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## SECTION 5 - SCENIC HIGHWAYS

### INTRODUCTION

The California State Scenic Highways Program was established by the State Legislature through Senate Bill No. 1467 (Farr) in 1963. This Bill established the Scenic Highway Advisory Committee as the State's primary policy body for recommending program criteria to be used in reviewing local applications and recommending approval of official Scenic Highway designations.

The State Master Plan for Scenic Highways, also adopted by the Legislature in the early 1960's, identifies those highways that are eligible for official designation. Based on Statewide public hearings, the Advisory Committee has established the basic procedure and required planning actions that local governments must take in order to achieve official designations for their eligible scenic highways.

If the legislative body of the local jurisdiction does not wish to seek official designation of its eligible highways that is its choice to make. However, planning policies should still be adopted which control development around and maintain the scenic quality of these highways; these policies will protect an important economic and environmental resource of Tulare County.

In order to assure local planning for scenic routes, Section 65302 of the California Government Code was amended in 1969 to include a Scenic Highways Element as a mandatory element of the general plans of counties and general law cities. It is intended that this Scenic Highways Element meet the mandatory requirement of the Government Code.

### **Goal 5.A. To protect scenic routes in Tulare County.**

#### **Policies:**

- 5.A.1. Adopt this General Plan element which delineates local scenic routes and offers protection measures for those routes.
- 5.A.2. Prepare a sign or billboard ordinance for adoption along locally designated scenic routes that basically accomplishes the following:
  - Formulates a timed program for eventual elimination of existing off-premise (billboard) advertising. Approved information panels are accepted.
  - For outdoor advertising that is necessary, such signs will be placed according to standards adopted by the Board of Supervisors.
- 5.A.3. Enforce existing land use regulations and update zoning and subdivision ordinances as necessary to fully protect property abutting scenic routes. (See official zoning maps on file in the Tulare county Planning Department for existing zoning.)

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**Implementation Programs:**

## 5.AI.1. State Scenic Highway Designation

As indicated earlier, the State makes provision for designation of official Statewide scenic highways. The burden of initiating proceedings for such designation and for imposing appropriate land use controls, however, rests with local government. The following steps must be taken:

- a. The State Legislature incorporates a given State route into the Master Plan of State Highways Eligible for Official Scenic Highway Designation (hereinafter called the State Master Plan for Scenic Highways) if it is not already so included.

This action is based on recommendation by the State Scenic Highway Advisory Committee and only identifies eligibility for designation. It does not confer actual scenic highway status. At the present time, only Highway 198 and a portion of Highway 190 are included in this Master Plan.

- b. The local legislative body (Board of Supervisors or City Council) having jurisdiction over lands adjacent to the eligible route request (by resolution) the District Director of Transportation to prepare a Scenic Highway Report on the subject route consisting of a (1) corridor survey and (2) facility study. The report includes the following:

- Suggested scenic corridor boundaries.
- Scenic elements within the suggested corridor.
- The relationship of the roadway to its surrounding environment.
- Proposed realignments or improvements of the route.
- Potential locations of roadside rests, vista points, and areas for public or commercial information sites.

The Report is prepared in cooperation with the local agency, including input from interested citizen groups and property owners. It presupposes that the local agency has already adopted a Scenic Highways Element of the General Plan.

- c. Following completion of the Scenic Highway Report by Caltrans, the local agency prepares its program to protect and enhance the scenic corridor as described in the Scenic Highway Report. This program must provide for the following:

- Regulation of land use which may include density and/or intensity of development;
- Detailed land and site planning;
- Control of outdoor advertising;

- Careful attention to and control of earthmoving and landscaping; and
- Design and appearance of structures

Again, community input should be solicited in this phase of the procedure.

- d. Upon adoption of the Program, the local agency makes written request to the District Director of Transportation for official designation of the scenic highway. If the local agency’s program is acceptable, the State Director of Transportation, again upon recommendation of the Scenic Highway Advisory Committee, officially designates the route as a scenic highway.

Caltrans then shows the highway in all department publications and maps, and erects appropriate marker signs along the route. (These signs are an orange poppy on a mountain background done in two shades of blue.)

When applied to a proposed State highway, this program can serve as a vehicle for State/local cooperation in the design and alignment of the highway. When it is applied to an existing State highway, however, the benefit is largely to the County. It, in effect, serves as an inducement for local governments to protect scenic qualities adjacent to State highways in exchange for State “accreditation.” While the program is thus worthy of serious consideration, it is not absolutely essential in order to provide protected scenic routes in Tulare County.

#### 5.AI.2. County Scenic Highway Designation

County highways shown as “Scenic Routes” in this Element may also be designated “official” by the State and receive appropriate marker signs. In this case, application by the County Board of Supervisors is made to the State Director of Caltrans. All standards prescribed for designation of State highways apply here except that inclusion in the local General Plan replaces the requirement for inclusion in the State Master Plan for Scenic Highways; also, the Scenic Highway Report, mentioned before, is prepared by the local planning agency rather than the District Director of Transportation.

#### 5.AI.3. Subdivision Regulations

An addition to the Tulare County Ordinance Code for subdivision control specifically along scenic routes should be adopted as soon as possible. Consideration should be given in this ordinance for the following, as they relate to subdivisions allowed only along specifically designated scenic routes:

- Limiting of cut and fill
- Tree preservation and/or replanting

- Bank seeding and planting
- Low density use of steep land
- Cluster development (P.U.D.)
- Setback from scenic route
- Setback from waters' edges
- Easement dedications
- Screening from view on scenic route
- Road design standards
- Underground utilities
- Other environmental considerations

It must be remembered that these provisions only apply to subdivisions allowed to develop along designated scenic routes.

#### 5.AI.4. Land Use/Zoning Implementation Measures

There are two land use/zoning tools that should be considered to fully protect the scenic routes. Neither of these require an outlay of public funds; both are in harmony and conformance with existing zoning regulations. They simply create regulations in response to the specific need to protect scenic routes. They are as follows:

- Addition to the Zoning Ordinance of a Scenic Corridor (SC) Overlay Zone along scenic routes.
- Adoption of a Sign/Billboard Ordinance Section to control advertising along scenic routes.

These tools can be accomplished as two separate procedures, or the billboard restrictions can be included as part of the Scenic Corridor (SC) Overlay Zone. The latter would be the most efficient way to utilize these implementation tools. These measures are described as follows in a combined form in the interests of simplicity and clarity:

#### 5.AI.5. Scenic Corridor (SC) Overlay Zone

Scenic corridor zoning is the primary means of corridor protection. The provisions needed will vary according to the location of the specific route.

In preparation of a scenic corridor zoning ordinance, it should be kept in mind that its intent is to preserve the scenic quality of the immediately visible land area and to prevent visual obstruction of the extended view. In rural corridors, this may mean the exclusion of high intensity land uses; this appears to be in keeping with the development history of properties along these routes. If such a zoning district should be established in Tulare County, it could be done by incorporating a base

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zone for rural areas which would control land use as well as site development. A combining zone might be incorporated for urbanized areas. This would be primarily aimed at architectural and site control to preserve an unobstructed view of and enrich scenic resources within the corridor.

A scenic corridor zoning ordinance for effectuating provisions of this Element should include the following provisions:

- Architectural Review -- Design standards so that building and other structures incompatible with significant features of either the urban or rural environment will be controlled.
- Site Plan Review -- Layout and landscaping of all development regulated so that the scenic quality of the area is not destroyed. This might include the screening of subdivisions from the roadway, depressed parking areas and other procedures discussed previously in the subdivision control section of this chapter.
- Land Use -- In rural areas, permitted land uses limited to single-family residential, agriculture, parks, trails, open space, and other appropriate uses. A conditional use permit may be utilized for certain uses, including compatible commercial.
- Building Heights -- Regulation of building height so that scenic resources are not visually obstructed.
- Planned Unit Development -- Clustering of development in order to preserve more open space. The number of structures or area covered, however, should not exceed residential density given above in rural corridors, and the already allowable density in urban corridors.
- Historical Preservation -- Both sites and structures of historic interest protected through architectural and site control measures.
- On-premise Signs -- Displays notifying the public of an activity or service provided on-site within the scenic corridor to be of limited size.
- Off-site Outdoor Advertising (billboards) -- Off-site advertising regulated as to placement and size within the scenic corridor.

Many of the above provisions are contained in existing zoning regulations and development review procedures. A corridor zoning ordinance would not supersede existing provisions which meet the same intent.

It should be again stressed that this zone would only apply to a designated amount

of footage on either side of the scenic route, and would compile existing regulations into an ordinance which would specifically protect these areas.

5.AI.6. Citizens Advisory Committee

If a citizens advisory committee is utilized, the committee should basically be composed of the following groups of citizens, and should be appointed by the Board of Supervisors;

- Representatives of the Planning Commission.
- Interested citizens from all areas of the County
- Property owners along the designated scenic routes.
- Architects with expertise in design review procedures.

This public input into the planning process ties in explicitly and efficiently with the official State designation program previously discussed. Thus government at the State and local levels can work with the public to protect and important economic and environmental resource – scenic routes in Tulare County.