

11. Scenic Resources

GOALS, POLICIES AND IMPLEMENTATION MEASURES

GOAL N-23: Scenic resources of high quality which will continue to be enjoyed by residents and visitors and which will continue to be an asset to the reputation and economic resources of Lassen County.

NR78 POLICY: The County has identified areas of scenic importance and sensitivity along state highways and major County roads and has designated those areas as "Scenic Corridors". (Refer to the General Plan land use map and related designations in various area plans, which may also be regarded as "scenic highway corridors".) The County will develop and enforce policies and regulations to protect areas designated as scenic corridors from unjustified levels of visual deterioration.

Implementation Measures:

NR-U The County shall adopt policies to minimize adverse impacts which will significantly deteriorate the scenic qualities of visually sensitive areas.

NR-V Areas designated and zoned for development in scenic corridors shall be zoned as "Design Review Combining Districts" or otherwise regulated to require review and management by the County of the visual impacts of proposed development.

NR79 POLICY: The County shall continue to use "Design Review Combining Districts" to review the visual impacts of development in designated areas to minimize significant adverse impacts.

Implementation Measure:

NR-W The County shall adopt design and development standards for use in "Design Review" areas and scenic corridors to guide the consideration and management of potential significant impacts to scenic resources.

NR80 POLICY: In the course of adopting policies pertaining to scenic resources in other general plan elements and area plans, the County may consider additional and more particular policies and measures to protect scenic resources and prevent or reduce the adverse visual impacts of development in visually sensitive areas.

GOAL N-24: Protection of the scenic qualities of the county's night sky.

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NR81 POLICY: The County shall maintain and enforce policies, development standards and mitigation measures to control lighting generated by development and to minimize the unnecessary adverse impacts of such lighting in the vicinity of the development and on the general scenic qualities of the night sky in the area.

NR82 POLICY: The County will encourage projects within Lassen County but outside the County's jurisdictional authority to include provisions to minimize the adverse intrusion of lighting on the surrounding area and the night sky in general.

SCENIC RESOURCES BACKGROUND:

There are no "State Scenic Highways" designated by the State of California in Lassen County. There are also no official "County Scenic Highways", as recognized by the state.

In 1993, the Lassen Scenic Byway was recognized as part of the National Scenic Byway System. This route encompasses a series of highways which form a loop through the central portion of the Lassen National Forest. It includes portions of Highway 36, Highway 44, Highway 89 (including the segment of the highway through Lassen Volcanic National Park), and Highway 147. In Lassen County, the Lassen Scenic Byway includes the section of Highway 44 between the Shasta County line and Highway 36, Highway 36 between its intersection with 44 and the Plumas County line near Westwood, and, as part of an alternate loop around Lake Almanor, a short portion of Highway 147 from Highway 36 through Clear Creek to the Plumas County line.

Although the County has not participated in the State's scenic highway program, it has adopted a number of policies related to recognizing scenic highway corridors and implementing protective measures. Lassen County's 1968 General Plan land use map identified broad "Scenic Highway Corridors" along all state highways, several county roads, and even along some roads that were in the planning stages and which have never been constructed or improved. In the text of the General Plan, the following observations and recommendations were included: (Pages 31, 32)

The basic resource of the recreation industry in Lassen County is its natural scenic quality. The quality must be protected, enhanced and appropriately exploited.

The scenic highway includes the road itself and its right-of-way and the scenic areas traversed as visible from the highway. Thus the scenic corridor in which control should be exerted will vary in width in relation to sight distance from the road.

The concept of Scenic Highways does not preclude development from occurring within the corridor covered by protective regulations. Appropriate uses along Scenic Highways can include grazing and other agriculture, homes for permanent and seasonal residents and, in planned locations, motels, restaurants and certain other commercial services. However, these basic principles should guide all development within the areas visible from the Scenic Highways:

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The intensity and location of development should not impair natural scenic qualities.

The design of all development should be in character with the natural surroundings.

Where some attribute, physical or historic, indicates that an area should be left in its existing or natural state, public ownership or other rights should be acquired to insure preservation.

The County should adopt an official County Scenic Highway designation for the routes specified. All uses along these routes or visible from them should be subject to special standards and controls which will achieve the broad goals of preserving the scenic qualities of Lassen County. (Page 32)

In the process of preparing area plans since 1982, the County has utilized an evaluation system to classify scenic resources. The class designations combine several evaluation elements including: judgement of inherent scenic quality, character and diversification; sensitivity in regards to the amount and type of public exposure to the particular landscape; the distance at which the landscape is perceived (foreground, middle ground, or background); and the existing extent to which an area's scenic quality has already been impacted. Although the classification system is admittedly subjective, it provides the County with a vocabulary to describe scenic resource values and to determine if and when disturbance of the landscape will result in deterioration of those values.

The first three classifications, Classes I through III, are relative to each other and are employed to highlight landscapes having the most significant scenic resource values. The fourth classification, Class IV, is used to indicate areas in which visual elements are related more to urban-type development than to essentially natural landscape oriented scenic elements. The following discussion addresses the scenic elements within each classification:

Class I: This classification is given to areas having the greatest scenic resource value because of one or more of the following features:

1. Contains distinctive landscape feature(s).
2. Is subject to significant amounts of public exposure, especially in foreground and middleground zones (i.e., along State or U.S. highways).
3. Large percentage of observers have high expectations and sensitivity for scenic quality (e.g., recreational tourists).

Class II: These areas have one or both of the following scenic resource characteristics:

1. Scenic value relatively common to the region.

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2. Average sensitivity due to location near local travel routes and residential areas.

The scenic values of Class II areas are more-or-less common or characteristic of the region. Public exposure may be considerable, but the areas fall into a far middleground or background distance zone.

Class III: These areas have one or both of the following scenic resource:

1. Landscapes have relatively minimal scenic distinction from average scenery characteristics of the region.
2. Have low visual sensitivity because of very low levels of public exposure due to isolation of the area.

Because of topography and the lack of roads in these areas, the Class III areas have relatively minor amounts of public exposure. Landforms and vegetation are also generally common to the immediate region and generally lack distinctive scenic features.

Class IV: Class IV areas are generally "urbanized" to the extent that qualities of the natural landscape are largely secondary, visually, to the urban landscape. Visual elements are related largely to structural improvements or other man-made elements including such features as subdivisions, shopping centers, and industrial areas (unless the man-made element is of significant scenic value, e.g., a golf course or reservoir).

Design Review Districts

Chapter 18.86 of the Lassen County Code contains regulations for the "D, Design Combining District".

The intent of the design combining district is to ensure that buildings, structures, fences and other substantial external improvements in designated areas shall be designed and constructed so as not to be of unsightly, undesirable, or obnoxious appearance to the extent that they will hinder the orderly and harmonious development of the neighborhood or of the county in general, or otherwise affect the general prosperity and welfare.

In any district with which is combined a "D" combining district, new structures require design review approval pursuant to the requirements contained in Chapter 18.118 of the County Code. Design approval is also required in a variety of commercial and industrial zones, and may be required as a condition of a use permit or planned development permit.

Design review districts typically pertain more to urban types of development than to natural resource areas. However, such districts may be used to minimize the impacts of development on scenic areas.

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The night sky of Lassen County is felt by many people to be an important and sensitive scenic resource of the area. With the introduction and expansion of development projects in rural areas (e.g., the Correctional Center, power plants, car dealerships, etc.), there is increasing concern over the visual impacts and the adverse effects that extensive lighting has on the county's scenic night sky. The glare of lighting from large developments can sometimes be seen for miles around and fades the brilliance of the moon and stars. Concerns have also been expressed that lighting which extends beyond the development site is an intrusion on the peace and privacy of affected people in the vicinity and sometimes of people miles away. The County recognizes that well-lighted areas are often important for safety and security. The County has frequently imposed conditions of approval on projects to require shielding of lights and other measures to provide that lighting is, as much as possible, directed to the areas where it is needed and the adverse effects on the surrounding area is reduced.

of smooth, trowelled surfaces and glossy paint shall be avoided. These standards shall be incorporated into development CC&Rs and implemented as part of the Project Compliance Report for each development phase.

Recommended Mitigation

No additional mitigation is recommended.

Increase in Light and Glare

Proposed Mitigation

Mitigation Measure 15.3a: The project applicant shall implement *Mitigation Measure 15.1a* which requires that new structures be partially screened to protect views from the reservoir and shoreline. Screening will minimize views of structures as well as associated lighting. The Project Compliance Report for each development phase shall demonstrate compliance with this measure.

Recommended Mitigation

Mitigation Measure 15.3b: The project applicant shall apply minimal lighting standards to minimize project-related light and glare to the maximum extent feasible, consistent with safety considerations. The Development Manual for the Dyer Mountain Resort shall include lighting standards as required by this mitigation measure, including maximum standards for light “spillage.” Compliance with the lighting standards shall be demonstrated in the Project Compliance Report submitted for each development phase. Specifically, the Development Manual lighting standards shall include the following measures:

Lights shall be installed at the lowest allowable height;

Color-corrected halide lights shall be used rather than low-pressure sodium lights;

The lowest allowable wattage shall be used for parking lot and roadway lighting;

Lights shall be screened and directed away from the night sky and the town of Westwood to the maximum extent possible;

The number of nighttime lights used shall be minimized;

Light fixtures shall be made of galvanized steel (that will oxidize naturally shortly following installation and will not cause reflective daytime glare) or other nonreflective surface.

Chapter 18.108 SPECIAL PROVISIONS

18.108.155 Lighting.

http://qcode.us/codes/lassencounty/view.php?topic=18-18_108-18_108_155&frames=on-startContent#startContent

Unless otherwise provided in this title, the following lighting requirements shall apply: all lighting, exterior and interior, shall be designed and located so as to confine direct lighting to the premises. A light source shall not shine upon or illuminate directly on any surface other than the area required to be lighted. No lighting shall be of the type or in a location so as to constitute a hazard to vehicular traffic, either on private property or on abutting streets. (Ord. 467-AC § 28 (part), 2003).

5.12.170 Lighting.

http://qcode.us/codes/lassencounty/view.php?topic=5-5_12-5_12_170&frames=on-startContent#startContent

If the hours during which the outdoor festival can be held as provided in the license are such that any portion thereof is between sunset of one day and sunrise the following day or the license permits any participant to remain overnight, the licensee shall provide such lighting, including the location of all light standards and electrical switches as the county engineer finds necessary for public safety and welfare. (Ord. 337-A § 2-4(B)(6), 1976; Ord. 337 (part), 1959).

Chapter 18.33 C-R COMMERCIAL-RESIDENTIAL DISTRICT

18.94.040 Site development plan requirements.

http://qcode.us/codes/lassencounty/view.php?topic=18-18_94-18_94_040&frames=on-startContent#startContent

Site development plan requirements in an NH district shall be as follows:

(1) In any district with which is combined an NH district, approval of a site development plan shall be required in conjunction with any application subject to approval by county agencies including, but not limited to, building permits, use permits, subdivision and parcel map applications.

(2) Any such site development plan shall be considerate of and compatible with identified wildlife resources, the general plan or applicable area plan. Such development shall also be considerate of existing neighboring applications.

(3) Such site development plan shall accompany a submitted development application and shall show: (A) Parcel dimensions and parcel size;

(B) Existing improvements;

(C) Proposed locations, sizes, and types of rights-of-way, easements, utility line routes, roads, fences, and outdoor lighting;

(D) Proposed size and distribution of structures; and

(E) Proposed level of site disturbance, including tree and brush removal, earth removal, topographic changes, waterway alterations, and other considerations.

(4) The fee for such review and necessary appeals shall be established by the board of supervisors. (Ord. 467 § 63 (part), 1984).

18.33.060 Special provisions.

http://qcode.us/codes/lassencounty/view.php?topic=18-18_33-18_33_060&highlightWords=Lighting+night&frames=on - startContent#startContent

The following standards shall apply to new construction; or to exterior rehabilitation, remodeling or additions to existing structures (except registered historic buildings). These provisions shall be applied at such time as building permits are sought.

(1) Architectural Design Standards.

(A) All development in the C-R district shall be subject to design review in accordance with Chapter 18.118 of this title.

(B) All design proposals shall be reviewed by the architectural review committee (ARC). New building or exterior rehabilitation shall comply with the standards developed for the area. Interior improvements shall not be subject to design review.

(C) All permanent roof-mounted mechanical equipment shall be screened from abutting roadways and ground level residential areas. Screening elements shall be integrated with main structural or architectural features.

(D) A uniform architectural design shall be provided with full treatments for all sides exposed to public view and surrounding residential uses.

(2) Landscaping.

(A) New buildings constructed after the effective date of the ordinance codified in this chapter shall be landscaped in accordance with Section 18.108.145 of this title. For existing buildings, no additional landscaping is required unless and until the exterior of such existing buildings are rehabilitated, remodeled or enlarged.

(B) Additions to existing buildings may meet required landscaping as follows:

Landscaping credit may be given for additions by incorporating certain architectural features depicting the adopted theme, if any, or features consistent with the architectural standards for the area. Such features may include but are not limited to:

- (i) Window boxes for flower planting;
- (ii) Awnings;
- (iii) Enriched paving, such as cobblestone or decorative tile;
- (iv) Entryway planting;
- (v) Interior plantings in atriums or common areas;
- (vi) Theme lighting;
- (vii) Other features as approved.

(3) Lighting.

(A) All on-site outdoor lighting systems shall use fixtures and architectural devices that are complimentary to the architectural theme of the building or the area (if not associated with a particular building). On-site lighting shall provide down-lighting and lighting that is shielded from abutting public streets, residential areas and uses, and adjoining properties. Decorative fixtures are encouraged.

(B) Lighting at locations such as parking lots, walkways, etc., used from dusk to dawn shall be provided in conformance with subsection (3)(a) of this section and Section 18.108.155 of this title.

(4) Parking and Access.

(A) For new structures the number of parking spaces shall be provided as required in Chapter 18.104. Structures or businesses that existed prior to the effective date of said ordinance shall not be required to provide additional parking and, upon substantiating to the community development director that existing parking is adequate and/or additional area for parking is not available, may be reconstructed if destroyed (as may otherwise be allowed) without providing additional parking.

(B) Notwithstanding any other provisions of the county code, the number of required parking spaces shall be met by any combination of the methods below. The proposed parking method(s) shall be submitted for review in conjunction with the project application:

(i) On-site parking;

(ii) Public parking lots or structures within one thousand feet of the nearest point of the subject property, provided no unsafe conditions (e.g., railroad crossings or highways) exist between the property and the proposed parking lot;

(iii) Off-site private parking within one thousand feet of the nearest point of the subject property, provided no unsafe conditions (e.g., railroad crossings or highways) exist between the property and the proposed parking area.

(5) Sidewalk Cafés.

(A) Location Requirements.

(i) A sidewalk café, where permitted, may be located on the public right-of-way, but only adjacent to the restaurant from which it is served. Location within the public right-of-way will require issuance of an encroachment permit;

(ii) Clear Space. All sidewalk cafés must leave clear space for pedestrian movement between the outer edge of the café and the curb line. Sidewalk cafés located at street intersections shall provide corner clearance by providing a fifteen-foot clear space radial to the corner. If pedestrian traffic is especially heavy, the county may require additional clear space as required to ensure adequate pedestrian movements; and

(iii) No sidewalk café may be located within fifteen feet of a bus stop or bus shelter.

(B) Physical Design Requirements.

(i) All furnishings of the sidewalk café including, but not limited to, tables, chairs and decorative accessories, shall be readily movable.

(ii) No part of a sidewalk café may be permanently attached to public space. The operator shall be responsible for the repair of any damage done to public property, related to the café.

(iii) Sidewalk cafés shall not be arranged so as to restrict the use of emergency exits, fire escapes on adjacent buildings and access to fire hydrants.

(iv) Umbrellas must be kept in good repair and can only be used where space permits.

(v) Lighting Provisions. Freestanding lamps are not permitted. Flashing or moving lights are not permitted.

(vi) Awnings must be kept in good repair.

(vii) Seating and accessories and other components of the sidewalk café shall be maintained in a neat and safe manner.

(viii) The height of a railing, fence, or planter (including plantings) used to establish boundaries of seating areas shall be at least twenty-four inches in height but not higher than thirty-six inches.

(ix) For any café operating within the public right-of-way, general and public liability insurance shall be provided, in an amount required by the county, and naming the county as additional insured. A certificate naming the county as additional insured shall be provided to the county and kept in full force and effect by operator for the life of the use.

(C) Café Operation Requirements.

(i) Sidewalk cafés must be operated and maintained in accordance with the provisions of this chapter, and all applicable provisions of this title.

(ii) The café owner shall ensure removal of all wrappings, litter and food. Similarly, thorough and sanitary cleaning each day after the café closes shall be the responsibility of the café owner.

(6) On-Site Advertising Signs.

(A) All signs as permitted in Chapter 18.106.020(7).

(B) Canopies bearing signs are allowed, subject to the following:

(i) For purposes of including signs on awnings in the C-R zone, awnings shall be considered as canopy signs as defined in Section 18.114.215, and

(ii) The following additional conditions shall apply to awnings in the C-R zone:

a. A building permit shall be obtained from the county building division prior to installation of any awning and prior to any change in awning covering,

b. Awnings shall have noncombustible frames and flame retardant coverings,

c. All portions of any awning at the ground floor level shall have a minimum clearance of eight feet in height;

(iii) The total sign area of an awning must be included when calculating the amount of sign area for the property according to provisions contained in Chapter 18.106;

(iv) The content, lettering, location, size, number, color and material of awnings and canopy signs shall be complimentary to the building or structure to which it (they) is (are) attached;

(v) Canopy signs must be reviewed and approved by the design review committee before a permit can be issued for the awning and sign;

(vi) Permits required for signs shall be as prescribed in Chapter 18.106.020(7), and the following elements shall be required for all sign permit applications;

- a. Color rendering of the sign,
- b. Location of the sign on the building by use of a full rendering or color photograph with the sign location outlined on it to scale,
- c. The size and dimensions of the sign and the materials to be utilized,
- d. An indication of whether the sign will be illuminated, and if so, whether illumination will be direct or indirect, and
- e. Samples of materials to be used;

(vii) The approval or denial of the proposed sign (or modification of an existing sign) will be based on the following factors:

- a. The sign's compatibility with the building and use, and with other buildings and uses in the same vicinity,
- b. The sign's compliance with the county code provisions regulating signs, and
- c. The sign's compliance with the provisions of any redevelopment or area plan adopted for the area.

(7) Refuse Enclosures and Containment.

(A) All commercial and multiple-family uses, including residential uses above commercial or office buildings shall provide refuse containers and enclosures that screen the refuse containers from public view. Any solid masonry or concrete enclosures shall be finished in textures and colors to match the major architectural features of the primary structure.

(B) All refuse containment areas shall be maintained in a sanitary manner, and enclosures.