

Sec. 29-21.2. - District S-R, scenic roadway area overlay.

- (a) Purposes of the Scenic Roadway Area. The S-R scenic roadway area is intended to promote the conservation, preservation and enhancement of the scenic, natural and historic qualities and landscape of scenic roadway areas as well as promoting the health, safety and general welfare of the public. The purposes of the district are:
- (1) To preserve the scenic character of designated roadways and, where possible, preserve scenic views from the roadways.
 - (2) To maintain the natural beauty of the landscape as it currently exists along designated roadways.
 - (3) To encourage development which is compatible with and, where possible, enhances such natural beauty.
 - (4) To encourage safe and efficient traffic flow along designated scenic roadways for all modes of travel.
- (b) General Provisions. The minimum lot width at the right-of-way line of a designated scenic road for R-3, R-4 and nonresidential zoning districts shall be three hundred (300) feet.
- (c) Site Development Regulations. All land and buildings within a scenic roadway area shall comply with all regulations of the underlying zoning district and applicable sign regulations, provided they do not conflict with the scenic road overlay design, purpose or intent, as well as the following:
- (1) Underground utilities. All on-site utilities shall be located underground unless required by the utility to be otherwise located.
 - (2) Vegetative buffer. The vegetative buffer is hereby defined as the portion of the site:
 - a. Within seventy-five (75) feet of the centerline of a local residential street;
 - b. Within eighty-three (83) feet of the centerline of a collector street; or
 - c. Within one hundred (100) feet of the centerline of an arterial street.Installed landscaping may be added to the vegetative buffer area to meet screening requirements defined elsewhere in this chapter. Where building addressing requirements of chapter 24 cannot be met due to the vegetative buffer or a building's distance from the roadway, the address or addresses shall be clearly marked at the roadway's edge by the property owner in a manner acceptable to the Director of Community Development.
 - (3) Signs. The sign regulations of chapter 23 of this Code shall apply, except where modified as follows. Only monument signs are allowed. A monument sign is a sign attached directly to the ground or a base attached directly to the ground and not supported by poles, uprights or braces. Internal lighting of signs, neon or flashing signs, and roof signs shall not be permitted. All spotlights and exterior lighting shall be oriented away from adjacent properties and the scenic roadways.
 - (4) Building floodlighting. Building floodlighting is not permitted in nonresidential zoning districts within the scenic roadway area.
 - (5) Minimum driveway spacing. The minimum distance between the center of driveways onto a designated scenic roadway shall be two hundred twenty (220) feet for any tract, lot or parcel. No tract, lot or parcel shall have more than two (2) driveways.

- (d) Designation Criteria. The following criteria shall be substantially met before a street is designated as a scenic roadway:
- (1) The street affords the opportunity for the public to enjoy the natural beauty of hills, valleys, creek bottoms or vegetation;
 - (2) The street is adjacent to significant natural landscape elements such as undisturbed native tree associations, rock formations and old growth trees;
 - (3) The street offers scenic views or vistas from the roadway;
 - (4) The street traverses or is adjacent to environmentally sensitive areas such as wetlands, woodlands, park land or private conservation areas.
 - (5) In all instances, the proposed scenic roadway shall be comprised of contiguous roadway sections and have readily identifiable termini such as creeks, bridges, arterial streets or other prominent physical landmarks.
- (e) Designation Procedure. The following procedure shall be followed in designating scenic roadways:
- (1) A proposal to designate a scenic roadway may be made by:
 - a. The City Council;
 - b. An application to the City Council from interested citizens, citizen groups or a recognized neighborhood organization; or
 - c. An application or petition to the City Council signed by owners of fifty (50) per cent or more of all parcels of land with frontage along the proposed scenic roadway segment.
 - (2) The City Council action or citizen petitions must include a statement identifying the criteria set forth in subsection (d) of this section, which support the scenic roadway designation and setting forth the purposes and intent of such a designation.
 - (3) City staff shall prepare a report for the Planning and Zoning Commission. The commission shall hold a public hearing on the scenic roadway designation request. The recommendations of the Planning and Zoning Commission and the staff report shall be forwarded to the City Council, which will conduct a public hearing to take action on the proposed designation.
- (f) **Corridor Plan. *Following, and within ninety (90) days of designation, the Planning and Zoning Commission shall initiate a corridor study and planning process, to identify existing conditions, estimate future land use and transportation infrastructure needs, and work with an appointed stakeholder advisory group to determine values and preferences regarding scenic preservation and roadway design within and along the corridor. The corridor plan shall result in the development of goals, objectives, policies and recommendations to guide future land use, transportation planning, and design decisions.***

The City Council shall appoint a stakeholder advisory group of up to fifteen (15) members with the following composition:

- (1) ***One-third (1/3) shall be residents who live along the affected scenic road corridor, including at least one (1) resident property owner.***

- (2) ***One-third (1/3) shall be representatives of the general public, who may be from various interested citizen groups.***
- (3) ***One-third (1/3) shall be officials, including members of the Planning and Zoning Commission, Environment and Energy Commission, Parks and Recreation Commission, Bicycle and Pedestrian Commission, Community Development Support Staff, and the City Council member from the affected ward.***

City staff shall prepare a report for the Planning and Zoning Commission. The Commission shall hold a public hearing on the scenic roadway corridor plan. The recommendations of the Planning and Zoning Commission and the staff report shall be forwarded to the City Council. The City Council will conduct a public hearing to take action on the proposed corridor plan.

- (g) Roadway Design.** Roadway design, including the design of proposed alterations and improvements as defined in subsection (i), shall be coordinated with the City's capital improvement project schedule and shall substantially conform to the adopted corridor plan. Public input shall be collected by the public works department during the design phase.
- (1) Timing. Any improvements recommended by the corridor plan should be considered for inclusion in the city's capital improvement program, which is used to coordinate scheduling, funding, design, and construction of future capital projects, and is subject to Council approval.
 - (2) Consistency with corridor plan. The design shall be consistent with the goals, objectives, policies, and recommendations of the corridor plan. Pedestrian and bicyclist facilities and access management shall also be considered in the roadway design, understanding that design options that are away from the road may need to be designed to preserve and enhance the scenic quality of the road.
 - (3) ***Stakeholder advisory group. The stakeholder advisory group shall weigh the level of service needs of all intended roadway users against S-R district preservation goals in proposing specific design options for the roadway.***
 - (4) Modifications to City roadway design standards. Modifications to the applicable roadway design standards should be considered to aid in preserving scenic characteristics of the roadway. The use of materials that blend into and complement the scenic characteristics of the roadway, including, but not limited to, stone and timber, should be used for bridges, guard rails, guideposts and other engineered structures, provided that they meet safety standards set forth in The American Association of State Highway and Transportation Officials Roadside Design Guide. Scenic road curves should be retained as much as possible, speed limited, and no curve banking.
 - (5) Public involvement process. Public involvement during the scenic roadway design phase shall consist of regular pre-design stakeholder input meetings, as needed, to fully address design issues, followed by at least one (1) additional stakeholder input meeting once a preliminary design has been completed by the Public Works Department. Upon completion of a preliminary roadway design, City staff shall prepare a report for the Planning and Zoning Commission. The Commission shall hold a public hearing on the proposed design. The recommendations of the Planning and Zoning Commission and the staff report shall be forwarded to the City Council, which will conduct a public hearing in accordance with the standard public improvement process set forth in chapter 22 and take action on the proposed roadway design.

- (h) **Routine Maintenance.** The City shall maintain scenic roadways in good repair and in passable condition by routine maintenance. However, such routine maintenance shall be performed in a manner to protect and maintain the scenic characteristics of the roadway to the extent feasible. For the purposes of this section, the term "routine maintenance" shall include:
- (1) Road cleaning, including removal of snow or other debris from the road surface.
 - (2) Removal of dead, seriously diseased or damaged trees and branches that pose a threat to public safety; trimming branches to allow school buses, emergency vehicles, and other vehicles to pass; (the corridor plan may prohibit larger vehicles from using the road or they may be limited by the City Council to preserve the scenic quality of the road); trimming and removal of brush and removal of brush and removal of boulders and other obstacles that encroach on the traveled portion of the road or obstruct established site lines required for safety; necessary cutting and trimming of brush or trees for utility lines (as established in the corridor plan); and trimming of brush to enhance and protect scenic views, stone walls, mature trees, and other scenic characteristics of the scenic road as set forth in its designation.
 - (3) *The correction of road drainage problems, including, but not limited to, the removal of trees, shrubs, silt and other material from existing drainage structures, and the replacement of cross culverts, drains and cross culvert drainage pipes. If correction of the problem involves removing the vegetative buffer, then this must come before the stakeholder advisory group for the group's approval and input.***
 - (4) Graveling (or its equivalent) and grading to smooth the surface of unpaved roads, provided that the nature and characteristics of the material used on the road surface remains the same or the surface is restored to a prior passable condition using natural materials such as crushed rock or native stone or the equivalent.
 - (5) Repaving, retreatment, or repair of existing paved surfaces, curbs and gutters, that does not require the widening of the traveled path or the removal of trees or stone walls or changing the grade or configuration. For purposes of this subsection, "widening of the traveled path" means extending the traveled path beyond its width prior to repaving. Periodic edging out to maintain unpaved shoulders shall be considered routine maintenance if it does not remove the existing vegetative buffer.
 - (6) Repair or replacement of existing bridges, guard posts, rails and other engineered structures, in accordance with the corridor plan.
 - (7) Installation of signs, including reflectors, warning, speed limit, and other roadway signs that are installed in accordance with standards set forth in the Manual on Uniform Traffic Control Devices.
- (i) Alterations and Improvements. Any proposed alteration or improvement to a scenic roadway shall follow the public involvement process for roadway design in subsection (g)(5) above. For the purposes of this section, the terms "alteration" and "improvement" are defined as any change to the roadway, other than routine maintenance, including the following:
- (1) Any change to the width of the traveled path of the right-of-way,
 - (2) Any change to the alignment, grade or elevation of the roadway,
 - (3) Any change to the nature and characteristics of the material used on the road surface,

- (4) The removal of visible boulders that do not pose a safety hazard,
 - (5) The removal or cutting of trees, shrubs, or other vegetation within the un-traveled portion of the road,
 - (6) The installation of new bridges, guard posts, rails and other engineered structures where no such structure currently exists, and
 - (7) The installation of sidewalks, pedways, bike paths, or nature trails.
- (j) Nonconforming Uses. Any structure, including fences, which was made nonconforming by its location in an area designated a scenic roadway area, if damaged or destroyed, may be rebuilt or replaced, providing such replacement does not exceed the size or height existing when the scenic roadway area designation became effective. Any rebuilding or replacement shall be done, considering their effect on the scenic road characteristics and current city standards that would be in conformance with the scenic road characteristics.

(Ord. No. 15180, § 1, 3-17-97; Ord. No. 15489, § 1, 1-20-98; Ord. no. 21095, § 13, 9-19-11; Ord. No. 21375, § 1, 8-6-12; Ord. No. 21746, § 2, 7-15-13)