discussed the revisions with the Sierra Gateway Trust.

Step 4 (Caltrans Review of the Scenic Highway Proposal): The draft SR 180 Scenic Highway Visual Assessment has been reviewed and accepted by the Caltrans State Scenic Highway Coordinator. The SR 180 Scenic Highway Visual Assessment now includes a table showing the percentage of the highway impacted by visual intrusions along the proposed route per comments from the Caltrans District 6 Scenic Highway Coordinator.

Implementation of Caltrans Scenic Highway Guidelines Designation Process:

In order to proceed with the designation process for SR 180 the County must submit a State Scenic Highway Corridor Protection Program (Corridor Protection Program), consisting of current General Plan Goals, Policies, and Zoning regulations or Ordinances. No additional restrictions or ordinances are required by Caltrans for Officially Designated State Scenic Highway proposals.

As required by the Caltrans' Guidelines for the Official Designation of Scenic Highways, and in the Streets and Highways Code, the five legislatively required elements addressed in this Corridor Protection Program are listed below.

- Element 1: Regulation of land use and density of development (i.e., density classifications and types of allowable land uses)
- Element 2: Detailed land and site planning (i.e., permit or design review authority and regulations for the review of proposed developments),
- Element 3: Control of outdoor advertising (i.e., prohibition of off-premise advertising signs and control of on premise advertising signs)
- Element 4: Careful attention to and control of earthmoving and landscaping (i.e., grading ordinances, grading permit requirements, design review authority, landscaping and vegetation requirements)
- Element 5: The design and appearance of structures and equipment (i.e., design review authority and regulations for the placement of utility structures, microwave receptors, wireless communication towers, etc.).

These five required elements are discussed in the following pages with references to existing Fresno County General Plan Goals, Policies, and Ordinance Codes which pertain to these requirements.

Fresno County Corridor Protection Program for Portions of State Route 180
Fresno County Department of Public Works and Planning



County of Fresno

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November 12, 2013

Caltrans-Landscape Architecture
Michael Mills/Sherry Alexander
2015 E. Shields Avenue, Suite 100
Fresno, CA 93726

Subject: Letter of Intent - Officially Designated Scenic Highway, State Route 180
Fresno County

Dear Mr. Mills and Ms. Alexander:

The County of Fresno is pleased to submit this Letter of Intent to the California State Department of Transportation (Caltrans), Landscape Architecture, supporting the Official Scenic Highway designation for the following portions (60.7 miles), of State Route 180 in Fresno County:

From Trimmer Springs Rd. to the Tulare County Line and from Highway 180 from Kings Canyon National Park boundary near General Grant Grove to Kings Canyon National Park boundary near Cedar Grove.

Since 1976, the Fresno County General Plan has designated the subject portions of SR 180 listed above as a Scenic Highway. This designation was carried forward with the adoption of the 2000 General Plan Update. Also included in the 2000 General Plan Update is the following policy and implementation program which supports the proposed designation:

| | |
|-----------------------|---|
| <i>Policy OS-L.9</i> | <i>The County shall work with the Department of Transportation to pursue scenic highway designation from the State of California for the State highway segments eligible for such designation.</i> |
| <i>Program OS-L.B</i> | <i>The County shall work with the California Department of Transportation to apply for scenic highway designation for the State highway segments eligible for such designation, and take necessary steps for approval, including adoption of scenic corridor protection programs for eligible segments.</i> |

It is further the intent of Fresno County to continue to support the Sierra Gateway Trust Inc., a nonprofit organization, to assist in implementing the Fresno County General Plan to obtain the State of California Scenic Highway designation for the above segments of State Route 180.

Fresno County Corridor Protection Program for Portions of State Route 180
Fresno County Department of Public Works and Planning

Caltrans-Landscape Architecture
November 12, 2013
Page 2 of 2

If you have any questions, please feel free to contact Bernard Jimenez, Deputy Director of Planning at (559) 600-4234.

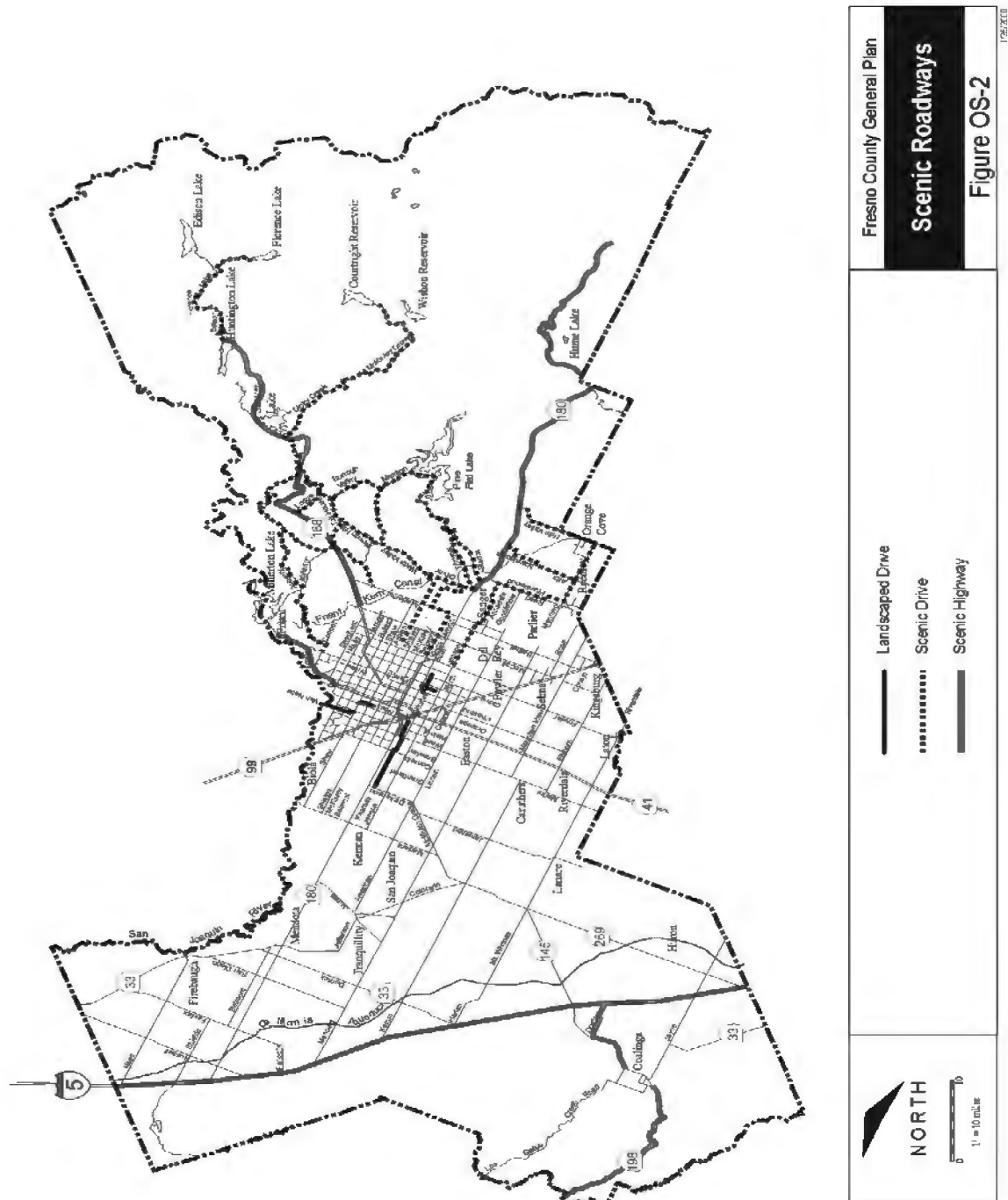
Sincerely,



Supervisor Henry Perea, Chairman
Fresno County Board of Supervisors

c: Board of Supervisors
Bernard Jimenez, Deputy Director

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PART III

Caltrans Corridor Protection Program Element No. 1

Regulation of Land Use and Density of Development (i.e., density classifications and types of allowable land uses)

The Fresno County 2000 General Plan is the overarching Guide for protecting County Scenic Roads and Highways including the proposed Scenic Highway Designation for SR 180. The entire 60.7 miles proposed for Officially Designated State Scenic Highway status for State Route 180 is in unincorporated Fresno County, and since 1976 has been designated as a County Scenic Highway in the General Plan.

Pertinent Sections of the Zoning Ordinance of Fresno County are included in this document. Zoning districts within which the existing Fresno County Scenic Highways are located include "AE" (Exclusive Agricultural District, Section 816); "AL" (Limited Agricultural District, Section 817); "C-6" (General Commercial District, Section 838); "O" (Open Conservation Land Use District, Section 815); "R-C" (Resource Conservation District, Section 813); "R-R" (Rural Residential, Section 820); "R-E" (Recreational District, Section 848), "TPZ" (Timberland Preserve District, Section 814); and "m" (Mountain Overlay District, Section 850). See the internet website links in the Appendix for the allowable uses in these zone districts or the Federal guidelines for the Federal Land that is within Kings Canyon National Park. (See the County Zoning District chart in this Section on page 15).

The majority of the land adjacent to the proposed State Route 180 State Scenic Highway is within the Sierra-South Regional Plan Area and zoned Exclusive Agricultural. A small portion near Centerville is within the Kings River Regional Plan Area. Some parcels adjacent to the corridor are subject to the provisions of the "RC" (Resource Conservation District, Section 813), which establishes the minimum lot size that may be created within the various Agricultural zoned districts from five acres to 160 acres in the Kings River Regional Plan.

The majority of the lands along the 60.7 mile route are designated as agricultural and are zoned for Agricultural uses within the "m" (Mountain) overlay or the "RC" (Resource Conservation) Zone District. The land is zoned to allow agricultural uses to protect farming operations by permitting agricultural uses only and preserving agricultural parcel sizes. Land use within agriculturally zoned areas along SR 180 is limited to farming, livestock, processing of agricultural products, labor camps, and agriculturally related businesses. Lot sizes generally range from five to 640 acres. The majority of the Exclusive Agricultural (AE) zoned land along the proposed Scenic Highway is the 40-160 acre size range with just a few five acre lots existing at the community of Squaw Valley. The maximum building intensity varies with the lot size and is generally limited to one building for the minimum lot size.

"Resource Conservation" is so designated to provide conservation and protection of natural resources and natural habitat areas. Land use is limited to grazing, growing and harvesting of timber, watershed management, and wildlife preservation. The minimum parcel size is 40 acres with a limit of one dwelling per parcel. In the Resource Conservation District, one residence is allowable per parcel although special circumstances may allow for a temporary mobile home for family members.

The following paragraphs summarize the permitted uses shown in the Resource Conservation (RC) District, Section 813 of the County Zoning Code.

Allowable Uses include apiaries, forest fire lookout stations, grazing, growing and harvesting of timber and forest products, home occupations, management for watershed, fish and wildlife habitat, mobile home occupancy (not more than one per lot), one single family dwelling, uses and facilities appurtenant to timber growing and harvesting, wildlife preserves.

Uses Permitted Subject to a Director Review and Approval, Uses Permitted Subject to a Conditional Use Permit, Uses Expressly Prohibited, and other property development standards for the Resource Conservation (RC) District are further outlined in Section 813 of the Zoning Ordinance.

The commercial areas along the Scenic Highway are also covered by the "m" Mountain Overlay District, Zoning Code (Section 850). The Overlay district allows for specific provisions of the underlying zone district to be modified. The Mountain Overlay District, Section 850.A.5, Property Development Standards calls for "consideration for snow storage and preservation and enhancement of scenic and open space values."

The purpose of an Overlay District is to modify specific provisions of the underlying zone district(s). Overlay Districts will generally be applied to areas that have different underlying zone districts, but have unique features or characteristics that are common to the parcels that are located within the overlay district. Overlay Districts shall be identified by suffixing the applicable overlay letters next to the underlying zone district designation. (Added by Ord. T-062-333 adopted 11-7-00)

Fresno County Corridor Protection Program for Portions of State Route 180
Fresno County Department of Public Works and Planning

County of Fresno Zone Districts
Advertising Structures and Microwave Relay Structures

| Zone District | Type of Zone | Zone Section | Advertising Structure | Microwave Relay Structures * |
|---------------|--|--------------|---|---|
| AE | Exclusive Agriculture | 816 | Off-site structures prohibited except for directional signs for major recreational areas, hospitals and colleges and signs for produce stands subject to certain restrictions | Land Use Permit - Director Review and Approval (DRA) |
| AL | Limited Agriculture | 817 | Off-site structures prohibited | Land Use Permit - Director Review and Approval (DRA) |
| AC | Agricultural Commercial Center | 839 | Off-site structures prohibited | Land Use Permit - Director Review and Approval (DRA) |
| CM(m,c) | Commercial and Light Manufacturing (Mountain Overlay, Conditional) | 842;850 | Allowed By Right subject to Site Plan Review (SPR); Mountain Overlay District standards apply (section 850); Development restriction imposed when rezoned | Land Use Permit - Director Review and Approval (DRA) |
| C4 | Central Trading Post | 836 | Allowed By Right subject to Site Plan Review (SPR) | Land Use Permit - Director Review and Approval (DRA) |
| C4(m,c) | Central Trading Post | 836 | Allowed By Right subject to Site Plan Review (SPR); Mountain Overlay District standards apply (section 850); Development restriction imposed when rezoned | Land Use Permit - Director Review and Approval (DRA) |
| C6(m) | General Commercial (Mountain Overlay) | 838; 850 | Allowed By Right subject to Site Plan Review (SPR); Mountain Overlay District standards apply (section 850) | Land Use Permit - Director Review and Approval (DRA); Mountain Overlay District standards apply (section 850) |
| C6(m,c) | General Commercial (mountain Overlay, Conditional) | 838;850 | Allowed By Right subject to Site Plan Review (SPR); Mountain Overlay District standards apply Sect 850); Development restriction imposed when rezoned | Land Use Permit - Director Review and Approval (DRA); Mountain Overlay District standards apply (section 850) |
| M3(m,c) | Heavy Industrial (Mountain Overlay, Conditional) | 845;850 | Allowed By Right subject to Site Plan Review (SPR); Mountain Overlay District standards apply Sect 850); Development restriction imposed when rezoned | Land Use Permit - Director Review and Approval (DRA); Mountain Overlay District standards apply (section 850) |
| RR | Rural Residential | 820 | Off-site structures prohibited | Land Use Permit - Director Review and Approval (DRA) |
| RS | Rural Settlement | 849 | Off-site structures prohibited | Land Use Permit - Conditional Use Permit (CUP) |
| TP | Trailer Park Residential | 830 | Off-site structures prohibited | Land Use Permit - Director Review and Approval (DRA) |

"m" - Mountain Overlay District, Section 850 (Overlay Districts)

"c" - development restrictions imposed on parcel when rezoned; conditions vary

* Telecommunication Towers may be allowed in any zone district subject to approval of a CUP (the most stringent level of review)

SIERRA SOUTH REGIONAL PLAN

The following excerpts from the Environmental Resources Management Element of the Sierra-South Regional Plan (Section 406-03) are related to the preservation of scenic resources within the Sierra South Regional Plan area.

1.00 **INTRODUCTION** (para. #2) Decisions affecting development of the foothills and mountains must be based not just on the effect they have on residents and land owners, but also on environmental characteristics which are of regional, State, and nation-wide importance.

1.01 **OBJECTIVES**

- a. Prohibit activities and uses that could endanger the environmental quality and natural character of the area.
- b. Protect water resources from degradation.
- c. Minimize soil erosion and geologic hazards caused by development.
- d. Consider the physical limitations of the land in all land use decisions and protect environmental values.
- e. Manage vegetation, mineral and wildlife resources in a responsible and productive manner and protect rare and endangered species.
- f. Preserve geologic, archaeologic, and historic resources.
- g. Preserve the scenic quality of the land, especially that adjacent to designated scenic highways.

GENERAL PLAN

The following introduction, goals and policies are found in Section L, Scenic Roadways, of the Open Space and Conservation Element of the General Plan and are related to the preservation of scenic views along Scenic Roadways.

“The retention of existing scenic qualities along roadways is an important part of the County's efforts to enhance the quality of life in the county. The County has a major responsibility for developing and maintaining a circulation system that facilitates the safe and efficient movement of goods and people. Concern for the maintenance of environmental quality and scenic resources also requires that emphasis be placed on the preservation and enhancement of visual amenities along roadways.

Policies in this section are intended to protect the scenic resources along roadways of the county by identifying, developing, and maintaining scenic amenities along roads and

highways in the county and ensuring that development enhances those resources.”

Goal OS-L: To conserve, protect, and maintain the scenic quality of land and landscape adjacent to scenic roads in Fresno County.

The following policies are relevant to Land Use along scenic roadways and this Corridor Protection Program.

Policy OS-L.3: The County shall manage the use of land adjacent to scenic drives and scenic highways based on the following principles:

- a. Timber harvesting within or adjacent to the right-of-way shall be limited to that which is necessary to maintain and enhance the quality of the forest;
- b. Proposed high voltage overhead transmission lines, transmission line towers, and cell towers shall be routed and placed to minimize detrimental effects on scenic amenities visible from the right-of-way;
- c. Installation of signs visible from the right of way shall be limited to business identification signs, on site real estate signs, and traffic control signs necessary to maintain safe traffic conditions. All billboards and other advertising structures shall be prohibited from location within view of the right-of-way.
- d. Intensive land development proposals including, but not limited to, subdivisions of more than four lots, commercial developments, and mobile home parks shall be designed to blend into the natural landscape and minimize visual scarring of vegetation and terrain.

The design of said development proposals shall also provide for maintenance of a natural open space area two hundred (200) feet in depth parallel to the right-of- way. Modification of the setback requirement may be appropriate when any one of the following conditions exist:

- 1) Topographic or vegetative characteristics preclude such a setback;
 - 2) Topographic or vegetative characteristics provide screening of buildings and parking areas from the right-of-way;
 - 3) Property dimensions preclude such a setback; or
 - 4) Development proposal involves expansion of an existing facility or an existing concentration of uses.
- e. Subdivision proposals shall be designed to minimize the number of right-of- way access drives;
 - f. Developments involving concentration of commercial uses shall be designed to function as an integral unit with common parking areas and right-of-way access drives; and

- g. Outside storage areas associated with commercial activities shall be completely screened from view of the right-of-way with landscape plantings or artificial screens which harmonize with the natural landscape.

Policy OS-L.4: The County shall require proposed new development along designated scenic roadways within urban areas and unincorporated communities to underground utility lines on and adjacent to the site of proposed development or, when this is infeasible, to contribute their fair share of funding for future undergrounding.

Policy OS-L.5: The County road improvement projects involving designated scenic roadways shall be constructed to insure that consideration is given to preservation of ornamental trees consistent with public safety standards and accepted road design.

Policy OS-L.6: The County shall request city, State, and Federal agencies to maintain County-designated landscaped drives, scenic drives, and scenic highways under their jurisdictions in a manner consistent with the goals and policies in this section.

Policy OS-L.9: The County shall work with the Department of Transportation to pursue scenic highway designation from the State of California for the State highway segments eligible for such designation (including those listed in the text box below, and any other segments added.)

Fresno County Designated Scenic Highways (excerpt from General Plan page 5-36)

Scenic highways are highways that traverse land with unique or outstanding scenic quality or provide access to regionally significant scenic and recreational areas. County-designated scenic highways include the following:

- Proposed State Highway 168 from Friant-Kern Canal to Lodge Road
- State Highway 168 from Lodge Road to Pineridge
- Proposed State Highway 168 from Pineridge to Huntington Lake Road
- State Highway 168 from Huntington Lake Road to Huntington Lake
- State Highway 180 from Trimmer Springs road to the Tulare County Line
- State Highway 180 from Kings Canyon National Park boundary near General Grant Grove to Kings Canyon National Park boundary near Cedar Grove

- State Highway 198 from Interstate 5 Freeway to Monterey County line, excluding City of Coalinga
- Interstate 5 freeway within Fresno County
- Friant Road from city of Fresno to Lost Lake Road.

The Visual Assessment for the proposed State Scenic Highway designation of SR 180 includes a map showing the various land use districts surrounding the proposed route.

The Fresno County Zoning Ordinance provides the details for the uses that are allowed in each zone district. To avoid a very lengthy document internet website links to the Zoning Ordinance are included in the Appendix at the end of this document.

PART IV

Caltrans Corridor Protection Program Element No. 2

Detailed Land and Site Planning (i.e., permit or design review authority and regulations for the review of proposed developments)

Land Development is regulated by the County Zoning Ordinance, Subdivision Ordinance, Improvement Standards, Uniform Building Code, and conditions imposed through County discretionary permits such as Director Review and Approval (DRA), Conditional Use Permit (CUP), Site Plan Review (SPR), Tract Map and Overlay District Update process.

Site planning is governed by the Zoning Ordinance which regulates access, circulation, privacy, security, shelter, grading, drainage, excavation and other factors such as site improvements. Site improvements include off-street parking, landscaping, walls, sewage and water systems, floor area ratios, etc.

The review process for approving a new development, other than by-right uses, in the zoning districts adjacent to the proposed SR 180 Officially Designated State Scenic Highway (Agricultural, General Commercial, Open Conservation Land Use, Resource Conservation, Rural Residential, Recreational District, Timberland Preserve District; and Mountain Overlay District) is as follows:

Director Review and Approval (DRA), Zoning Ordinance Section 872: The DRA process is for certain uses of land which are not allowed as a matter of right in a particular zone district. The determination on a DRA Application is generally made by the Director of the Department of Public Works and Planning or his designee. At the discretion of the Director, the proposed use may be referred to the Planning Commission for a public hearing and decision. If the

proposed use is referred to the Planning Commission, the noticing and public hearing procedure shall be followed. The appeal to the Board of Supervisors described in Zoning Code Section 873, will apply to DRAs and Conditional Use Permits.

The Director's decision is final unless appealed to the Planning Commission. The Director may, however, refer a DRA directly to the Planning Commission. Notice of the Director's decision or notice of the Planning Commission hearing is mailed to all property owners within 600 feet to a quarter mile of the project site (depending on urban or rural setting). Other requirements may include a Site Plan Review Application, grading permits, building permits and payment of associated fees. In addition, fees may be required by other agencies (e.g. school district, flood control district).

Conditional Use Permits (CUP), Zoning Code Section 873: The Fresno County Zoning Ordinance requires a CUP for certain uses of land which are not allowed as a matter of right in a particular zone district. Approval of a CUP requires a public hearing before the Planning Commission. Prior to submitting a CUP application, the applicant may apply for a Pre-Application Review which is prepared by Zoning and Permitting staff and Current Planning Staff. This review helps to identify information specific to the property which may affect submittal and processing of the application. The application package for a CUP includes the following:

Prior to submittal of the application package, the applicant may request a "pre-development meeting" to discuss the proposal with staff from County Departments and other reviewing agencies. When an application is filed, County Planning staff evaluates the proposed project for compliance with local zoning and building ordinances. If a project application is deemed complete and in compliance, the CUP is processed and the Planning Commission hearing is published in the local newspaper. Notice of the hearing is mailed to all surrounding property owners within 600 feet to a quarter mile of the project site (depending on urban or rural setting).

A staff report is then prepared for the Planning Commission. The report includes a summary of the analysis and a staff recommendation for approval (with or without conditions) or denial of the CUP. After a decision is made on the CUP application, there is a 15-day appeal period during which the applicant, or any other affected party, may appeal the determination of the Planning Commission to the Board of Supervisors. The approval of a CUP does not address all requirements that must be met in order for development to proceed. Other requirements may include a site plan review application, grading permits, building permits and associated fees. In addition, fees may be required by other agencies (e.g. school district, flood control district).

CUPs are used for a wide range of more intensive uses while DRAs are generally used for less intensive uses. However, DRAs can also be used for intensive uses in certain zone districts.

Variance, Zoning Code Section 877: The Fresno County Zoning Ordinance lists minimum property development standards for each Zone District. A property owner may request a variance if a proposed land division or development will result in a deviation from the development standards. Common examples of variances include applications related to building setbacks, building height, structural coverage, parcel size, road frontage, and parking requirements. In some cases where the proposed deviation from the development standard is less than ten percent (10%), a Minor Variance Application may be the appropriate procedure.

Approval of a variance application requires a public hearing before the Planning Commission. Notice of the hearing is mailed to all surrounding property owners within 300 feet of the project site. Public noticing requirements and the appeal process are similar as required for CUPs.

Site Plan Review (SPR), Zoning Code Section 874: The purpose of the SPR is to enable the Director to make a finding that the proposed development is in conformity with the Zoning Ordinance, Sub-Ordinance, Improvement Standards and other County ordinances. When a site plan review is required by the Division or Chapters 17.72 or 17.30 of the Fresno County Ordinance Code, the following procedure shall apply:

The applicant shall submit the site plan to the Department of Public Works and Planning, Development Services Division, drawn to scale and shall indicate clearly and with full dimensioning the following information including, but not limited to lot dimensions, all buildings and structures, location, proposed use, yards and space between buildings, walls and fences, location, height and materials, off-street parking location, internal circulation patterns, access for pedestrian and vehicular service, points of ingress and egress and internal circulation, signs; location, size and height; loading: dimensions: number of spaces and internal circulation; lighting: location and general nature and holding devices; utilities: location of existing and proposed utilities; street dedications and improvements, as provided in Section 874-B; in the "RCC," "C-P," "C-1," "C-2," "C-3," and "C-R" Districts, the location of the landscaping shall be shown; and such other data as may be required to permit the Director to make the required findings.

The applicant or any aggrieved person may appeal, in writing, to the Planning Commission. The appeal shall be filed with the Director within fifteen (15) days after the mailing of notice of such decision. The Commission shall hear such appeal of the Directors decision within forty (40) days after the date of the filing of such appeal. The decision of the Commission shall be final unless appealed to the Board of Supervisors.

The applicant or any aggrieved person may appeal in writing, to the Board of Supervisors. The appeal shall be filed with the Clerk of the Board within fifteen (15) days after the Commission's decision. The appeal shall be placed on the agenda of the Board's next

regular meeting after the appeal is filed. The Board shall review the site plan and shall approve, approve with conditions, or disapprove based on the findings listed in Section 874-A.2. The decision of the Board shall be final.

General Plan Amendments and Area Plan Updates: General Plan, Regional Plan and Community Plan Amendments and updates may require comprehensive Environmental Impact Reports (EIRs), fully noticed public hearings, and must be approved by the Board of Supervisors.

Other regulations which apply to site planning and development:

Fees - The County charges building permit and land use application fees.

Processing - The Department of Public Works and Planning has the responsibility for short and long-range planning, code enforcement, inspections, and permitting of the County.

Fresno County General Plan Policies:

The following policies provide a broad guidance to development of land:

Policy LU-A.6 The County shall maintain twenty (20) acres as the minimum permitted parcel size in areas designated Agriculture, except as provided in Policies LU-A.9, LU-A.10, and LU-A.11. The County may require parcel sizes larger than twenty (20) acres based on zoning, local agricultural conditions, and to help ensure the viability of agricultural operations.

Policy LU-A.8 The County shall allow by right on each parcel designated Agriculture and zoned for agricultural use one (1) single family residential unit. One (1) additional single family residential unit shall be allowed for each twenty (20) acres in excess of twenty (20) acres where the required minimum parcel size is twenty (20) acres. One (1) additional single family residential unit shall be allowed for each forty (40) acres in excess of forty (40) acres where the required minimum parcel size is forty (40) acres. The County may, by discretionary permit, allow a second unit on parcels otherwise limited by this policy to a single unit.

Policy LU-A.9 The County may allow creation of homesite parcels smaller than the minimum parcel size required by Policy LU-A.6, if the parcel involved in the division is at least twenty (20) acres in size, subject to the following criteria:

- a. The minimum lot size shall be sixty thousand (60,000) square feet of gross area, except that a lesser area shall be permitted when the owner submits evidence satisfactory to the Health Officer that the soils meet the Water Quality Control Board Guidelines for liquid waste disposal, but in no event shall the lot be less than one (1) gross acre; and

- b. One of the following conditions exists:
1. A lot less than twenty (20) acres is required for financing construction of a residence to be owned and occupied by the owner of abutting property; or
 2. The lot or lots to be created are intended for use by persons involved in the farming operation and related to the owner by adoption, blood, or marriage within the second degree of consanguinity, there is only one (1) lot per related person, and there is no more than one (1) gift lot per twenty (20) acres; or
 3. The present owner owned the property prior to the date these policies were implemented and wishes to retain his/her homesite and sell the remaining acreage for agricultural purposes.

Each homesite created pursuant to this policy shall reduce by one (1) the number of residential units otherwise authorized on the remainder parcel created from the original parcel. The remainder parcel shall be entitled to no less than one residential unit.

Policy LU-A.10: The County may allow by discretionary permit creation of substandard lots when necessary for the development of an agricultural commercial center pursuant to Policy LU-A.3 or in conjunction with development within a designated commercial interchange within the Westside Freeway Corridor Overlay. Approval of such parcels shall take into consideration the proposed use of the property, surrounding uses, and the potential for abandonment of the planned commercial use at a future date. Appropriate conditions shall be applied to minimize adverse impacts on surrounding agricultural operations. Parcels for agricultural commercial centers shall in no case be less than one (1) gross acre.

Building and Safety: Building and Safety Unit staff is responsible for the administration of various codes covering the standards for construction, alterations, additions, and relocation of structures, including the appropriate building, mechanical, plumbing, and electrical regulations to ensure the public's safety. Associated activities include the review of non-residential and residential building plans for compliance with applicable codes including energy conservation and handicap accessibility, issuance of building and related permits, investigation of building and zoning code violations, accepting fees for applications, providing information for land use and zoning inquiries, and the maintenance of records.

Part V

Caltrans Corridor Protection Program Element No. 3

Control of Outdoor Advertising (i.e., prohibition of off-premise advertising signs and control of on-premise advertising signs)

Zoning Code Section 876 Non Conforming Buildings and Uses:

D. Nonconforming Signs And Advertising Structures

"Signs, billboards or commercial advertising structures which do not conform to this Division but which lawfully existed and were maintained on the effective date of this Division shall, within five (5) years after the effective date of this Division, be removed or made to conform. During the interim five (5) year period, said nonconforming signs, billboards and commercial advertising structures shall be kept in good repair and visual appearance and no structural alteration shall be made thereto."

Zoning Code Section 855-K, Property Development Standards - Outdoor Advertising:

Zoning Code Section 855-K regulates signs, billboards, and advertising structures that may be erected and maintained in the districts where such use is permitted after having secured approval of the location, size and design of said sign, billboard or advertising structure subject to the conditions below and in each District.

The requirements for the "O" Open Space zone district, Section 815.5-K, also apply to the "m" Mountain Overlay district Section 850-K, "TPZ" Timberland Preservation Zone (Zoning Code Section 814); and "m" - Mountain Overlay district (Section 850), and "R-C" Resource Conservation district (Sec 813). The "O" Open Space Zoning regulations pertaining to outdoor advertising is listed in Section 815.5-K below.

Zoning Ordinance Section 855-K.5 (Outdoor Advertising):

1. Signs shall be permitted subject to the following standards:
 - a. No sign shall endanger the health and safety by causing distractions to operators of motor vehicles on the streets or highways, nor shall any sign be designed and located so as to be confused with traffic signs and signals.
 - b. The sign shall advertise only the name of the operation, simple directions to its location, and slogan, if any.
 - c. The sign shall not exceed one hundred (100) square feet in area.

- d. The sign shall be set back not less than five (5) feet from the street or highway right-of-way.
- e. Signs shall not exceed the permitted building height in this district.
- f. Signs shall be located at intervals of not less than one-half (1/2) mile, provided, however, that this shall not be so interpreted to prohibit neighboring property owners or lessees located at less than one-half (1/2) mile intervals from erecting permitted signs on each property.

The proposed State Scenic Highway SR 180 Corridor has small segments of roadway that are adjacent to land designated and zoned for commercial use, are subject to the billboard restrictions outlined below.

Zoning Code Section 855-N 5. Billboards:

Off-site advertising signs shall be allowed in the C-3, C-4, C-6, C-M, M-1, M-2, M-3 Districts, subject to the following:

- a. For billboards allowed by right, subject to the provisions of Section 874:
 - 1. The total face area of any off-site advertising sign shall not exceed 75 square feet, nor shall the sign face exceed the length of 12.5 feet, nor the height of 6 feet.
 - 2. In no case shall a sign face be taller than it is wide.
 - 3. The maximum height for any off-site advertising structure shall be 18 feet.
 - 4. No off-site advertising structure shall have a clearance of less than 8 feet off the ground.
 - 5. No off-site advertising structure sign in the County shall be located within 1,300 feet from any other off-site advertising structure, including signs in other jurisdictions.
 - 6. No off-site advertising structure sign shall be located within 300 feet from any residential Zone District.
 - 7. No part of an off-site advertising structure sign shall be located within an existing or ultimate street right-of-way.

8. Any illumination of an off-site advertising structure shall not generate glare upon a public street or adjacent property.
9. The provisions of Section 874 (Site Plan Review, as noted in Element #2) shall apply.

General Plan Policy OS-L.3 (pertaining to Scenic Roadways):

- c. Installation of signs visible from the right- of-way shall be limited to business identification signs, on-site real estate signs, and traffic control signs necessary to maintain safe traffic conditions. All billboards and other advertising structures shall be prohibited from location within view of the right-of-way.

PART VI

Caltrans Corridor Protection Program Element No. 4

Careful Attention to and Control of Earthmoving and Landscaping (i.e., grading ordinances, grading permit requirements, design review authority, landscaping and vegetation requirements)

Section 15.28 of the Fresno County Municipal Code, Grading and Excavation, sets forth rules and regulations to control excavation, grading and earthwork construction, including fills and embankments; establishes the administrative procedure for issuance of permits; and provides for approval of plans and inspection of grading construction. This Section adopted by reference Chapter 18, Chapter 33 and Appendix J of the 2013 California Building Code and California Residential Code along with other applicable exceptions and superseding provisions determined necessary by the County.

The "Grading Official", is defined in Section 15.28.020 F 3, Grading and Excavation, and is authorized and directed to enforce all provisions of Chapters 18, 33 and Appendix J of the 2013 California Building Code with powers and duties equal to those of the Building Official as found in Section 104 - Organization and Enforcement thereof, but only as such powers and duties relate to enforcement of said Chapters 18, 33 and Appendix J.

Existing Restrictions/Standards:

The Grading Official shall not issue a permit where it is determined that the work as proposed by the applicant is liable to endanger private property or interfere with an existing drainage course. If it can be shown to the satisfaction of the Grading Official that the hazard can be essentially eliminated by the construction of retaining structures, buttress fills, drainage devices, or other means, the Grading Official may issue the permit with the condition that such protective work be performed.

All grading in excess of one thousand (1,000) cubic yards shall be performed in accordance with the approved Grading Plan prepared by a Civil Engineer, and shall be designated as

"engineered grading". Grading involving less than one thousand (1,000) cubic yards shall be designated "regular grading" unless the permittee, with the approval of the Grading Official, chooses to have the grading performed as "engineered grading". The Grading Official may designate grading in excess of one thousand (1,000) cubic yards as "regular grading" if he determines such designation will be in the public welfare.

Terrace widths and spacing for cut and fill slopes greater than one hundred-twenty feet (120') in height shall be designed by the Civil Engineer and approved by the Grading Official. Suitable access shall be provided to permit proper cleaning and maintenance.

The general comments pertinent to grading and landscaping in the General Plan are backed up by greater specifics in the County Grading Ordinance and other applicable ordinances. Section 15.28 of the Ordinance Code is provided in the attachments. Other Sections pertaining to grading in the Grading Ordinance, such as 15.48.031 Methods of reducing flood losses, refer to Section 15.28.

Fresno County General Plan Policies Related to Land Development:

Policy LU-B.11: The County shall require that new development requiring a County discretionary permit be planned and designed to maintain the scenic open space character of rangelands including view corridors of highways. New development shall utilize natural landforms and vegetation in the least visually disruptive way possible, and use design, construction and maintenance techniques that minimize the visibility of structures on hillsides, ridgelines, steep slopes, and canyons.

Policy LU-B.12: The County shall require a preliminary soils report for discretionary development projects when the project site is subject to moderate or high risk landslide potential and has slopes in excess of fifteen (15) percent. If the preliminary soil report indicates soil conditions could be unstable, a detailed geologic report by a registered geologist and registered civil engineer, or a registered engineering geologist, shall be required indicating the suitability of any proposed or additional development.

Policy LU-B.13: In conjunction with environmental reviews under CEQA, the County shall require applicants to identify biological resources to determine if there are sensitive and/or important flora and fauna that require special protection measures.

Policy OS-F.1: The County shall encourage landowners and developers to preserve the integrity of existing terrain and natural vegetation in visually-sensitive areas such as hillsides and ridges, and along important transportation corridors, consistent with fire hazard and property line clearing requirements.

Policy OS-F.2: The County shall require developers to use native and compatible non-native plant species, especially drought-resistant species, to the extent possible, in fulfilling landscaping requirements imposed as conditions of discretionary permit approval or for project mitigation.

Policy OS-F.3: The County shall support the preservation of significant areas of natural vegetation, including, but not limited to, oak woodlands, riparian areas, and vernal pools.

Policy OS-F.4: The County shall ensure that landmark trees are preserved and protected whenever possible.

Policy OS-F.5: The County shall establish procedures for identifying and preserving rare, threatened, and endangered plant species that may be adversely affected by public or private development projects. As part of this process, the County shall require, as part of the environmental review process, a biological resources evaluation of the project site by a qualified biologist.

The evaluation shall be based on field reconnaissance performed at the appropriate time of year to determine the presence or absence of significant plant resources and/or special-status plant species. Such evaluation shall consider the potential for significant impact on these resources and shall either identify feasible mitigation measures or indicate why mitigation is not feasible.

Policy OS-F.6: The County shall require that development on hillsides be limited to maintain valuable natural vegetation, especially forests and open grasslands, and to control erosion.

Policy OS-F.7: The County shall require developers to take into account a site's natural topography with respect to the design and siting of all physical improvements in order to minimize grading.

Policy OS-F.8: The County should encourage landowners to maintain natural vegetation or plant suitable vegetation along fence lines, drainage and irrigation ditches and on unused or marginal land for the benefit of wildlife.

Policy OS-F.10: The County shall require that new developments preserve natural woodlands to the maximum extent possible.

Policy OS-F.11: The County shall promote the preservation and management of oak woodlands by encouraging landowners to follow the Fresno County Oak Management Guidelines shown below and to prepare an Oak Management Plan for their property.

PART VII

Caltrans Corridor Protection Program Element No. 5

The Design and Appearance of Structures and Equipment (i.e., design review authority and regulations for the placement of utility structures, microwave receptors, wireless communication towers, etc.)

Various Zoning Ordinance sections reference electric transmission lines and equipment. Within the proposed State Officially Designated Scenic Highway corridor, properties zoned as General Agricultural (Section 819.2), AE (Section 816.2), AL (Section 817.2) requires a Director Review and Approval for electric transmission lines. Properties zoned R-R (Section 820.3), or R-A (Section 821.3) require Conditional Use Permit (CUP) approval for Electric Distribution Stations. Property zoned C-6 General Commercial, allows Electric Distribution Stations per Section 838.1.

Fresno County Municipal Code Section 15.44 Underground Utility District, states in Section 15.44.020 "The Fresno County Board of Supervisors may from time to time call public hearings to ascertain whether the public necessity, health, safety or welfare requires the removal of poles, overhead wires and associated overhead structures within designated areas of the unincorporated area of the county and the underground installation of wires and facilities for supplying electric, communication or similar or associated service."

Section 15.44.030 states, "...in part If, after any such public hearing, the board finds that the public necessity, health, safety or welfare requires such removal and such underground installation within a designated area, the board shall, by resolution, declare such designated area an underground utility district and order such removal and underground installation."

Fresno County Municipal Code Section 17.48.380 Improvements—Utilities, states

- A. All new utilities shall be placed underground.
- B. All existing overhead utilities within the tract, or the street right-of-way adjacent to the tract, shall be removed and placed underground, except as follows:
 - 1. Existing utilities serving rental apartment units which are being converted to condominiums, stock cooperatives, or community apartments;
 - 2. Existing electrical transmission utilities (power lines) which transmit electrical energy from the-source of such energy to a transmission station or substation, or from a transmission station or substation to a distribution station or substation;

3. Existing utilities which are scheduled to be placed underground in a five-year underground utility district program approved by the board;
 4. Existing utilities in the street right-of-way adjacent to the tract where the frontage in which the utilities are located is less than one thousand three hundred twenty feet and developed properties in either direction from the subject tract are served by such utilities.
- C. All utilities shall be placed underground in accordance with the requirements of the utility concerned in either county street easements or appropriate utility easements. When utilities are installed in county street easements, they shall be laid subject to Section 17.48.440.

Fresno County General Plan Policies Regarding Rural Residential Development:

Policy LU-E.11: The County shall require subdividers of rural residential lots to install, provide, or participate in an effective means for utilization of available surface water entitlements for the area included in the subdivision, such as:

- a. Facilities to deliver surface water to each parcel;
- b. To develop a single recharge basin for the entire development (with necessary arrangements for its operation and maintenance); or
- c. To participate in the activities of a public agency to recharge the available supplies for the beneficial use of the properties within the development and the FCMA. The division shall not render inoperative any existing canal.

Policy LU-E.12: The County shall ensure through discretionary permit approvals and other development regulations that development within areas designated Rural Residential does not encroach upon natural water channels or restrict natural water channels in such a way as to increase potential flooding damage. Land divisions shall not render inoperative any existing canal.

Fresno County General Plan Policies Regarding Foothill Rural Residential Development

Policy LU-E.20: Except as provided in this section, development within areas designated Foothill Rural Residential shall comply with the policies and standards of the Sierra-North Regional Plan and the Sierra-South Regional Plan.

Sierra South Regional Plan Land Use Policies

9.02j: The following aesthetic standards shall serve as a guide for rural residential development:

1. The open scenic quality as seen from major roadways should be maintained by screening the development with topographic or native vegetative features of the site.
2. Access roads to areas of new development should be designed to minimize their impact on the environment and be adequate to accommodate existing and anticipated future traffic, including school buses and emergency vehicles.

9.02k: To minimize the number of driveways entering major traffic arteries, development should be directed to side roads or common driveways.

9.02l: Private roads shall not have more than one connection to a public road and shall not exceed 1/2 mile in length.

9.02m: Natural water courses shall not be altered or natural flow restricted in such a way as to increase potential flooding damage. Development and improvements should be discouraged near watercourses, lakes, or meadows.

9.04a: New industrial development associated with mineral extraction or timber production operations may be allowed if developed in a manner that will not have a detrimental effect on property and improvements in the area, subject to the policies of Section 406-01:11.04.

Section 406-01:11.04, Industrial Policies (Mountain Urban)

- a. New industrial development may be allowed, subject to the following criteria; which lists eight criteria, the following being relevant here:

Criterion 2: Heavy industrial uses which place heavy demands on water and sewer systems are generally not appropriate.

Criterion 5: Outside storage shall not be visible from any public roadway.

Criterion 7: For development adjacent to a Scenic Highway, the provisions of Section 304 (Scenic Highways) of the General Plan shall apply.

Building Codes and Enforcement:

Uniform Building Codes and Fresno County Title 15 regulate new construction and substantial rehabilitation of structures. These codes include the building, plumbing, electrical and mechanical codes. The building codes establish minimum standards and specifications for structural soundness, safety, and occupancy. Fresno County enforces the most recent editions of the California Building, Plumbing, Mechanical, and Electrical Codes. In 2013 the

County updated Title 15 of its Ordinance Code, adopting by reference the California Codes and defining the County's administrative processes, safety protections, and specific County provisions for construction. The building codes enforced by the County are typical of those enforced throughout the State.

The Fresno County Department of Public Works and Planning is responsible for the County's enforcement of the California Building Code. Building Code enforcement is conducted through scheduled inspections of new construction, remodeling and rehabilitation projects to ensure compliance with health and safety standards. Inspections are also conducted in response to public complaints or an inspector's observation that construction is occurring without proper permits.

Code enforcement on existing construction is limited to correction of violations brought to light through complaint or similar community activity. Like many jurisdictions, Fresno County's resources for proactive code enforcement are severely limited. Violation correction typically results in code compliance without adverse effects upon the availability or affordability of the housing units involved.

The Code Enforcement Unit of the Development Services Division also investigates land use violations and uses procedures adopted by the Board of Supervisors to eradicate violations.

Site Improvements

Site improvements are regulated by the County Subdivision Ordinance and through conditions and standards imposed through the County Site Plan Review process. Site improvements include such things as required access, off-street parking, landscaping, walls, fences, sewerage and water systems, etc.

Agricultural Land Protection:

The General Plan seeks to protect its productive agricultural land as the County's most valuable natural resource and the historical basis of its economy through directing new urban growth to cities and existing unincorporated communities and by limiting the encroachment of incompatible development upon agricultural areas.

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