

§7-7 SCENIC CORRIDOR OVERLAY DISTRICT

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[\[See Commentary\]](#)

§7-7-1 PURPOSE AND INTENT

Motorists sometimes drive for the inherent pleasure of driving. Driving a scenic road should be a pleasurable recreation experience. When a road passes through an attractive landscape, a considerable portion of a motorist's perceptual activity is directed to the roadside environment. The visual character of a road depends on a number of factors, some of which cannot be significantly modified (e.g., physiography), while others such as land use are more readily subject to change. It is the intent of this Resolution [Ordinance] to protect the views from the road to natural conditions, archaeological sites and other features with historic quality. This Resolution [Ordinance] is also intended to regulate land uses so that they will complement rather than detract from a scenic experience. It is also intended to provide tree canopies and to preserve rural character.

§7-7-2 DEFINITIONS

Archaeological site: Ruins, artifacts, structural remains and other resources of types that cannot be commonly found throughout a region or in other places across the country, and/or physical evidence of historic or prehistoric human life or activity.

Historic quality: Legacies of the past that are distinctly associated with physical elements of the landscape, whether natural or man-made, that are of such historic significance that they educate the viewer and stir appreciation of the past.

Natural quality: Those features of the visual environment, such as geological formations, fossils, landforms, water bodies, vegetation and wildlife, that are in a relatively undisturbed state. There may be evidence of human activity but the natural features reveal minimal disturbances.

Scenic corridor: A roadway and its accompanying right-of-way that offers motorists the unobstructed opportunity to view scenic views and scenic sites in one or more directions, and which usually has a high percentage of open landscape within and alongside it. A corridor may include adjacent private property, depending on the context.

Scenic site: A building, structure, field, resource, natural condition or other feature that has scenic qualities and which has been specifically identified by the county [city] in the natural and historic resources element of its comprehensive plan or other inventory and assessment as worthy of protection because of its scenic qualities.

Scenic view: A scene that offers significant viewing opportunities beyond a maximum distance of one-quarter mile.

Setback: The minimum distance by which any building or improvement must be separated from a right-of-way boundary.

Viewshed: The surface area that can be seen from a specific viewpoint along the road.

§7-7-3 SCENIC CORRIDOR DESIGNATION

There is hereby established one or more scenic corridors as shown on the Scenic Corridor Overlay District Map, which is hereby adopted and made a part of this Resolution [Ordinance]. Development within a designated scenic corridor shall comply with the provisions of this Resolution [Ordinance].

It is the intent that the Scenic Corridor Overlay District shall apply to all properties within 1,000 feet of the following roads and highways:

[Name and describe the extent of the corridor]

[Name and describe the extent of the corridor]

[\[See Commentary\]](#)

§7-7-4 APPLICATION AND EXCEPTIONS

All new development within the Scenic Corridor Overlay District shall comply with the provisions of this Resolution [Ordinance], except that the following shall be exempt from compliance with this Resolution [Ordinance]:

- (a) Farm or agricultural-related structures outside the roadway buffer.
- (b) Single-family dwellings and manufactured homes on an existing lot of record.
- (c) Developments existing on the effective date of this Resolution [Ordinance], provided that expansions or additions to existing development on or after the effective date of this Resolution [Ordinance] shall be subject to compliance with these regulations.

[\[See Commentary\]](#)

§7-7-5 EXISTING CONDITIONS ANALYSIS AND SITE PLAN REQUIRED

Any new development that is required to comply with this Resolution [Ordinance] shall not be approved until the applicant therefore has submitted an existing conditions map and a site plan of the proposed development. When a preliminary plat is required to be filed for a subdivision in accordance with this Code, this Resolution [Ordinance] shall be administered and enforced at the time a preliminary plat is filed as part of the subdivision review process by the Land Use Officer and the Planning Commission. In other cases such as a development permit or building permit, this Resolution [Ordinance] shall be administered and enforced by the Land Use Officer in connection with said permitting process.

[\[See Commentary\]](#)

§7-7-6 SETBACK, BUFFERS, TREES, AND LANDSCAPING

§7-7-6.1 Development Setback. All developments shall maintain a one hundred-foot setback for all buildings, structures and property improvements such as parking lots, except for approved road, driveway and utility crossings.

§7-7-6.2 Roadway Buffer. A roadway buffer of at least forty (40) feet shall be provided within the required development setback, abutting the right-of-way of the scenic corridor. Where existing trees and significant vegetation exist within the roadway buffer, they shall be retained as determined appropriate and directed by the Land Use Officer. Where such existing trees and significant vegetation are sparse, they may require revegetation as directed by the Land Use Officer. Vegetation within a roadway buffer that is required to remain within a roadway buffer may be pruned and/or removed only if necessary to ensure proper sight visibility, remove safety hazards or dying or diseased vegetation, or for other good cause as approved by the Land Use Officer.

§7-7-6.3 Uses Within Roadway Buffer. Signage and other minor accessory features of the development may be included within the roadway buffer if compatible with the purpose of the roadway buffer or essential to the identification of the development, subject to the approval of the Land Use Officer.

§7-7-6.4 Exceptions to Roadway Buffer for Scenic Viewshed Protection. When the application of the roadway buffer requirement of this Resolution [Ordinance] would have the practical effect of screening from view important scenic sites, natural qualities or historic qualities, the Land Use Officer may permit a modification of these provisions so that views of such sites or qualities are retained. The intent of this provision is to preserve lines of sight to view distant scenery from scenic corridors.

§7-7-6.5 Exceptions for Product Viewing. For developments containing commercial uses and which require the display of goods in view from the road, the Land Use Officer may, upon application, permit a modification of the development setback, roadway buffer and screening requirements of this Resolution [Ordinance] to allow for reasonable but limited view of commercial products from the road, provided that no such product view area shall extend more than twenty (20) percent of the total length of the property frontage along the scenic corridor.

§7-7-6.6 Landscaping Plan. A landscaping plan showing all existing and proposed features, including trees, roadway buffer and other relevant features of the landscape within the development setback, shall be required to be approved by the Land Use Officer. Landscaping shall be installed by the development applicant in accordance with the approved landscape plan. Native plant materials are particularly encouraged, although the use of ornamental plant materials (such as azaleas) may be approved by the Land Use Officer if planted in a naturalistic manner and allowed to develop in their natural form.

§7-7-6.7 Tree Requirement. All development subject to this Resolution [Ordinance] shall provide a minimum of one (1) tree for each thirty-five (35) linear feet of road frontage along the scenic corridor. All trees required by this section shall be located within the first fifty (50) feet of the required development setback. All required trees planted within the development setback shall be of a shade-type variety with a minimum caliper of two and one-half (2.5) inches at planting and an expected height at maturity of at least thirty (30) feet.

§7-7-7 PROVISIONS REGARDING BUILDINGS AND STRUCTURES

§7-7-7.1 Screening. To the extent that the required roadway buffer does not provide screening of buildings, structures, parking lots and service and loading zones included in a

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development, except for approved product viewing areas, there shall be additional landscaping, walls, fences, hedges, shrubbery and/or earthen berms to provide the necessary screening.

§7-7-7.2 Height. No building, structure or sign shall exceed the following heights limits, which are designed to have a “step-back” effect to preserve viewsheds. Cross-section drawings showing how proposed structures meet the height requirements of this Resolution [Ordinance] may be required by the Land Use Officer to ensure compliance with this section.

Distance of Area Measured from Road Corridor Right-of-Way	Description of Area	Maximum Height of Building or Structure, if Permitted
0 - 40	Roadway Buffer	10 feet
41 - 100	Development Setback	20 feet
101 - 200	Development Area	35 feet
201 - 300	Development Area	45 feet

§7-7-7.3 Utilities. All utility lines serving uses proposed or developed within the scenic corridor, including electric, telephone, data and cable television, shall be installed underground within the roadway buffer and development setback area. Underground utility trenches must be revegetated. Utility boxes and cabinets that are now or must, by necessity, be located above ground must be shielded from view from the scenic corridor with existing vegetation and/or revegetation. Any above-ground boxes that cannot be buried shall, in addition to being screened by vegetation, shall be painted a neutral or earth tone color or otherwise made to blend in with their surroundings.

§7-7-7.4 Signage. Signs shall be permitted within the roadway buffer required by this Resolution [Ordinance], in accordance with provisions of this Section and subject to the approval of the Land Use Officer. Signs located outside (beyond) the roadway buffer are not subject to the requirements of this section.

- (a) The total sign area of all signage on any one (1) lot shall not exceed sixty-four (64) square feet. A double-faced sign shall be considered a single sign. No more than two signs shall be permitted within the roadway buffer area per lot, except that this limitation shall not apply to signs pertaining to the identification of the scenic corridor and those signs and/or interpretive panels identifying and directing motorists to archaeological sites, historic sites and other similar non-commercial places and features of interest, or showcasing some of the history or other interest in the scenic corridor
- (b) The sign or signs shall be mounted on 4" x 4" wooden posts. The posts and the back of the signs should be painted a single neutral color, such as dark brown, sage green or other approved earth tone or neutral color.
- (c) The main supporting structure of all signs shall be set back at least five (5) feet from the edge of the right-of-way of the scenic corridor.
- (d) No internally illuminated signs shall be permitted, nor shall any flashing, blinking, fluctuating or otherwise changing light source be permitted.

§7-7-7.5 Roads, Driveways and Paths. A road pattern, or characteristics of any road pattern, proposed as part of a development shall be designed and constructed to contribute to the scenic character of the landscape in view. New roads and driveways constructed within the scenic corridor shall not be dominant visually and there should be only a minimal amount of road in view within the roadway buffer. All roads, driveways and paths within the roadway buffer and within the development setback area shall be stabilized but unpaved. The use of asphalt,

concrete or concrete curbing within the roadway buffer and within the development setback area shall be prohibited.

§7-7-7.6 Walls and Fences. Walls within or along the roadway buffer shall not be allowed, except for low-lying decorative stone walls for enhancement of the scenic corridor, or walls that are needed for slope stabilization. Privacy fences shall not be permitted within the roadway buffer or development setback area. Where permitted, walls shall be located so that scenic views are maintained. Walls must consist of natural materials and shall only be of those colors that blend with the vegetation or abutting landscape features.