

PART 2
ZONING DISTRICTS, LAND USES,
AND DEVELOPMENT STANDARDS

| | |
|--|-----------|
| Article 4. Agriculture Zones | 17 |
| 24-12 Purpose of the Agriculture Zones | 17 |
| 24-13 Land Use Regulations for Agriculture Zones | 18 |
| 24-14 Development Standards for Agriculture Zones..... | 22 |
| Article 5. Natural Resource Zones..... | 26 |
| 24-15 Purpose of the Natural Resource Zones | 26 |
| 24-16 Land Use Regulations for Natural Resource Zones | 27 |
| 24-17 Development Standards for Natural Resource Zones..... | 32 |
| Article 6. Residential Zones | 34 |
| 24-18 Purpose of the Residential Zones | 34 |
| 24-19 Land Use Regulations for Residential Zones..... | 36 |
| 24-20 Development Standards for Residential Zones..... | 40 |
| Article 7. Commercial and Mixed Use Zones | 43 |
| 24-21 Purpose of the Commercial and Mixed Use Zones..... | 43 |
| 24-22 Land Use Regulations for Commercial and Mixed Use Zones..... | 44 |
| 24-23 Development Standards for Commercial and Mixed Use Zones..... | 48 |
| 24-24 Additional Standards for the Sports and Entertainment Zone | 49 |
| Article 8. Industrial Zones | 51 |
| 24-25 Purpose of the Industrial Zones | 51 |
| 24-26 Land Use Regulations for Industrial Zones | 52 |
| 24-27 Development Standards for Industrial Zones | 56 |

| | |
|---|-----------|
| Article 9. Special Purpose Zones | 58 |
| 24-28 Purpose of the Special Purpose Zones | 58 |
| 24-29 Land Use Regulations for Special Purpose Zones | 59 |
| 24-30 Development Standards for Special Purpose Zones | 63 |
| 24-31 Research and Business Park Zone Requirements | 64 |
| 24-32 Planned Development Zone Requirements | 69 |
| Article 10. Overlay Zones | 73 |
| 24-33 Purpose of Article | 73 |
| 24-34 Airport Compatibility Overlay Zone..... | 73 |
| 24-35 Chapman Mulberry Overlay Zone | 74 |
| 24-36 Cohasset Overlay Zone | 74 |
| 24-37 Deer Herd Migration Overlay Zone..... | 75 |
| 24-38 North Chico Specific Plan Overlay Zone | 77 |
| 24-39 Retail Overlay Zone | 78 |
| 24-40 Scenic Highway Overlay Zone | 79 |
| 24-41 Stringtown Mountain Specific Plan Overlay Zone | 81 |
| 24-42 Neal Road Recycling, Energy, and Waste Facility Overlay Zone..... | 81 |
| 24-43 Unique Agriculture Overlay Zone..... | 82 |
| 24-44 Watershed Protection Overlay Zone | 84 |

Article 4. AGRICULTURE ZONES

Sections:

24-12 – Purpose of the Agriculture Zones

24-13 – Land Use Regulations for Agriculture Zones

24-14 – Development Standards for Agriculture Zones

24-12 Purpose of the Agriculture Zones

- A. Agriculture (AG).** The purpose of the AG zone is to support, protect, and maintain a viable, long-term agricultural sector in Butte County. Standards for the AG zone maintain the vitality of the agricultural sector by retaining parcel sizes necessary to sustain viable agricultural operations, protecting agricultural practices and activities by minimizing land-use conflicts, and protecting agricultural resources by regulating land uses and development intensities in agricultural areas. Permitted uses include crop cultivation, animal grazing, **stock ponds** and agricultural processing. More intensive agricultural activities, such as animal processing, dairies, hog farms, stables, forestry and logging, and mining and oil extraction, are permitted with the approval of a Conditional Use Permit. One single-family home is permitted on each legally-established parcel within the AG zone, and residential uses for agricultural employees are permitted as an accessory use within the AG zone. The minimum permitted parcel size in the AG zone ranges from 20 acres to 320 acres. The AG zone implements the Agriculture land use designation in the General Plan.
- B. Agriculture Services (AS).** The purpose of the AS zone is to protect, maintain, promote, and enhance agriculture as a viable, long-term economic sector by accommodating agricultural uses or compatible commercial and light industrial uses that directly support agricultural activities within the county. Standards for the AS zone are intended to allow most agricultural uses allowed in the AG zone while encouraging new, compatible support industries and operations, and to protect agricultural and other neighboring land uses by minimizing conflicts. Agricultural support uses permitted as-of-right in the AS zone include uses with minimal potential impacts on adjacent parcels, such as agricultural equipment sales and rental, light manufacturing, warehousing, and distribution and storage. Agricultural support uses that are more likely to impact adjacent parcels, such as agricultural vehicle repair and heavier manufacturing, require the approval of a Conditional Use Permit. Residential uses are not permitted in the AS zone, except caretaker quarters as an accessory use, which requires an Administrative Use Permit. The AS zone implements the Agriculture Services land use designation in the General Plan.

24-13 Land Use Regulations for Agriculture Zones

A. Permitted Uses. Table 24-13-1 (Permitted Land Uses in the Agriculture Zones) identifies land uses permitted in the agriculture zones.

TABLE 24-13-1 PERMITTED LAND USES IN THE AGRICULTURE ZONES [1][2]

| Key | Zone | | Applicable Regulations |
|------------------------------------|--|----------|---|
| | AG | AS | |
| P | Permitted use, subject to Zoning Clearance | | |
| A | Administrative Permit required | | |
| M | Minor Use Permit required | | |
| C | Conditional Use Permit required | | |
| - | Use not allowed | | |
| Agricultural Uses | | | |
| Agricultural Processing | P | P | |
| Animal Grazing | P | P | |
| Animal Processing | C | C | |
| Animal Processing, Custom | M | M | |
| Crop Cultivation | P | P | |
| Intensive Animal Operations | C | C | |
| Stables, Commercial | C | C | |
| Stables, Private | P [3] | P [3] | |
| Natural Resource Uses | | | |
| Forestry and Logging | <u>EP</u> | - | |
| Mining | C | C | |
| Oil and Gas Extraction | C | C | |
| <u>Mitigation Bank</u> | <u>C</u> | - | <u>Staff will check and report back to PC</u> |
| <u>Conservation Easement</u> | <u>C</u> | - | <u>Staff will check and report back to PC</u> |
| Timber Processing | - | - | |
| Residential Uses | | | |
| Agricultural Worker Housing Center | P [3] | - | |
| Agricultural Worker Housing Unit | P [3][4] | P [3][4] | |
| Caretaker Quarters | - | A [3][4] | |
| Duplex Home | - | - | |
| Live/Work Unit | - | - | |
| Mobile Home Park | - | - | |
| Multiple Family Dwelling | - | - | |
| Residential Care Homes, Large | - | - | |
| Residential Care Homes, Small | P | - | |

| Key P Permitted use, subject to Zoning Clearance A Administrative Permit required M Minor Use Permit required C Conditional Use Permit required - Use not allowed | Zone | | Applicable Regulations |
|--|----------|-------|------------------------|
| | AG | AS | |
| Second Units | P [3][4] | - | Section 24-166 |
| Single Family Home | P [5] | - | |
| Community Uses | | | |
| Cemeteries, Private | - | - | |
| Cemeteries, Public | - | - | |
| Child Care Center | - | - | |
| Child Day Care, Large | - | - | |
| Child Day Care, Small | A [3] | - | Section 24-153 |
| Clubs, Lodges and Private Meeting Halls | M [6] | M [6] | |
| Community Centers | - | - | |
| Correctional Institutions and Facilities | - | - | |
| Cultural Institutions | C | - | |
| Emergency Shelter | - | - | |
| Golf Courses and Country Clubs | - | - | |
| Hospital | - | - | |
| Medical Office and Clinic | - | - | |
| Office, Governmental | - | - | |
| Parks and Recreational Facilities | C | C | |
| Public Safety Facilities | C | C | |
| Religious Facilities | - | - | |
| Schools, Public and Private | - | - | |
| Water Ski Lakes | - | - | |
| Commercial Uses | | | |
| Adult Businesses | - | - | |
| Agricultural Product Sales, Off-Site | M | M | Section 24-150 |
| Agricultural Product Sales, On-Site | P [3] | P [3] | Section 24-150 |
| Agricultural Support Services, General | - | C | |
| Agricultural Support Services, Light | - | P | |
| Animal Services | C | C | |
| Bars, Nightclubs and Lounges | - | - | |
| Bed and Breakfast | M | - | |
| Commercial Recreation, Indoor | - | - | |

| Key P Permitted use, subject to Zoning Clearance A Administrative Permit required M Minor Use Permit required C Conditional Use Permit required - Use not allowed | Zone | | Applicable Regulations |
|--|--------------------|----------|------------------------|
| | AG | AS | |
| Commercial Recreation, Outdoor | C | - | |
| Construction, Maintenance and Repair Services | - | - | |
| Drive-through Facility | - | - | |
| Equipment Sales and Rental | - | - | |
| Gas and Service Stations | - | - | |
| Hotel and Motel | - | - | |
| Hunting and Fishing Clubs | C | - | |
| Medical Offices and Clinics | - | - | |
| Offices, Professional | - | - | |
| Nursery, Retail | - | - | |
| Personal Services | - | - | |
| Personal Services, Restricted | - | - | |
| Public/Mini-Storage | - | - | |
| Recreational Vehicle Parks | - | - | |
| Restaurant | - | - | |
| Retail, General | - | - | |
| Retail, Large Projects | - | - | |
| Retail, Restricted | - | - | |
| Vehicle Repair | - | - | |
| Vehicle Sales and Rental | - | - | |
| Vehicle Service and Maintenance | - | - | |
| Vehicle Storage, Personal | M | M | Section 24-150 |
| Wineries and Olive Oil Operations | See Section 24-169 | | |
| Industrial Uses | | | |
| Manufacturing, General | - | - [7] | |
| Manufacturing, Heavy | - | - [7] | |
| Manufacturing, Light | - | - [7] | |
| Research and Development | - | - | |
| Warehousing, Wholesaling and Distribution | - | - | |
| Transportation, Communication, and Utility Uses | | | |
| <u>Aerial Applicator and Support Services (need definition)</u> | <u>C</u> | <u>C</u> | |

| Key | Zone | | Applicable Regulations |
|--|--------------------|----------|------------------------|
| | AG | AS | |
| P Permitted use, subject to Zoning Clearance | | | |
| A Administrative Permit required | | | |
| M Minor Use Permit required | | | |
| C Conditional Use Permit required | | | |
| - Use not allowed | | | |
| Airport-Related Uses | - | - | |
| Airport-Related Uses, Restricted | - | - | |
| Composting Facilities | - | - | |
| <u>Farm Airstrips</u> | <u>P</u> | <u>P</u> | |
| Freight and Truck Terminals and Yards | - | - | |
| Recycling Collection Facility, Large | - | - | |
| Recycling Collection Facility, Small | A | A | Section 24-164 |
| Recycling Processing Facility, Heavy | - | - | |
| Recycling Processing Facility, Light | - | A | Section 24-164 |
| Reverse Vending Machine | A | A | Section 24-164 |
| Runways and Heliports | C [3] | C [3] | |
| Parking Facilities | - | - | |
| Telecommunications Facilities | See Article 26 | | |
| Utilities, Major | C | C | |
| Utilities, Minor | P | P | |
| Other Uses | | | |
| Accessory Uses and Structures | See Section 24-150 | | |

Notes:

- [1] See Article 42 (Glossary) for definitions of listed land uses.
- [2] The construction or expansion of structures occupied by any land use identified in this table requires the approval of a Site Development Permit, except as specifically exempted by Article 29 (Site Development Permit).
- [3] Permitted only as an accessory use.
- [4] One agricultural worker housing unit, caretaker quarter, or second unit is permitted per legal parcel. Two or more of these uses in combination with one another shall be prohibited on a single parcel. Clean this section up to make it more clear.
- [5] One single family home is permitted per legal parcel.
- [6] Permitted only for organizations that provide a service to the agricultural community, such as a grange or similar organization.
- [7] Manufacturing uses that directly support agricultural activities in Butte County are classified as “Agricultural Support Services, General” and are conditionally permitted in the AS zone.

B. Agricultural Maintenance Plan.

1. An Agricultural Maintenance Plan shall be submitted as part of any application for a non-agricultural use requiring a Conditional Use Permit or Minor Use Permit on a parcel with existing agricultural operations. The Agricultural Maintenance Plan shall identify specific

measures to be implemented to ensure that the proposed use does not adversely impact agricultural activities on the parcel.

2. The Zoning Administrator and Agriculture Commissioner shall review the Agricultural Maintenance Plan and shall prepare comments and recommended conditions for consideration of the Planning Commission or Zoning Administrator at the hearing for the Conditional Use Permit or Minor Use Permit.
3. To approve a Conditional Use Permit or Minor Use Permit on a parcel with existing agricultural operations, the Planning Commission or Zoning Administrator shall determine that the Agricultural Maintenance Plan will adequately mitigate any potential adverse impacts to agricultural operations on the parcel, in addition to making all the findings required by Article 31 (Conditional Use and Minor Use Permits).

24-14 Development Standards for Agriculture Zones

- A. **Agriculture Sub-Zones.** The AG zone is divided into five sub-zones, each with its own minimum parcel size. All standards that apply to the AG zone in general also apply to each individual sub-zone, except for minimum parcel area as specified in Table 24-14-1 (Parcel Size and Density for Agriculture Zones).
- B. **Parcel Size and Density.** Table 24-14-1 (Parcel Size and Density for Agriculture Zones) identifies the parcel size and density standards that apply in the agriculture zones.

TABLE 24-14-1 PARCEL SIZE AND DENSITY FOR AGRICULTURE ZONES

| | Parcel Area (min.)[1] | Parcel Width (min.)[1] | Dwelling Units per Parcel (max.)[2] |
|--------|--------------------------|---------------------------|---|
| AG-20 | 20 acres | 65 ft. | 1 unit |
| AG-40 | 40 acres | 65 ft. | 1 unit |
| AG-80 | 80 acres | 65 ft. | 1 unit |
| AG-160 | 160 acres | 65 ft. | 1 unit |
| AG-320 | 320 acres | 65 ft. | 1 unit |
| AS | 20,000 sq. ft. | 50 ft. | None <u>3</u> |

Notes:

[1] Applies only to the creation of new parcels through the subdivision process.

[2] Second units are permitted as an accessory use in all AG sub-zones.

[3] Caretakers resident permitted.

- C. **Setbacks and Height.** Table 24-14-2 (Setback and Height Standards for Agriculture Zones) identifies development standards that apply in the agriculture zones.

TABLE 24-14-2 SETBACK AND HEIGHT STANDARDS FOR AGRICULTURE ZONES

| | Standard by Zone | | Applicable Standards |
|--------------------------------------|---|----|--|
| | AG | AS | |
| Primary Structure Setbacks (min.) | | | Article 17(Agricultural Buffers) Article 16 (Riparian Areas) Article 12 (Setbacks Requirements and Exceptions) |
| Front [1] | 20 ft. | | |
| Interior Side | 25 ft. or 40-5 (staff recommendation) percent of the lot width, whichever is less but no less than 5 ft. | | |
| Street Side | 20 ft. | | |
| Rear | 25 ft. | | |
| Accessory Structure Setback (min.) | See Section 24-150 | | |
| Separation Between Structures (min.) | As required by the County Building Code | | |
| Primary Structure Height (max.) | See Subsection D, below | | Section 24-46 |
| Accessory Structure Height (max.) | See Section 24-150 | | |

Notes:

[1] For parcels with a front property line extending to the centerline of the public right-of-way abutting the parcel, the front setback shall be measured from the edge of the public right-of-way.

D. Maximum Permitted Height in Agriculture Zones.

1. **Residential Structures.** The maximum permitted height of residential structures within an agriculture zone is 35 feet.
2. **Non-Residential Structures.** The maximum permitted height of non-residential structures within an agriculture zone is 50 feet, except as allowed by Subsection 3 below.
3. **Exceptions for Non-Residential Structures.** Water tanks, ~~silos~~, graineries, barns, pole buildings, electronic towers, antennas, agricultural processing equipment and silos, aggregate processing equipment and similar structures associated with agricultural operations may exceed 50 feet in height provided they do not exceed height restrictions in regulated airport approach zones. Such structures shall not exceed the maximum height necessary to perform its intended function. See also Section 24-151 (Alternative Energy Structures) concerning the height of alternative energy structures, and Article 26 (Telecommunication Facilities) concerning the height of towers, antennas, and similar structures not associated with agriculture.

E. Rezoning of Agricultural Lands. The rezoning of land zoned AG or AS to a different zone shall be allowed only if all of the following criteria are met in addition to all applicable Zoning Ordinance Map Amendment requirements specified in Article 39 (Zoning Ordinance Amendments):

1. The parcels for which rezoning is requested (“subject parcels”) are adjacent to uses other than agriculture or agricultural support uses.
2. The rezoning will not be detrimental to existing agricultural operations.
3. The subject parcels are adjacent to existing development or urban infrastructure and conversion will constitute a logical contiguous extension of a designated urban area.
4. No feasible development alternative exists that is less detrimental to agriculture.
5. Full mitigation of impacts to the extent allowed under the law is provided, including, but not limited to, roads, drainage, schools, fire protection, law enforcement, recreation, sewage, and lighting, as established by the Board of Supervisors.
6. The subject parcels are not subject to a contract with the County pursuant to the Williamson Act.
7. The rezoning will not otherwise interfere with a Butte County General Plan policy, including the Chico Area Greenline policies.

F. Rezoning from Larger to Smaller Agriculture Sub-Zones. In order to preserve the viability of agricultural operations in Butte County, special criteria shall be met prior to the rezoning of parcels from one AG sub-zone to another AG sub-zone that allows a smaller minimum parcel size (e.g., rezoning from AG-40 to AG-20). The Board of Supervisors may approve an application for such a rezoning only if all of the following criteria are met in addition to all applicable Zoning Ordinance Map Amendment requirements specified in Article 39 (Zoning Ordinance Amendments):

1. The rezoning complies with Agricultural Buffer requirements as outlined in Article 17 of the Zoning Ordinance and Butte County General Plan Agriculture Element Policy 5.3, and all other applicable General Plan policies
2. Building site envelopes allowed for by the rezoning can be accommodated in compliance with all Agricultural Buffer requirements.
3. The applicant has prepared and committed to implement an Agricultural Production and Stewardship Plan that details how the property will be kept in commercial agricultural use. The Plan shall show how the property will be planted with crops, orchards, vineyards, or utilized for grazing and animal production. The Plan shall specify agricultural infrastructure and facilities, including a production water source, irrigation, fences, and farm worker

housing if needed. The Plan shall be reviewed by the County Agriculture Commissioner to verify that it will sustain farming practices and maximize agricultural compatibility.

4. For areas identified as within floodplains per FEMA maps, all building site envelopes can be located clear of the floodplain, or receive a correction from FEMA if it can be demonstrated that the mapping needs correction. Areas known to have poor drainage or that could negatively influence off-site landowners and agricultural operations shall reduce peak runoff by 10 percent or more of pre-development levels.
5. For areas of high erosion as identified by the Butte County General Plan 2030 land use map, the residential density allowed by the rezoning shall not increase sediment load or erosion characteristics on or off the subject parcels.
6. The reduced parcel size meets the terms specified under any applicable Williamson Act Contract.

Article 5. NATURAL RESOURCE ZONES

Sections:

- 24-15 – Purpose of the Natural Resource Zones
- 24-16 – Land Use Regulations for Natural Resource Zones
- 24-17 – Development Standards for Natural Resource Zones

24-15 Purpose of the Natural Resource Zones

- A. **Timber Mountain (TM).** The purpose of the TM zone is to preserve Butte County’s valuable timber resources and to protect both the economic and environmental value of these lands. Standards for the TM zone are intended to support the growing and harvesting of timber, pulp woods, and other forestry products for commercial purposes. Permitted uses include logging, timber processing, crop cultivation, agricultural processing, and the management of forest lands for timber operations and animal grazing. Extractive uses that are generally compatible with forestry operations, including mining and oil and gas extraction, are conditionally permitted in the TM zone. The minimum permitted parcel size in the TM zone is 160 acres. The TM zone allows for one single family home per parcel, along with residential uses for agricultural employees. The TM zone implements the Timber Mountain land use designation in the General Plan.
- B. **Timber Production (TPZ).** The purpose of the TPZ zone is to preserve and protect land where timber is actively being grown and harvested, as well as minimize impacts to neighboring uses from active timber operations. Permitted uses include logging, timber processing, crop cultivation, and the management of forest lands for timber operations and animal grazing. Extractive uses that are generally compatible with forestry operations, including mining and oil and gas extraction, are conditionally permitted in the TPZ zone. Minimum parcel size and development standards for development in the TPZ zone are generally equivalent to the TM zone. The TPZ zone implements the Timber Mountain land use designation in the General Plan.
- C. **Resource Conservation (RC).** The purpose of the RC zone is to protect and preserve natural, wilderness and scientific study areas that are critical to environmental quality within Butte County. Standards for the RC zone are intended to protect sensitive natural resources and to provide limited recreational and commercial recreational uses for the enjoyment of Butte County residents and visitors. Permitted land uses in the RC zone include livestock grazing and limited recreational and commercial recreational uses that do not detract from the area’s value for habitat, open space, or research. The minimum permitted parcel size in the RC zone is 40 acres. The RC zone allows for one single family home per parcel. The RC zone implements the Resource Conservation land use designation in the General Plan. Mining may be considered by a Mining

Permit in this zone when it will result in an improvement or no degradation of the habitat area as an end use.

24-16 Land Use Regulations for Natural Resource Zones

A. Permitted Uses. Table 24-16-1 (Permitted Land Uses in the Natural Resource Zones) identifies land uses permitted in the natural resource zones.

TABLE 24-16-1 PERMITTED LAND USES IN THE NATURAL RESOURCE ZONES [1][2]

| Key P Permitted use, subject to Zoning Clearance A Administrative Permit required M Minor Use Permit required C Conditional Use Permit required - Use not allowed | Zone | | | Applicable Regulations |
|--|------|-----|--------------|--|
| | TM | TPZ | RC | |
| Agricultural Uses | | | | |
| Agricultural Processing | P | C | - | |
| Animal Grazing | P | P | P | |
| Animal Processing | - | - | - | |
| Animal Processing, Custom | M | M | - | |
| Crop Cultivation | P | P | - | |
| Intensive Animal Operations | - | - | - | |
| Stables, Commercial | C | - | - | |
| Stables, Private | P | - | - | |
| Natural Resource Uses | | | | |
| Forestry and Logging | P | P | - | |
| Mining | C | C | C | <u>Request by Granite to add to RC</u> |
| Oil and Gas Extraction | C | C | - | |
| Timber Processing | P | P | - | |
| Residential Uses | | | | |
| Agricultural Worker Housing Center | - | - | - | |
| Agricultural Worker Housing Unit | P | P | P | |
| Caretaker Quarters | - | - | - | |
| Duplex Home | - | - | - | |
| Live/Work Unit | - | - | - | |

| Key P Permitted use, subject to Zoning Clearance A Administrative Permit required M Minor Use Permit required C Conditional Use Permit required - Use not allowed | Zone | | | Applicable Regulations |
|--|------|-----------|-------|---|
| | TM | TPZ | RC | |
| Mobile Home Park | - | - | - | |
| Multiple Family Dwelling | - | - | - | |
| Residential Care, Large | - | - | - | |
| Residential Care Homes, Small | P | - | P | |
| Second Units | - | - | - | |
| Single Family Home | P | <u>-A</u> | P | <u>For TPZ allowed if supported by a Registered Forester (staff to check on legality of this)</u> |
| Community Uses | | | | |
| Clubs, Lodges and Private Meeting Halls | - | - | - | |
| Cemeteries, Private | C | C | - | |
| Cemeteries, Public | M | M | - | |
| Child Care Center | - | - | - | |
| Child Day Care, Large | - | - | - | |
| Child Day Care, Small | - | - | - | |
| Community Centers | - | - | - | |
| Correctional Institutions and Facilities | - | - | - | |
| Cultural Institutions | - | - | - | |
| Emergency Shelter | - | - | - | |
| Golf Courses and Country Clubs | - | - | - | |
| Hospital | - | - | - | |
| Medical Office and Clinic | - | - | - | |
| Office, Governmental | - | - | - | |
| Parks and Recreational Facilities | - | - | C [3] | |
| Public Safety Facilities | C | C | - | |
| Religious Facilities | C | - | - | |
| Schools, Public and Private | C | - | - | |

| Key P Permitted use, subject to Zoning Clearance A Administrative Permit required M Minor Use Permit required C Conditional Use Permit required - Use not allowed | Zone | | | Applicable Regulations |
|--|--------------|-----|--------------|------------------------|
| | TM | TPZ | RC | |
| Water Ski Lakes | - | - | - | |
| Commercial Uses | | | | |
| Adult Businesses | - | - | - | |
| Agricultural Product Sales On-Site | - | - | - | |
| Agricultural Product Sales Including Off-Site | - | - | - | |
| Agricultural Support Services, General | - | - | - | |
| Agricultural Support Services, Light | - | - | - | |
| Animal Services | C | - | - | |
| Bars, Nightclubs and Lounges | - | - | - | |
| Bed and Breakfasts | M | - | - | |
| Commercial Recreation, Indoor | - | - | - | |
| Commercial Recreation, Outdoor | C | - | C | |
| Construction, Maintenance and Repair Services | - | - | - | |
| Drive-through Facility | - | - | - | |
| Equipment Sales and Rental | - | - | - | |
| Gas and Service Stations | - | - | - | |
| Hotel and Motel | - | - | - | |
| Hunting and Fishing Clubs | C | - | C | |
| Offices, Professional | - | - | - | |
| Nursery, Retail | - | - | - | |
| Personal Services | - | - | - | |
| Personal Services, Restricted | - | - | - | |
| Public/Mini-Storage | - | - | - | |
| Recreational Vehicle Parks | - | - | - | |
| Restaurant | - | - | - | |
| Retail, General | - | - | - | |
| Retail, Limited | - | - | - | |
| Vehicle Repair | - | - | - | |

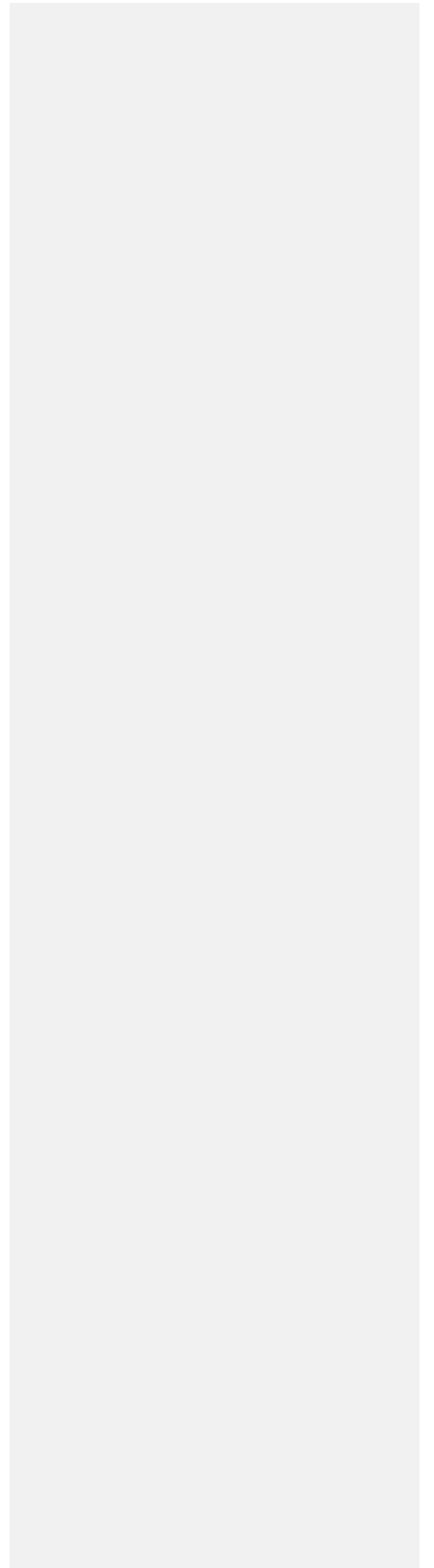
| Key P Permitted use, subject to Zoning Clearance A Administrative Permit required M Minor Use Permit required C Conditional Use Permit required - Use not allowed | Zone | | | Applicable Regulations |
|--|--------------------|-----|----|------------------------|
| | TM | TPZ | RC | |
| Vehicle Sales and Rental | - | - | - | |
| Vehicle Service and Maintenance | - | - | - | |
| Vehicle Storage, Personal | M | M | M | Section 24-150 |
| Wineries and Olive Oil Operations | C | - | - | Section 24-169 |
| Industrial Uses | | | | |
| Manufacturing, General | - | - | - | |
| Manufacturing, Heavy | - | - | - | |
| Manufacturing, Light | - | - | - | |
| Research and Development | - | - | - | |
| Warehousing, Wholesaling and Distribution | - | - | - | |
| Transportation, Communication and Utility Uses | | | | |
| Airport-Related Uses | - | - | - | |
| Airport-Related Uses, Restricted | - | - | - | |
| Composting Facilities | - | - | - | |
| Freight and Truck Terminals and Yards | - | - | - | |
| Recycling Collection Facility, Large | - | - | - | |
| Recycling Collection Facility, Small | - | - | - | |
| Recycling Processing Facility, Heavy | - | - | - | |
| Recycling Processing Facility, Light | - | - | - | |
| Reverse Vending Machine | - | - | - | |
| Parking Facilities | - | - | - | |
| Runways and Heliports | - | - | - | |
| Telecommunications Facilities | See Article 26 | | | |
| Utilities, Major | C | C | C | |
| Utilities, Minor | P | P | P | |
| Other Uses | | | | |
| Accessory Uses and Structures | See Section 24-150 | | | |

Notes:

[1] See Article 42 (Glossary) for definitions of listed land uses.

[2] The construction or expansion of structures occupied by any land use identified in this table requires the approval of a Site Development Permit, except as specifically exempted by Article 30 (Site Development Permits).

[3] Only passive recreation with limited improvements is permitted. Allowed improvements include informational kiosks, parking areas, and other similar improvements.



24-17 Development Standards for Natural Resource Zones

A. Parcel Size and Density. Table 24-17-1 (Parcel Size and Density for Natural Resource Zones) identifies the parcel size and density standards that apply in the natural resource zones.

TABLE 24-17-1 PARCEL SIZE AND DENSITY FOR NATURAL RESOURCE ZONES

| | Parcel Area (min.) [1] | Parcel Width (min.) [1] | Dwelling Units per Parcel (max.) |
|-----|------------------------|-------------------------|----------------------------------|
| TM | 160 acres | 65 ft. | 1 unit |
| TPZ | 160 acres | 65 ft. | 1 unit [2] |
| RC | 40 acres | 65 ft. | 1 unit |

Notes:

[1] Applies only to the creation of new parcels through the subdivision process.

[2] Only agricultural worker housing units are permitted.

B. Setbacks and Height. Table 24-17-2 (Setback and Height Standards for Natural Resource Zones) identifies development standards that apply in the natural resource zones.

TABLE 24-17-2 SETBACK AND HEIGHT STANDARDS FOR NATURAL RESOURCE ZONES

| | Standard by Zone | | | Applicable Standards |
|--------------------------------------|---|--------|----|---|
| | TM | TPZ | RC | |
| Primary Structure Setbacks (min.) | | | | Article 17 (Agricultural Buffers) Article 16 (Riparian Areas) Article 12 (Setbacks Requirements and Exceptions) |
| Front [1] | | 20 ft. | | |
| Interior Side | | 25 ft. | | |
| Street Side | | 20 ft. | | |
| Rear | | 50 ft. | | |
| Accessory Structure Setback (min.) | See Section 24-150 | | | |
| Separation Between Structures (min.) | As required by the County Building Code | | | |
| Primary Structure Height (max.) | See Subsection C, below | | | |
| Accessory Structure Height (max.) | See Section 24-150 | | | |

Notes:

[1] For parcels with a front property line extending to the centerline of the public right-of-way abutting the parcel, the front setback shall be measured from the edge of the public right-of-way.

C. Maximum Permitted Height in Natural Resources Zones.

1. **Residential Structures.** The maximum permitted height of residential structures within a natural resources zone is 35 feet.
2. **Non-Residential Structures.** The maximum permitted height of non-residential structures within a natural resource zones is 50 feet, except as allowed by Subsection 3 below.
3. **Exceptions for Non-Residential Structures.** Water tanks, agricultural processing equipment and silos, aggregate processing equipment, graineries, barns, pole buildings, electronic towers, antennas, and similar structures associated with agricultural and natural resource extraction uses may exceed 50 feet in height provided they do not exceed height restrictions in regulated airport approach zones. Such structures shall not exceed the maximum height necessary to perform its intended function. See also Section 24-151 (Alternative Energy Structures) concerning the height of alternative energy structures, and Article 26 (Telecommunication Facilities) concerning the height of towers, antennas, and similar structures not associated with agriculture.

Article 6. RESIDENTIAL ZONES

Sections:

- 24-18 – Purpose of the Residential Zones
- 24-19 – Land Use Regulations for Residential Zones
- 24-20 – Development Standards for Residential Zones

24-18 Purpose of the Residential Zones

- A. Foothill Residential (FR).** The purpose of the FR zone is to allow for the appropriate development of large-lot single family homes and related uses in the foothill areas of the county. Standards for the FR zone are intended to ensure that the development of homes respond sensitively to the foothill setting. Permitted residential uses in the FR zones include single family homes, residential care homes, mobile home parks, and second units. The FR zone also permits non-residential uses compatible with a low-density rural setting, including public and quasi-public uses, forestry and logging, mining, animal services, hunting and fishing clubs, retail nurseries, and commercial stables. Animal grazing, crop cultivation, private stables, and other similar agricultural activities are permitted as accessory uses in the FR zone. The minimum permitted parcel size in the FR zone ranges from 1 acre to 40 acres. The FR zone implements the Foothill Residential land use designation in the General Plan.
- B. Rural Residential (RR).** The purpose of the RR zone is to allow for the appropriate development of large-lot single family homes and related uses in the rural and agricultural areas of the county. Standards for the RR zone are intended to preserve and protect the character of existing rural residential areas and ensure that future rural residential development is compatible with adjacent agricultural uses. Permitted residential uses in the RR zones include single family homes, residential care homes, mobile home parks, and second units. The ~~FR-RR~~ zone also permits non-residential uses compatible with a rural residential setting, including public and quasi-public uses, personal services, retail nurseries, and animal services. Animal grazing, crop cultivation, private stables, and other similar agricultural activities are permitted as accessory uses in the RR zone. The minimum permitted parcel size in the RR zone is 5 acres. The RR zone implements the Rural Residential land use designation in the General Plan.
- C. Very Low Density Residential (VLDR).** The purpose of the VLDR zone is to allow for single family homes and related uses in residential neighborhoods within the county. Standards for the VLDR zone are intended to preserve and protect the character of existing neighborhoods and to ensure that new residential neighborhoods provide an appropriate transition from rural to more developed areas. Permitted residential uses in the VLDR zones include single family homes, residential care homes, mobile home parks, and second units. The VLDR zone also permits non-residential uses compatible with a residential setting, including public and quasi-public uses, golf

courses, park and recreational facilities, personal services, and medical offices and clinics. Animal grazing and private stables are permitted as accessory uses in the VLDR zone. The minimum permitted parcel size in the VLDR zone is 1 acre. The VLDR zone implements the Very Low Density Residential land use designation in the General Plan.

- D. Low Density Residential (LDR).** The purpose of the LDR zone is to allow for a mixture of housing types in a low density setting. Standards for the LDR zone are intended to preserve and protect the character of existing neighborhoods and to allow future neighborhoods that are safe and welcoming. Permitted housing types in the LDR zones include single family homes, duplex homes, multi-family dwellings, and second units. Non-residential uses permitted in the LDR zone include public and quasi-public uses, park and recreational facilities, day care centers, personal services, and medical offices and clinics. The minimum permitted parcel size in the LDR zone is 143,500 square feet. Permitted residential density in the LDR zone ranges from a minimum of 1 dwelling unit per acre to a maximum of 3 dwelling units per acre. The LDR zone implements the Low Density Residential land use designation in the General Plan.
- E. Medium Density Residential (MDR).** The purpose of the MDR zone is to allow for a diversity of housing types in a medium density setting. Permitted housing types in the MDR zones include single family homes, duplex homes, multi-family dwellings, and second units. Non-residential uses permitted in the MDR zone include public and quasi-public uses, park and recreational facilities, day care centers, personal services, medical offices and clinics, and general retail. The minimum permitted parcel size in the MDR zone is 76,000 square feet. Permitted residential density in the MDR zone ranges from a minimum of 3 dwelling units per acre to a maximum of 6 dwelling units per acre. The MDR zone implements the Medium Density Residential land use designation in the General Plan.
- F. Medium High Density Residential (MHDR).** The purpose of the MHDR zone is to allow for a mixture of housing types in a medium high density setting. Permitted housing types in the MHDR zone include single family homes, duplex homes, multi-family dwellings, and second units. Non-residential uses permitted in the MHDR zone include public and quasi-public uses, , park and recreational facilities, day care centers, personal services, medical offices and clinics, and general retail. The minimum permitted parcel size in the MHDR zone is 3,500 square feet. Permitted residential density in the MHDR zone ranges from a minimum of 6 dwelling units per acre to a maximum of 14 dwelling units per acre. The MDHR zone implements the Medium High Density Residential land use designation in the General Plan.
- G. High Density Residential (HDR).** The purpose of the HDR zone is to allow for a mixture of housing types in a high density setting. Permitted housing types in the HDR zones include single family homes, duplex homes, multi-family dwellings, and second units. Non-residential uses permitted in the HDR zone include public and quasi-public uses, park and recreational facilities, day care centers, personal services, medical offices and clinics, and general retail. The minimum permitted parcel size in the HDR zone is 3,500 square feet. Permitted residential density in the

HDR zone ranges from a minimum of 14 dwelling units per acre to a maximum of 20 dwelling units per acre. The HDR zone implements the High Density Residential land use designation in the General Plan.

- H. Very High Density Residential (VHDR).** The purpose of the VHDR zone is to allow for a mixture of housing types at the highest residential densities in unincorporated Butte County. Permitted housing types in the VHDR zones include single family homes, duplex homes, multi-family dwellings, and second units. Non-residential uses permitted in the VHDR zone include public and quasi-public uses, park and recreational facilities, day care centers, personal services, medical offices and clinics, and general retail. The minimum permitted parcel size in the VHDR zone is 3,500 square feet. Permitted residential density in the VHDR zone ranges from a minimum of 20 dwelling units per acre to a maximum of 30 dwelling units per acre. The VHDR zone implements the Very High Density Residential land use designation in the General Plan.

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Need to clarify the issue of Primary and 2ndary uses (accessory uses). Match the table with section on Accessory uses.

24-19 Land Use Regulations for Residential Zones

- A. Permitted Uses.** Table 24-19-1 (Permitted Land Uses in the Residential Zones) identifies land uses permitted in the residential zones.

TABLE 24-19-1 PERMITTED LAND USES IN THE RESIDENTIAL ZONES [1] [2]

| Key P Permitted use, subject to Zoning Clearance A Administrative Permit required M Minor Use Permit required C Conditional Use Permit required - Use not allowed | Zone | | | | | | | | Applicable Regulations | |
|--|-----------|-----------|----------|-----|-----|------|-----|------|------------------------|----------------|
| | FR | RR | VLDR | LDR | MDR | MHDR | HDR | VHDR | | |
| Agriculture Uses | | | | | | | | | | |
| Agricultural Processing | - | - | - | - | - | - | - | - | - | |
| Animal Grazing | <u>AP</u> | <u>AP</u> | <u>A</u> | - | - | - | - | - | - | Section 24-152 |
| Animal Processing | - | - | - | - | - | - | - | - | - | |
| Animal Processing, Custom | M | M | - | - | - | - | - | - | - | |
| Crop Cultivation | P | P | - | - | - | - | - | - | - | |
| Intensive Animal Operations | - | - | - | - | - | - | - | - | - | |
| Stables, Commercial | C [3] | - | - | - | - | - | - | - | - | |
| Stables, Private | P | P | P | - | - | - | - | - | - | Section 24-152 |

| Key P Permitted use, subject to Zoning Clearance A Administrative Permit required M Minor Use Permit required C Conditional Use Permit required - Use not allowed | Zone | | | | | | | | Applicable Regulations |
|--|-------|----|------|-----|-----|------|-----|------|------------------------|
| | FR | RR | VLDR | LDR | MDR | MHDR | HDR | VHDR | |
| Natural Resource Uses | | | | | | | | | |
| Forestry and Logging | C | - | - | - | - | - | - | - | |
| Mining | C [4] | - | - | - | - | - | - | - | |
| Oil and Gas Extraction | - | - | - | - | - | - | - | - | |
| Timber Processing | - | - | - | - | - | - | - | - | |
| Residential Uses | | | | | | | | | |
| Agricultural Worker Housing Center | - | - | - | - | - | - | - | - | |
| Agricultural Worker Housing Unit | P | P | - | - | - | - | - | - | |
| Caretaker Quarters | - | - | - | - | - | - | - | - | |
| Duplex Homes | - | - | - | P | P | P | P | P | |
| Live/Work Unit | - | - | - | - | - | - | - | - | |
| Mobile Home Parks | C | C | C | C | C | C | C | C | Section 24-161 |
| Multiple Family Dwelling | - | - | - | P | P | P | P | P | |
| Residential Care Homes, Large | - | - | M | M | M | M | M | M | |
| Residential Care Homes, Small | P | P | P | P | P | P | P | P | |
| Second Units | P | P | P | P | P | P | P | P | Section 24-166 |
| Single Family Home | P | P | P | P | P | P | P | P | |
| Community Uses | | | | | | | | | |
| Cemeteries, Private | - | - | - | - | - | - | - | - | |
| Cemeteries, Public | - | - | - | - | - | - | - | - | |
| Clubs, Lodges and Private Meeting Halls | C | C | C | C | C | C | C | C | |
| Community Centers | C | C | C | C | C | C | C | C | |
| Correctional Institutions and Facilities | - | - | - | - | - | - | - | - | |
| Cultural Institutions | - | - | - | - | - | - | - | - | |
| Child Care Center | - | - | C | C | C | C | C | C | Section 24-153 |
| Child Day Care, Large | M | M | M | M | M | M | M | M | Section 24-153 |

| Key P Permitted use, subject to Zoning Clearance A Administrative Permit required M Minor Use Permit required C Conditional Use Permit required - Use not allowed | Zone | | | | | | | | Applicable Regulations |
|--|-------|----|------|-----|-----|------|-----|------|------------------------|
| | FR | RR | VLDR | LDR | MDR | MHDR | HDR | VHDR | |
| Child Day Care, Small | P | A | A | A | A | A | A | A | Section 24-153 |
| Emergency Shelter | - | - | - | - | - | - | - | - | |
| Golf Courses and Country Clubs | C | C | C | - | - | - | - | - | |
| Hospital | - | - | - | - | - | - | - | - | |
| Office, Governmental | - | - | - | - | - | - | - | - | |
| Public Safety Facilities | C | C | C | C | C | C | C | C | |
| Parks and Recreational Facilities | C | C | C | C | C | C | C | C | |
| Religious Facilities | C | C | C | C | C | C | C | C | |
| Schools, Public and Private | C | C | C | C | C | C | C | C | |
| Water Ski Lakes | - | - | - | - | - | - | - | - | |
| Commercial Uses | | | | | | | | | |
| Adult Businesses | - | - | - | - | - | - | - | - | |
| Agricultural Product Sales, Off-Site | - | - | - | - | - | - | - | - | |
| Agricultural Product Sales, On-Site | P | P | P | - | - | - | - | - | |
| Agricultural Support Services, General | - | - | - | - | - | - | - | - | |
| Agricultural Support Services, Light | - | - | - | - | - | - | - | - | |
| Animal Services | C | C | - | - | - | - | - | - | |
| Bars, Nightclubs and Lounges | - | - | - | - | - | - | - | - | |
| Bed and Breakfast | M | M | M | M | M | M | M | M | |
| Commercial Recreation, Indoor | - | - | - | - | - | - | - | - | |
| Commercial Recreation, Outdoor | C [4] | - | - | - | - | - | - | - | |
| Construction, Maintenance and Repair Services | - | - | - | - | - | - | - | - | |
| Drive-through Facility | - | - | - | - | - | - | - | - | |
| Equipment Sales and Rental | - | - | - | - | - | - | - | - | |
| Gas and Service Stations | - | - | - | - | - | - | - | - | |
| Hotel and Motel | - | - | - | - | - | - | - | - | |

| Key P Permitted use, subject to Zoning Clearance A Administrative Permit required M Minor Use Permit required C Conditional Use Permit required - Use not allowed | Zone | | | | | | | | Applicable Regulations |
|--|--------------------|-------|------|-----|-----|------|-----|------|------------------------|
| | FR | RR | VLDR | LDR | MDR | MHDR | HDR | VHDR | |
| Hunting and Fishing Clubs | C [3] | - | - | - | - | - | - | - | |
| Medical Offices and Clinics | - | - | C | C | C | C | C | C | |
| Nursery, Retail | C [3] | C [3] | - | - | - | - | - | - | |
| Offices, Professional | - | - | - | - | - | - | - | - | |
| Personal Services | - | C | C | C | M | M | M | M | |
| Personal Services, Restricted | - | - | - | - | - | - | - | - | |
| Public/Mini-Storage | - | - | - | - | - | - | - | - | |
| Recreational Vehicle Parks | - | - | - | - | - | - | - | - | |
| Restaurant | - | - | - | - | - | - | - | - | |
| Retail, General | - | - | - | - | C | C | C | C | |
| Retail, Large Projects | - | - | - | - | - | - | - | - | |
| Retail, Restricted | - | - | - | - | - | - | - | - | |
| Vehicle Repair | - | - | - | - | - | - | - | - | |
| Vehicle Sales and Rental | - | - | - | - | - | - | - | - | |
| Vehicle Service and Maintenance | - | - | - | - | - | - | - | - | |
| Vehicle Storage, Personal | M | M | - | - | - | - | - | - | Section 24-150 |
| Wineries and Olive Oil Operations | See Section 24-169 | | - | - | - | - | - | - | |
| Industrial Uses | | | | | | | | | |
| Manufacturing, General | - | - | - | - | - | - | - | - | |
| Manufacturing, Heavy | - | - | - | - | - | - | - | - | |
| Manufacturing, Light | - | - | - | - | - | - | - | - | |
| Research and Development | - | - | - | - | - | - | - | - | |
| Warehousing, Wholesaling and Distribution | - | - | - | - | - | - | - | - | |
| Transportation, Communication and Utility Uses | | | | | | | | | |
| Airport-Related Uses | - | - | - | - | - | - | - | - | |
| Airport-Related Uses, Restricted | - | - | - | - | - | - | - | - | |
| Composting Facilities | - | - | - | - | - | - | - | - | |

| Key P Permitted use, subject to Zoning Clearance A Administrative Permit required M Minor Use Permit required C Conditional Use Permit required - Use not allowed | Zone | | | | | | | | Applicable Regulations |
|--|---|----------|----------|----------|----------|----------|----------|----------|------------------------|
| | FR | RR | VLDR | LDR | MDR | MHDR | HDR | VHDR | |
| Freight and Truck Terminals and Yards | - | - | - | - | - | - | - | - | |
| Recycling Collection Facility, Large | - | - | - | - | - | - | - | - | |
| Recycling Collection Facility, Small | - | - | - | - | - | - | - | - | |
| Recycling Processing Facility, Heavy | - | - | - | - | - | - | - | - | |
| Recycling Processing Facility, Light | - | - | - | - | - | - | - | - | |
| Reverse Vending Machine | - | - | - | - | - | - | - | - | |
| Reverse Vending Machine, Bulk | - | - | - | - | - | - | - | - | |
| Reverse Vending Machine, Bulk | - | - | - | - | - | - | - | - | |
| Runways and Heliports | - | - | - | - | - | - | - | - | |
| Parking Facilities | C | C | C | C | C | C | C | C | |
| Telecommunications Facilities | See Article 26 (Telecommunication Facilities) | | | | | | | | |
| <u>Wind Turbine, Large</u> | <u>C</u> | <u>C</u> | <u>-</u> | <u>-</u> | <u>-</u> | <u>-</u> | <u>-</u> | <u>-</u> | |
| Utilities, Major | C | C | C | C | C | C | C | C | |
| <u>Wind Turbine, Small</u> | <u>M</u> | <u>M</u> | <u>-</u> | <u>-</u> | <u>-</u> | <u>-</u> | <u>-</u> | <u>-</u> | |
| Utilities, Minor | P | P | P | P | P | P | P | P | |
| Other Uses | | | | | | | | | |
| Accessory Uses and Structures | See Section 24-150 | | | | | | | | |

Notes:

[1] See Article 42 (Glossary) for definitions of listed land uses.

[2] The construction or expansion of structures occupied by any land use identified in this table requires the approval of a Site Development Permit, except as specifically exempted by Article 30 (Site Development Permits).

[3] Permitted only on sites 5 acres or larger.

[4] Requires the approval of a mining permit and reclamation plan pursuant to Butte County Code Chapter 13.

24-20 Development Standards for Residential Zones

A. Foothill Residential (FR Sub-Zones). The FR zone is divided into six sub-zones, each with its own minimum parcel size. All standards that apply to the FR zone in general also apply to each

individual sub-zone, except for minimum parcel area as specified in Table 24-20-1 (Parcel Size and Density for Residential Zones).

- B. Parcel Size and Density.** Table 24-20-1 (Parcel Size and Density for Residential Zones) identifies the parcel size and density standards that apply in residential zones.

TABLE 24-20-1 PARCEL SIZE AND DENSITY FOR RESIDENTIAL ZONES

| | Parcel Area (min.) [5] | Parcel Width (min.) [1] [5] | Residential Density [2] | |
|-------|---------------------------|--------------------------------|-------------------------|---------------------|
| | | | Min. [3] | Max. [4] |
| FR-1 | 1 acre | 65 ft. | - | 1 unit per acre |
| FR-2 | 2 acres | 65 ft. | - | 1 unit per 2 acres |
| FR-5 | 5 acres | 65 ft. | - | 1 unit per 5 acres |
| FR-10 | 10 acres | 65 ft. | - | 1 unit per 10 acres |
| FR-20 | 20 acres | 65 ft. | - | 1 unit per 20 acres |
| FR-40 | 40 acres | 65 ft. | - | 1 unit per 40 acres |
| RR | 5 acres | 65 ft. | - | 1 unit per 5 acres |
| VLDR | 1 acre | 65 ft. | 1 unit per 5 acres | 1 unit per acre |
| LDR | 14,500 sq. ft. | 50 ft. | 1 unit per acre | 3 units per acre |
| MDR | 7,000 sq. ft. | 50 ft. | 3 units per acre | 6 units per acre |
| MHDR | 3,500 sq. ft. | 35 ft. | 6 units per acre | 14 units per acre |
| HDR | 3,500 sq. ft. | 35 ft. | 14 units per acre | 20 units per acre |
| VHDR | 3,500 sq. ft. | 35 ft. | 20 units per acre | 30 units per acre |

Notes:

[1] A minimum 40 feet parcel width is permitted for cul-de-sac parcels.

[2] Second units are permitted as an accessory use in all residential zones.

[3] Projects may be developed below minimum residential densities only with the approval of a Conditional Use Permit as provided in Sub-section C below.

[4] In the FR, RR and VLDR zones, only one primary dwelling unit is permitted per parcel, regardless of parcel size.

[5] Applies only to the creation of new parcels through the subdivision process.

- C. Minimum Residential Densities - Exceptions.** Development projects with residential densities below the minimum required residential densities specified in Table 24-20-1 (Parcel Size and Density for Residential Zones) shall be permitted only with Planning Commission approval of a Conditional Use Permit. To approve the Conditional Use Permit, the Planning Commission shall make the findings required by Article 31 (Conditional Use and Minor Use Permits) and determine that one or more of the following conditions exist:

1. Infrastructure and services (e.g., roads, sewer, and septic systems) required to serve development at or above the minimum required density cannot be provided due to physical constraints present on or within the vicinity of the site.
2. Development below the minimum required density is necessary to avoid impacts to sensitive natural resources present on the site.
3. Development at or above the minimum required density would be incompatible with surrounding development or land uses.
4. Development below the minimum required density is necessary to avoid or significantly reduce exposure to natural and manmade hazards.

D. Structure Setbacks and Height. Table 24-20-2 (Setback and Height Standards for Residential Zones) identifies structure setback and height standards that apply in residential zones.

TABLE 24-20-2 SETBACK AND HEIGHT STANDARDS FOR RESIDENTIAL ZONES [1]

| | Standard by Zone | | | | | | | | Additional Standards |
|--|---|--------|--------|--------|--------|--------|--------|--------|--|
| | FR | RR | VLDR | LDR | MDR | MHD | HDR | VHDR | |
| Primary Structure Setbacks (min.) | | | | | | | | | |
| Front | 10 ft. | 20 ft. | 20 ft. | 20 ft. | 20 ft. | 20 ft. | 10 ft. | 10 ft. | Article 17(Agricultural Buffers) Article 16 (Riparian Areas) Article 12 (Setbacks Requirements and Exceptions) |
| Interior Side | 5 ft. | 10 ft. | 5 ft. | 5 ft. | 5 ft. | 5 ft. | 5 ft. | 5 ft. | |
| Street Side | 10 ft. | 10 ft. | 10 ft. | 10 ft. | 10 ft. | 10 ft. | 10 ft. | 10 ft. | |
| Rear | 5 ft. | 10 ft. | 15 ft. | 15 ft. | 10 ft. | 5 ft. | 5 ft. | 5 ft. | |
| Accessory Structure Setbacks | See Section 24-150 | | | | | | | | |
| Separation Between Structures | As required by the County Building Code | | | | | | | | |
| Primary Structure Height (max.) | 35 ft. | 35 ft. | 35 ft. | 35 ft. | 35 ft. | 35 ft. | 35 ft. | 35 ft. | Section 24-46 |
| Accessory Structure Height | See Section 24-150 | | | | | | | | |

Notes:

[1] Additional setbacks may be required by the Butte County Fire Safe regulations and the Public Resources Code, Section 4290.

Article 7. COMMERCIAL AND MIXED USE ZONES

Sections:

- 24-21 – Purpose of the Commercial and Mixed Use Zones
- 24-22 – Land Use Regulations for Commercial and Mixed Use Zones
- 24-23 – Development Standards for Commercial and Mixed Use Zones
- 24-24 – Additional Standards for the SE Zone

24-21 Purpose of the Commercial and Mixed Use Zones

- A. General Commercial (GC).** The purpose of the GC zone is to allow for a full range of retail, service, and office uses to serve residents, workers and visitors. Standards for the GC zone are intended to ensure that a diversity of commercial uses are available within convenient locations throughout the county. Permitted uses include general retail, personal services, professional offices, restaurants, gas and service stations, hotels and motels, and other similar commercial uses. Vehicle repair, light manufacturing, and warehousing and storage are permitted in the GC zone with the approval of a Conditional Use Permit. Residential uses are not permitted in the GC zone. The maximum permitted floor area ratio in the GC zone is 0.4. The GC zone implements the Retail and Office land use designation in the General Plan.
- B. Neighborhood Commercial (NC).** The purpose of the NC zone is to allow for retail and service uses that meet the daily needs of nearby residents and workers. Standards for the NC zone are intended to reduce the need to drive by providing everyday goods and services close to where people live and work, and by allowing for centers of neighborhood activity that support small, locally-owned businesses. Permitted uses in the NC zone are similar to the GC zone, except that vehicle repair, light manufacturing, and warehousing and storage uses are not allowed. The maximum permitted floor area ratio in the NC zone is 0.3. The NC zone implements the Retail and Office land use designation in the General Plan.
- C. Community Commercial (CC).** The purpose of the CC zone is to allow for retail and service uses in proximity to residents in rural areas of the county. Standards in the CC zone are intended to increase rural residents' access to retail products and services and to reduce the need for residents of remote communities to drive long distances to meet basic needs. Permitted uses include general retail, personal services, professional offices, restaurants, hotels and motels, and other similar commercial uses. Dwelling units occupied by a single household are permitted in the CC zone, ~~when ancillary to a permitted commercial use.~~ The maximum permitted floor area ratio in the CC zone is 0.2. The CC zone implements the Retail and Office land use designation in the General Plan.
- D. Recreation Commercial-1 (REC-1).** The purpose of the REC-1 zone is to allow for unique recreation and tourism-related uses to serve county residents and visitors. Standards in the REC

zone are intended to allow for only those uses that are consistent with this objective. Conditionally permitted uses in the REC-1 zone include golf courses and country clubs, parks and recreational facilities, RV parks, marinas, resorts and vacation cabins, restaurants, retail, and other similar uses. The maximum permitted floor area ratio in the REC-1 zone is 0.4. The REC-1 zone implements the Recreation Commercial land use designation in the General Plan.

- E. **Recreation Commercial-2 (REC-2).** The purpose of the REC-2 zone is to encourage the development of more intensive recreational activities and facilities, to allow support activities associated with recreational facilities and to allow for unique recreation and tourism-related uses to serve the county residents and visitors. Land use regulations for the REC-2 zone are similar to the REC-1 zone, except that allowed land uses are permitted as-of-without the need for the approval of a Conditional Use Permit. The maximum permitted floor area ratio in the REC-2 zone is 0.4. The REC-2 zone implements the Recreation Commercial land use designation in the General Plan.
- F. **Sports and Entertainment (SE).** The purpose of the SE zone is to allow for sports and entertainment uses as primary uses, including sports facilities, golf courses, theaters, and amphitheaters, as well as a range of related commercial uses that are compatible with the primary uses. The related uses may include localized retail, commercial retail, and service establishments. The maximum permitted floor area ratio in the SE zone is 0.4. The SE zone implements the Sports and Entertainment land use designation in the General Plan. The Sports and Entertainment designation was enacted under Butte County Ordinance 3570, where additional information concerning this designation may be found. This designation is unique to several parcels of approximately 100 acres located in Butte Valley near the intersections of Highway 70 and Highway 191 (Clark Road).
- G. **Mixed Use (MU).** The purpose of the MU zone is to allow for a mixture of residential and commercial land uses located close to one another, either within a single building, on the same parcel, or on adjacent parcels. Standards in the MU zone are intended to reduce reliance on the automobile, create pedestrian-oriented environments, and support social interaction by allowing residents to work or shop within walking distance to where they live. Permitted commercial uses include general retail, personal services, restaurants, professional offices, and other similar uses. Permitted residential density in the MU zone ranges from a minimum of 4 dwelling units per acre to a maximum of 20 dwelling units per acre. The maximum permitted floor area ratio in the MU zone is 0.5. The MU zone implements the Mixed Use land use designation in the General Plan.

24-22 Land Use Regulations for Commercial and Mixed Use Zones

- A. **Permitted Uses.** Table 24-22-1 (Permitted Land Uses in the Commercial and Mixed Use Zones) identifies land uses permitted in the commercial and mixed use zones.

TABLE 24-22-1 PERMITTED LAND USES IN THE COMMERCIAL AND MIXED USE ZONES [1][2]

| Key | Zone | | | | | | | Applicable Regulations |
|---|------|----|-------|-------|-------|----|----|------------------------|
| | GC | NC | CC | REC-1 | REC-2 | SE | MU | |
| P Permitted use, subject to Zoning Clearance | | | | | | | | |
| A Administrative Permit required | | | | | | | | |
| C Conditional Use Permit required | | | | | | | | |
| M Minor Use Permit required | | | | | | | | |
| — Use not allowed | | | | | | | | |
| Agriculture Uses | | | | | | | | |
| Agricultural Processing | - | - | - | - | - | - | - | |
| Animal Grazing | - | - | - | - | - | - | - | |
| Animal Processing | - | - | - | - | - | - | - | |
| Animal Processing, Custom | - | - | - | - | - | - | - | |
| Crop Cultivation | - | - | - | - | - | - | - | |
| Intensive Animal Operations | - | - | - | - | - | - | - | |
| Stables, Commercial | - | - | - | - | - | - | - | |
| Stables, Private | - | - | - | - | - | - | - | |
| Natural Resource Uses | | | | | | | | |
| Forestry and Logging | - | - | - | - | - | - | - | |
| Mining | - | - | - | - | - | - | - | |
| Oil and Gas Extraction | - | - | - | - | - | - | - | |
| Timber Processing | - | - | - | - | - | - | - | |
| Residential Uses | | | | | | | | |
| Agricultural Worker Housing Center | - | - | - | - | - | - | - | |
| Agricultural Worker Housing Unit | - | - | - | - | - | - | - | |
| Caretaker Quarters | - | - | - | P [3] | - | - | - | |
| Duplex Homes | - | - | - | - | - | - | P | |
| Live/Work Unit | - | - | - | - | - | - | P | |
| Mobile Home Park | - | - | - | - | - | - | - | |
| Multiple Family Dwelling | - | - | - | - | - | - | P | |
| Residential Care Home, Large | - | - | - | - | - | - | C | |
| Residential Care Home, Small | - | - | P [3] | - | - | - | P | |
| Second Units | - | - | - | - | - | - | - | |
| Single Family Home | - | - | P [3] | - | - | - | P | |
| Community Uses | | | | | | | | |
| Cemeteries, Private | - | - | - | - | - | - | - | |
| Cemeteries, Public | - | - | - | - | - | - | - | |
| Child Care Centers | M | M | M | - | - | - | M | Section 24-153 |
| Child Day Care, Large | - | - | - | - | - | - | M | Section 24-153 |
| Child Day Care, Small | - | - | P | - | - | - | A | Section 24-153 |
| Clubs, Lodges and Private Meeting Halls | P | P | P | C | P | P | P | |
| Community Centers | C | C | C | C | - | P | C | |

| Key P Permitted use, subject to Zoning Clearance A Administrative Permit required C Conditional Use Permit required M Minor Use Permit required — Use not allowed | Zone | | | | | | | Applicable Regulations |
|--|------|----|----|-------|-------|----|----|------------------------|
| | GC | NC | CC | REC-1 | REC-2 | SE | MU | |
| Correctional Institutions and Facilities | - | - | - | - | - | - | - | |
| Cultural Institutions | C | C | C | C | P | P | C | |
| Emergency Shelters | C | C | C | - | - | - | C | |
| Golf Courses and Country Clubs | P | M | C | C | P | P | - | |
| Hospital | - | - | - | - | - | - | - | |
| Medical Offices and Clinics | P | P | P | - | - | - | P | |
| Office, Governmental | P | P | P | - | - | - | P | |
| Parks and Recreational Facilities | C | C | C | C | P | P | C | |
| Public Safety Facilities | C | C | C | - | - | - | C | |
| Religious Facilities | P | P | P | - | - | - | P | |
| Schools, Public and Private | C | C | C | - | - | - | C | |
| Water Ski Lakes | - | - | - | C | C | C | - | |
| Commercial Uses | | | | | | | | |
| Adult Businesses | - | - | - | - | - | - | - | |
| Agricultural Product Sales, Off-Site | - | - | - | - | - | - | - | |
| Agricultural Product Sales On-Site | - | - | - | - | - | - | - | |
| Agricultural Support Services, General | - | - | - | - | - | - | - | |
| Agricultural Support Services, Light | - | - | - | - | - | - | - | |
| Animal Services | C | C | C | - | - | - | C | |
| Bars, Nightclubs and Lounges | P | C | C | M [3] | - | - | C | |
| Bed and Breakfasts | P | P | P | C | - | P | P | |
| Commercial Recreation, Indoor | P | M | P | C | P | P | P | |
| Commercial Recreation, Outdoor | M | M | C | C | P [4] | P | - | |
| Construction, Maintenance and Repair Services | P | M | M | - | - | - | - | |
| Drive-Through Facilities | M | M | M | - | - | - | - | Section 24-154 |
| Equipment Sales and Rental | A | - | M | - | - | - | - | |
| Gas and Service Stations | A | - | M | - | - | - | - | |
| Hotels and Motels | P | P | M | C | P | P | P | |
| Hunting and Fishing Clubs | - | - | - | - | P | - | - | |
| Offices, Professional | P | P | P | - | - | - | P | |
| Nursery, Retail | P | P | P | - | - | - | P | |
| Personal Services | P | P | P | - | - | C | P | |
| Personal Services, Restricted | C | C | C | - | - | - | C | |
| Public/Mini Storage | C | C | - | - | - | - | - | Section 24-163 |

| Key P Permitted use, subject to Zoning Clearance A Administrative Permit required C Conditional Use Permit required M Minor Use Permit required - Use not allowed | Zone | | | | | | | Applicable Regulations |
|--|------|----|----|-------|-------|----|----|------------------------|
| | GC | NC | CC | REC-1 | REC-2 | SE | MU | |
| Recreational Vehicle Parks | M | M | M | C | P | P | - | |
| Restaurant | P | P | P | C | P | P | P | |
| Retail, General | P | P | P | C | P | C | P | |
| Retail, Large Projects | C | - | - | - | - | - | - | Section 24-157 |
| Retail, Restricted | C | C | C | - | - | - | C | |
| Vehicle Repair | A | - | M | - | - | - | - | |
| Vehicle Sales and Rental | P | M | - | - | - | - | - | |
| Vehicle Service and Maintenance | A | - | M | - | - | - | - | |
| Vehicle Storage, Personal | - | - | - | - | - | - | - | |
| Wineries and Olive Oil Operations | - | - | - | - | - | - | - | |
| Industrial Uses | | | | | | | | |
| Manufacturing, General | - | - | - | - | - | - | - | |
| Manufacturing, Heavy | - | - | - | - | - | - | - | |
| Manufacturing, Light | C | - | - | - | - | - | - | |
| Research and Development | - | - | - | - | - | - | - | |
| Warehousing, Wholesaling and Distribution | C | - | - | - | - | - | - | |
| Transportation, Communication, and Utility Uses | | | | | | | | |
| Airport-Related Uses | - | - | - | - | - | - | - | |
| Airport-Related Uses, Restricted | - | - | - | - | - | - | - | |
| Composting Facilities | - | - | - | - | - | - | - | |
| Freight and Truck Terminals and Yards | - | - | - | - | - | - | - | |
| Recycling Collection Facility, Large | M | M | M | - | - | - | - | |
| Recycling Collection Facility, Small | A | A | A | - | - | - | A | |
| Recycling Processing Facility, Heavy | - | - | - | - | - | - | - | |
| Recycling Processing Facility, Light | C | - | - | - | - | - | - | |
| Reverse Vending Machine | A | A | A | A | A | A | A | |
| Runways and Heliports | - | - | - | - | - | - | - | |

| Key | Zone | | | | | | | Applicable Regulations |
|--|--------------------|----|----|-------|-------|----|----|------------------------|
| | GC | NC | CC | REC-1 | REC-2 | SE | MU | |
| P Permitted use, subject to Zoning Clearance | | | | | | | | |
| A Administrative Permit required | | | | | | | | |
| C Conditional Use Permit required | | | | | | | | |
| M Minor Use Permit required | | | | | | | | |
| — Use not allowed | | | | | | | | |
| Parking Facilities | A | M | A | A | A | - | A | Section 24-107 |
| Telecommunications Facilities | See Article 26 | | | | | | | |
| Utilities, Major | C | C | C | C | C | C | C | |
| Utilities, Minor | P | P | P | C | C | C | P | |
| Other Uses | | | | | | | | |
| Accessory Uses and Structures | See Section 24-150 | | | | | | | |

Notes:

- [1] See Article 42 (Glossary) for definitions of listed land uses.
- [2] The construction or expansion of structures occupied by any land use identified in this table requires the approval of a Site Development Permit, except as specifically exempted by Article 30 (Site Development Permits).
- [3] Permitted only in conjunction with a permitted commercial use. Single family homes shall comply with all site development standards for MDR zones as specified in Section 24-20 (Development Standards for the Residential Zones).
- [4] A Conditional Use Permit is required for theme parks and amusement parks of ten-acres or more in size, to address traffic impacts and parking needs.

24-23 Development Standards for Commercial and Mixed Use Zones

- A. Mixed Use Sub-Zones.** The MU zone is divided into three sub-zones, each with its own minimum parcel size. All standards that apply to the MU zone in general also apply to each individual sub-zone, except for minimum parcel area as specified in Table 24-23-1 (Parcel Size, Residential Density, and Intensity Standards for Commercial and Mixed Use Zones).
- B. Parcel Size and Density.** Table 24-23-1 (Parcel Size, Residential Density, and Intensity Standards for Commercial and Mixed Use Zones) identifies the parcel size, residential density, and intensity standards that apply in commercial and mixed-use zones.

TABLE 24-23-1 PARCEL SIZE, RESIDENTIAL DENSITY, AND INTENSITY STANDARDS FOR COMMERCIAL AND MIXED USE ZONES

| | Parcel Area (min.)[1] | Parcel Width (min.) | Residential Density (min.) | Residential Density (max.) | Floor Area Ratio (max.) [3] |
|---------|-----------------------|---------------------|----------------------------|----------------------------|-----------------------------|
| GC | 10,000 sq. ft. | 65 ft. | - | - | 0.4 |
| NC | 10,000 sq. ft. | 65 ft. | - | - | 0.3 |
| CC | 10,000 sq. ft. | 65 ft. | - | 1 unit per parcel[2] | 0.2 |
| REC-1,2 | 10,000 sq. ft. | 65 ft. | - | - | 0.4 |
| SE | 10,000 sq. ft. | 65 ft. | - | - | 0.4 |

| | Parcel Area (min.) ^[1] | Parcel Width (min.) | Residential Density (min.) | Residential Density (max.) | Floor Area Ratio (max.) ^[3] |
|------|-----------------------------------|---------------------|----------------------------|----------------------------|--|
| MU-1 | 10,000 sq. ft. | 65 ft. | - | 6 units per acre | 0.3 |
| MU-2 | 10,000 sq. ft. | 65 ft. | 7 units per acre | 14 units per acre | 0.4 |
| MU-3 | 10,000 sq. ft. | 65 ft. | 15 units per acre | 20 unit per acre | 0.5 |

Notes:

[1] Applies only to the creation of new parcels through the subdivision process.

[2] Single-family dwellings are permitted only as an accessory use to an established principal commercial use located on the same parcel.

[3] Floor Area Ratio is defined and illustrated in Article 42 (Glossary). The calculation of floor area ratio excludes floor area occupied by residential uses.

C. **Structure Setbacks and Height.** Table 24-23-2 (Setback and Height Standards for Commercial and Mixed Use Zones) identifies structure setback and height standards that apply in commercial and mixed use zones.

TABLE 24-23-2 SETBACK AND HEIGHT STANDARDS FOR COMMERCIAL AND MIXED USE ZONES

| | Zone | | | | | |
|-------------------------|---|--------|--------|----------|--------|--------|
| | GC | NC | CC | REC-1, 2 | SE | MU |
| Setbacks | | | | | | |
| Front | None, except 15 ft. when adjacent to a residential zone | | | | | |
| Interior Side | None, except 5 ft. when adjacent to a residential zone | | | | | |
| Street Side | None, except 10 ft. when adjacent to a residential zone | | | | | |
| Rear | None, except 10 ft. when adjacent to a residential zone | | | | | |
| Structure Height (max.) | 50 ft. | 40 ft. | 35 ft. | 35 ft. | 35 ft. | 35 ft. |

24-24 Additional Standards for the Sports and Entertainment Zone

- A. **Applicable Regulations.** All structures on the site shall be reviewed to comply with all applicable federal, State, and local laws, ordinances, and regulations.
- B. **Utilities.** A water system for public uses and sewage treatment and disposal system shall be constructed in compliance with applicable standards.
- C. **Roadways.** All interior roadways shall be private roads; the installation and maintenance of such shall not be borne by the County or any other public agency. By the same token, the construction of private roads need not be pursuant to County standards.
- D. **Highway Access.** Access to a parcel zoned SE from any State highway shall be provided as required by the California Department of Transportation.

- E. Traffic Control and Security Plan.** At least 30 days prior to the first event at any amphitheater facility, a traffic control and security plan shall be prepared in coordination with the Butte County Sheriff, the Butte County Office of Emergency Services, the California Highway Patrol, the Butte County Agricultural Commissioner, and the Butte County Fire Marshall. This plan shall address such elements as satellite parking facilities, shuttle bus usage and routes, information brochures, emergency services access, employee ride share during major events, avoidance of conflicts with agricultural operations, and the security and safety for spectators, visitors and employees, including fire and police protection, costs of which shall be borne by the owners of the facility. The plan shall be updated at least every two years in coordination with the same agencies.
- F. Archaeological Resources.** If evidence of subsurface archaeological resources is found during construction, excavation in the vicinity of the find shall cease, a professional archaeologist shall conduct an evaluation in accordance with State and federal laws and regulations, and the find shall be documented or preserved to the extent required by applicable laws and regulations.

Article 8. INDUSTRIAL ZONES

Sections:

24-25 – Purpose of the Industrial Zones

24-26 – Land Use Regulations for Industrial Zones

24-27 – Development Standards for Industrial Zones

24-25 Purpose of the Industrial Zones

- A. **Light Industrial (LI).** The purpose of the LI zone is to allow for light industrial and service commercial uses with little potential to create noise, odor, vibration, or other similar impacts to adjacent uses and surrounding areas. Permitted uses in the LI zone include construction, maintenance and repair services; equipment sales and rentals; vehicle repair, service and maintenance; research and development; light manufacturing; and warehousing, wholesaling and distribution and emergency shelters. Limited amounts of retail, personal services, restaurants and public/quasi-public uses are permitted to serve area workers, and ancillary retail areas are permitted for the sale of products manufactured on-site. Caretaker quarters that are accessory to a primary use and live/work units are the only form of residential uses allowed. The maximum permitted floor area ratio in the LI zone is 0.4. The LI zone implements the Industrial land use designation in the General Plan.
- B. **General Industrial (GI).** The purpose of the GI zone is to allow for a variety of industrial and service commercial uses in Butte County. Standards for the GI zone are intended to preserve locations for existing and future employment-generating businesses, including both traditional businesses and innovative green technology enterprises. In addition to the uses permitted in the LI zone, the GI zone also permits agricultural and timber processing and heavy manufacturing with the approval of a Conditional Use Permit. The maximum permitted floor area ratio in the GI zone is 0.5. The GI zone implements the Industrial land use designation in the General Plan.
- C. **Heavy Industrial (HI).** The purpose of the HI zone is to allow for a full range of industrial uses, including operations that necessitate the storage of large volumes of hazardous or unsightly materials, or which produce dust, smoke, fumes, odors, or noise at levels that would affect surrounding uses. Uses permitted in the HI are similar to the GI zone, except that heavy industrial uses are permitted as-of-right **and with a Conditional Use Permit**, and retail, personal service and restaurant uses are not allowed. The maximum permitted floor area ratio in the HI zone is 0.5. The HI zone implements the Industrial land use designation in the General Plan.

24-26 Land Use Regulations for Industrial Zones

A. Permitted Uses. Table 24-26-1 (Permitted Land Uses in the Industrial Zones) identifies land uses permitted in the industrial zones.

TABLE 24-26-1 PERMITTED LAND USES IN THE INDUSTRIAL ZONES [1][2]

| Key P Permitted use, subject to Zoning Clearance A Administrative Permit required C Conditional Use Permit required M Minor Use Permit required - Use not allowed | Zone | | | Applicable Regulations |
|--|------|----|----|--------------------------------------|
| | LI | GI | HI | |
| Agricultural Uses | | | | |
| Agricultural Processing | - | P | P | |
| Animal Grazing | - | - | - | |
| Animal Processing | - | - | P | |
| Animal Processing, Custom | - | - | P | |
| Crop Cultivation | - | - | - | |
| Intensive Animal Operations | - | - | - | |
| Stables, Commercial | - | - | - | |
| Stables, Private | - | - | - | |
| Natural Resource Uses | | | | |
| Forestry and Logging | - | - | - | |
| Mining | - | - | C- | Requested by Granite |
| Oil and Gas Extraction | - | - | - | |
| Timber Processing | - | C | P | |
| Residential Uses | | | | |
| Agricultural Worker Housing Center | - | - | - | |
| Agricultural Worker Housing Unit | - | - | - | |
| Caretaker Quarters | M | M | M | |
| Duplex Home | - | - | - | |
| Live/Work Unit | C | - | - | Section 24-158 |
| Mobile Home Park | - | - | - | |
| Multiple Family Dwelling | - | - | - | |
| Residential Care Homes, Large | - | - | - | |
| Residential Care Homes, Small | - | - | - | |

| Key P Permitted use, subject to Zoning Clearance A Administrative Permit required C Conditional Use Permit required M Minor Use Permit required - Use not allowed | Zone | | | Applicable Regulations |
|--|------|----|----|-----------------------------------|
| | LI | GI | HI | |
| Second Units | - | - | - | |
| Single Family Home | - | - | - | |
| Community Uses | | | | |
| Cemeteries, Private | - | - | - | |
| Cemeteries, Public | - | - | - | |
| Child Care Center | - | - | - | |
| Child Day Care, Large | - | - | - | |
| Child Day Care, Small | - | - | - | |
| Clubs, Lodges and Private Meeting Halls | C | - | - | |
| Community Centers | - | - | - | |
| Correctional Institutions and Facilities | - | - | - | |
| Cultural Institutions | - | - | - | |
| Emergency Shelters | P | - | - | Section 24-155 |
| Golf Courses and Country Clubs | - | - | - | |
| Hospital | - | - | - | |
| Medical Office and Clinic | - | - | - | |
| Office, Governmental | - | - | - | |
| Parks and Recreational Facilities | - | - | - | |
| Public Safety Facilities | C | C | C | |
| Religious Facilities | M | - | - | |
| Schools, Public and Private | M | M | - | |
| Water Ski Lakes | - | - | - | |
| Commercial Uses | | | | |
| Adult Businesses | C | C | C | County Code Chapter 15, Article 4 |
| Agricultural Product Sales, Off-Site | - | - | - | |
| Agricultural Product Sales, On-Site | - | - | - | |
| Agricultural Support Services, General | - | - | - | |
| Agricultural Support Services, Light | - | - | - | |

| Key P Permitted use, subject to Zoning Clearance A Administrative Permit required C Conditional Use Permit required M Minor Use Permit required — Use not allowed | Zone | | | Applicable Regulations |
|--|-------|-------|----|------------------------|
| | LI | GI | HI | |
| Animal Services | P | P | - | |
| Bars, Nightclubs and Lounges | - | - | - | |
| Bed and Breakfast | - | - | - | |
| Commercial Recreation, Indoor | M [3] | - | - | |
| Commercial Recreation, Outdoor | - | - | - | |
| Construction, Maintenance and Repair Services | P | P | P | |
| Drive-Through Facility | A | A | A | Section 24-154 |
| Equipment Sales and Rentals | P | P | P | |
| Gas and Service Stations | - | - | - | |
| Hotel and Motel | - | - | - | |
| Hunting and Fishing Clubs | - | - | - | |
| Medical Offices and Clinics | - | - | - | |
| Offices, Professional | - | - | - | |
| Nursery, Retail | - | - | - | |
| Personal Services | A [3] | A [3] | - | |
| Personal Services, Restricted | - | - | - | |
| Public/Mini Storage | P | P | - | Section 24-163 |
| Recreational Vehicle Parks | - | - | - | |
| Restaurant | A [3] | A [3] | - | |
| Retail, General | A [3] | A [3] | - | |
| Retail, Large Projects | - | - | - | |
| Retail, Restricted | - | - | - | |
| Vehicle Repair | P | P | P | |
| Vehicle Sales and Rental | - | - | - | |
| Vehicle Service and Maintenance | P | P | P | |
| Vehicle Storage, Personal | - | - | - | |
| Wineries and Olive Oil Operations | - | - | - | |
| Industrial Uses | | | | |

| Key P Permitted use, subject to Zoning Clearance A Administrative Permit required C Conditional Use Permit required M Minor Use Permit required — Use not allowed | Zone | | | Applicable Regulations |
|--|-------------------|----|----|------------------------|
| | LI | GI | HI | |
| Manufacturing, Light | P | P | P | |
| Manufacturing, General | C | P | P | |
| Manufacturing, Heavy | - | - | C | |
| Research and Development | P | P | P | |
| Warehousing, Wholesaling and Distribution | P | P | P | |
| Transportation, Communication, and Utility Uses | | | | |
| Airport-Related Uses | - | - | - | |
| Airport-Related Uses, Restricted | - | - | - | |
| Composting Facilities | - | C | P | |
| Freight and Truck Terminals and Yards | C | P | P | |
| Recycling Collection Facility, Large | A | A | A | Section 24-164 |
| Recycling Collection Facility, Small | A | A | A | Section 24-164 |
| Recycling Processing Facility, Heavy | C | C | C | Section 24-164 |
| Recycling Processing Facility, Light | M | M | M | Section 24-164 |
| Reverse Vending Machine | A | A | A | Section 24-164 |
| Parking Facilities | A | - | - | Article 19 |
| Runways and Heliports | - | C | C | |
| Telecommunications Facilities | See Article 26 | | | |
| Utilities, Major | C | C | C | |
| Utilities, Minor | P | P | P | |
| Other Uses | | | | |
| Accessory Uses and Structures | See Section 24-34 | | | |

Notes:

[1] See Article 42 (Glossary) for definitions of listed land uses.

[2] The construction or expansion of structures occupied by any land use identified in this table requires the approval of a Site Development Permit, except as specifically exempted by Article 29 (Site Development Permits).

[3] The use may not be located within 1,000 feet from another Commercial Recreation, Indoor; Retail, General; Personal Services; or Restaurant use, and may not occupy more than 25 percent of the floor area of a single structure.

24-27 Development Standards for Industrial Zones

A. Parcel Size and Density. Table 24-27-1 (Parcel Size and Intensity Standards for Industrial Zones) identifies the parcel size and intensity standards that apply in industrial zones.

TABLE 24-27-1 PARCEL SIZE AND INTENSITY STANDARDS FOR INDUSTRIAL ZONES

| | Parcel Area (min.) ^[1] | Parcel Width (min.) | FAR (max.) |
|----|-----------------------------------|---------------------|------------|
| LI | 10,000 sq. ft. | 65 ft. | 0.4 |
| HI | 10,000 sq. ft. | 65 ft. | 0.5 |
| GI | 10,000 sq. ft. | 65 ft. | 0.5 |

Notes:
 [1] Applies only to the creation of new parcels through the subdivision process.

B. Structure Setbacks and Height. Table 24-27-2 (Setback and Height Standards for Industrial Zones) identifies structure setback and height standards that apply in industrial zones.

TABLE 24-27-2 SETBACK AND HEIGHT STANDARDS FOR INDUSTRIAL ZONES

| | Zone | | |
|---------------------------------------|---|--------|--------|
| | LI | GI | HI |
| Setbacks | | | |
| Front | None, except 50 ft. when adjacent to a residential zone | | |
| Interior Side | None, except 50 ft. when adjacent to a residential zone | | |
| Street Side | None, except 50 ft. when adjacent to a residential zone | | |
| Rear | None, except 50 ft. when adjacent to a residential zone | | |
| Structure Height (max.) ^{**} | 50 ft. | 50 ft. | 50 ft. |

****REQUEST BY GRANITE TO ALLOW FOR HEIGHT TO BE INCREASED ABOVE 50 FT AS A PART OF A USE PERMIT (PLANNING COMMISSION CONCURRED)**

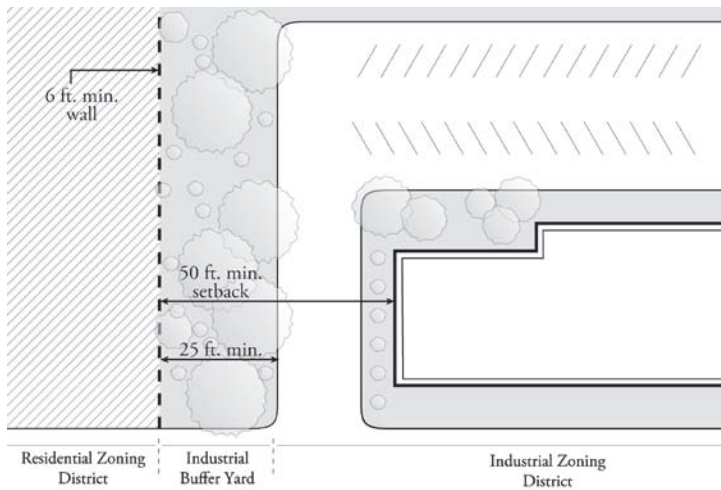
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C. Industrial Buffer Yards.

- 1. Industrial Buffer Yard Defined.** An industrial buffer yard is an area of plantings that shields neighboring residential properties from negative impacts created by industrial land uses.

2. **When Required.** An industrial buffer yard is required for any development within an industrial zone that is adjacent to a residential zone.
3. **Buffer Yard Standards.**
 - a. Industrial buffer yards shall be located along the outer perimeter of a property line abutting a residential zone. See Figure 24-27-1 (Industrial Buffer Yards)

FIGURE 24-27-1 INDUSTRIAL BUFFER YARDS



- b. The minimum width of an industrial buffer yard shall be 25 feet.
- c. Industrial buffer yards shall include a solid masonry or equivalent wall no less than six feet in height.
- d. Industrial buffer yards shall be planted with a mix of deciduous and evergreen trees and shrubs of suitable type, size, and spacing to achieve screening year-round.
- e. All plantings within an industrial buffer yard shall be maintained in a manner consistent with Section 24-112 (Maintenance) in Article 21 (Landscaping).
- f. Paved surfaces shall be prohibited within industrial buffer yards. Buffer yards shall not be used for parking, driveways, trash enclosures, building areas, or any other activity associated with the primary use on the property.

Article 9. SPECIAL PURPOSE ZONES

Sections:

- 24-28 – Purpose of the Special Purpose Zones
- 24-28 – Land Use Regulations for Special Purpose Zones
- 24-39 – Development Standards for Special Purpose Zones
- 24-31 – RBP Zone Requirements
- 24-32 – Planned Development Zone Requirements

24-28 Purpose of the Special Purpose Zones

- A. Public (PB).** The purpose of the PB zone is to allow for public and quasi-public facilities that serve Butte County residents and visitors and enhance the quality of life within the county. Permitted uses in the PB zone include public schools; parks and playgrounds; community centers; museums, cultural, and interpretive facilities; public libraries; governmental offices; police and fire stations; and public hospitals. Public uses permitted with the approval of a Conditional Use Permit include large scale facilities such as dams and reservoirs, landfills, cemeteries and mausoleums, correctional institutions, major utilities, and other similar public works projects. Quasi-public uses permitted in the PB zone with the approval of a Conditional Use Permit include religious facilities, private hospitals, private schools, day care facilities, and private institutions. The maximum FAR in the PB zone is 0.5. The PB zone implements the Public land use designation in the General Plan.
- B. Airport (AIR).** The purpose of the AIR zone is to preserve and protect Butte County's airports by allowing land uses and activities that are typically associated with airport operations, and preventing the encroachment of incompatible uses. Standards in the AIR zone are intended to support aeronautics-related businesses and services that benefit from or require proximity to an airport. Permitted land uses include unscheduled air carrier facilities, charter aircraft operations, aircraft sales and service, aircraft storage, sale of aviation petroleum products, pilot lounges and airport offices, and other similar uses. Airport-related uses typically associated with scheduled air services, or that may not be appropriate in all locations, are permitted with the approval of a Conditional Use Permit. Land uses that serve visitors to the airport and the general public, such as retail, services, and restaurants, are also permitted with the approval of Conditional Use Permit. The maximum FAR in the AIR zone is 0.5. The AIR zone implements the Industrial land use designation in the General Plan.
- C. Research and Business Park (RBP).** The purpose of the RBP zone is to accommodate the development of high quality, extensively landscaped, and well-maintained commercial and light industrial projects in a campus-like environment. Permitted land uses include research and development, business/professional corporate headquarters, and light industrial and manufacturing. Retail, services, and clustered residential uses are permitted as incidental uses. Development

within the RBP zone is subject to detailed standards relating to site planning, building design, and landscape design. Prior to development occurring in the RBP zone, a Master Development Plan shall be approved by the Planning Commission that establishes a detailed plan for proposed buildings, uses, and site improvements. The maximum FAR in the RBP zone is 0.4. Residential uses shall be clustered. ~~residential uses are permitted at no more than 1 dwelling unit per gross acre.~~ The RPB zone implements the Research and Business Park designation in the General Plan.

- D. Planned Development (PD).** The purpose of the PD zone is to allow for high quality development that deviates from standards and regulations applicable to other zones within the county. The PD zone is intended to promote creativity in building design, flexibility in permitted land uses, and innovation in development concepts. The PD zone is also intended to ensure project consistency with the General Plan, sensitivity to surrounding land uses, and the protection of sensitive natural resources. The PD zone provides land owners with enhanced flexibility to take advantage of unique site characteristics to develop projects that will provide public benefits for residents, employees and visitors to Butte County. This zone is not identified in Table 24-29-1 (Permitted Land Uses in Special Purpose Zones) as it is intended to allow for a variety of uses and development.

24-29 Land Use Regulations for Special Purpose Zones

- A. Permitted Uses in the PB, AIR and RBP Zones.** Table 24-29-1 (Permitted Land Uses in Special Purpose Zones) identifies land uses permitted in the PB, AIR, and RBP zones.

TABLE 24-29-1 PERMITTED LAND USES IN SPECIAL PURPOSE ZONES [1][2]

| Key | Zone | | | Applicable Regulations |
|--|------|-----|-------------------------|------------------------|
| | PB | AIR | RBP | |
| P Permitted use, subject to Zoning Clearance | | | | |
| A Administrative Permit required | | | | |
| C Conditional Use Permit required | | | | |
| M Minor Use Permit required | | | | |
| — Use not allowed | | | | |
| Agriculture Uses | | | | |
| Agricultural Processing | - | - | C | |
| Animal Grazing | - | - | - | |
| Animal Processing | - | - | - | |
| Animal Processing, Custom | - | - | - | |
| Crop Cultivation | - | - | See Section 24-31.A.5.a | |
| Intensive Animal Operations | - | - | - | |
| Stables, Commercial | - | - | - | |
| Stables, Private | - | - | - | |
| Natural Resource Uses | | | | |

| Key P Permitted use, subject to Zoning Clearance A Administrative Permit required C Conditional Use Permit required M Minor Use Permit required - Use not allowed | Zone | | | Applicable Regulations |
|--|-------|-----|---------------------|------------------------|
| | PB | AIR | RBP | |
| Forestry and Logging | - | - | - | |
| Mining | - | - | - | |
| Oil and Gas Extraction | - | - | - | |
| Timber Processing | - | - | - | |
| Residential Uses | | | | |
| Agricultural Worker Housing Center | - | - | - | |
| Agricultural Worker Housing Unit | - | - | - | |
| Caretaker Quarters | - | P | C [3] | |
| Duplex Home | - | - | - | |
| Live/Work Unit | - | - | C [3] | Section 24-158 |
| Mobile Home Park | - | - | - | |
| Multiple Family Dwelling | - | - | C [3] | |
| Residential Care Homes, Large | - | - | C [3] | |
| Residential Care Homes, Small | - | - | C [3] | |
| Second Units | - | - | - | |
| Single Family Home | - | - | P -C [3] | |
| Community Uses | | | | |
| Cemeteries, Private | C | - | - | |
| Cemeteries, Public | P | - | - | |
| Child Care Centers | C | - | P [4] | Section 24-153 |
| Child Day Care, Large | - | - | - | |
| Child Day Care, Small | - | - | - | |
| Clubs, Lodges and Private Meeting Halls | C | - | P [4] | |
| Community Centers | P | - | P [4] | |
| Correctional Institutions and Facilities | C | - | - | |
| Cultural Institutions | M | - | M [4] | |
| Emergency Shelters | C | - | - | |
| Hospital | C | - | - | |
| Medical Office and Clinic | C [5] | - | P [4] | |
| Office, Governmental | P | C | - | |
| Parks and Recreational Facilities | P [5] | - | P | |
| Public Safety Facilities | P | - | P [4] | |
| Religious Facilities | C | - | P [4] | |
| Schools, Public and Private | P [5] | - | P | |
| Water Ski Lakes | - | - | - | |

| Key P Permitted use, subject to Zoning Clearance A Administrative Permit required C Conditional Use Permit required M Minor Use Permit required - Use not allowed | Zone | | | Applicable Regulations |
|--|------|-----|-------|------------------------|
| | PB | AIR | RBP | |
| Commercial Uses | | | | |
| Adult Businesses | - | - | - | |
| Agricultural Product Sales, Off-Site | - | - | - | |
| Agricultural Product Sales, On-Site | - | - | - | |
| Agricultural Support Services, General | - | - | - | |
| Agricultural Support Services, Light | - | - | - | |
| Animal Services | - | - | - | |
| Bars, Nightclubs and Lounges | - | C | P [4] | |
| Bed and Breakfast | - | - | - | |
| Commercial Recreation, Indoor | - | - | P [4] | |
| Commercial Recreation, Outdoor | C | - | - | |
| Construction, Maintenance and Repair Services | - | C | - | |
| Drive-Through Facility | A | A | - | Section 24-154 |
| Equipment Sales and Rentals | - | C | - | |
| Gas and Service Stations | - | C | - | |
| Hotel and Motel | - | C | - | |
| Hunting and Fishing Clubs | - | - | - | |
| Medical Offices and Clinics | - | C | P [4] | |
| Offices, Professional | - | C | P | |
| Nursery, Retail | - | - | - | |
| Personal Services | - | C | P [4] | |
| Personal Services, Restricted | - | - | - | |
| Public/Mini Storage | - | C | - | Section 24-163 |
| Restaurants | - | C | P [4] | |
| Retail, General | - | C | P [4] | |
| Retail, Restricted | - | - | - | |
| Vehicle Repair | - | C | - | |
| Vehicle Sales and Rental | - | C | - | |
| Vehicle Service and Maintenance | - | C | - | |
| Vehicle Storage, Personal | - | - | - | |
| Wineries and Olive Oil Operations | - | - | - | |
| Industrial Uses | | | | |
| Manufacturing, General | - | - | - | |
| Manufacturing, Heavy | - | - | - | |
| Manufacturing, Light | - | C | P | |

| Key P Permitted use, subject to Zoning Clearance A Administrative Permit required C Conditional Use Permit required M Minor Use Permit required — Use not allowed | Zone | | | Applicable Regulations |
|--|--------------------|-----|-----|------------------------|
| | PB | AIR | RBP | |
| Research and Development | - | C | P | |
| Warehousing, Wholesaling and Distribution | - | C | - | |
| Transportation, Communication and Utility Uses | | | | |
| Airport-Related Uses | - | P | - | |
| Airport-Related Uses, Restricted | - | C | - | |
| Composting Facilities | - | - | - | |
| Freight and Truck Terminals and Yards | - | C | - | |
| Recycling Collection Facility, Large | - | - | - | |
| Recycling Collection Facility, Small | A | A | - | |
| Recycling Processing Facility, Heavy | - | - | - | |
| Recycling Processing Facility, Light | - | - | - | |
| Reverse Vending Machine | A | A | A | Section 24-164 |
| Parking Facilities | - | - | | |
| Runways and Heliports | C [5] | P | C | |
| Telecommunications Facilities | See Article 26 | | | |
| Utilities, Major | C | C | C | |
| Utilities, Minor | P | P | P | |
| Other Uses | | | | |
| Accessory Uses and Structures | See Section 24-150 | | | |

Notes:

[1] See Article 42 (Glossary) for definitions of listed land uses.

[2] The construction or expansion of structures occupied by any land use identified in this table within the PB or AIR zone requires the approval of a Site Development Permit, except as specifically exempted by Article 29 (Site Development Permits).

[3] Permitted only as an accessory use. The maximum number of units shall not exceed one unit per acre of gross project area.

[4] Square footage shall not exceed one percent of the floor area of a parcel or the total floor area of the entire research and business park. Uses may be developed only after 25 percent of the approved research and business park floor area is built out, unless the use is operated by and included in the building of a primary permitted use.

[5] Use shall be owned and operated by governmental agencies. Privately owned facilities are prohibited.

B. Permitted Uses in the PD Zone. Permitted land uses in the PD zone shall be as allowed by the applicable General Plan land use designation.

24-30 Development Standards for Special Purpose Zones

A. Parcel Size and Density.

1. Table 24-30-1 (Parcel Size, Residential Density, and Intensity Standards for Special Purpose Zones) identifies the parcel size, density, and intensity standards that apply in the PB, AIR and RBP zones.

TABLE 24-30-1 PARCEL SIZE, RESIDENTIAL DENSITY, AND INTENSITY STANDARDS FOR SPECIAL PURPOSE ZONES

| | Parcel Area (min.) | Parcel Width (min.) | Residential Density (min.) | FAR (max.) |
|-----|--------------------|---------------------|----------------------------|------------|
| PB | - | 65 ft. | - | 0.4 |
| AIR | 10,000 sq. ft. | 65 ft. | - | 0.5 |
| RBP | 1 acres | 100 ft. | 1 unit per acre | 0.4 |

2. Residential density and intensity standards in the PD zone shall be as allowed by the applicable General Plan land use designation. Parcel size standards in the PD zone shall be as specified in an approved Development Plan as described in Section 24-32 (Planned Development Zone Requirements).

B. Structure Setbacks and Height.

1. Table 24-30-2 (Setback and Height Standards for Special Purpose Zones) identifies structure setback and height standards that apply in the PB, AIR and RBP zones.

TABLE 24-30-2 SETBACK AND HEIGHT STANDARDS FOR SPECIAL PURPOSE ZONES

| | Zone | | |
|---------------|--|-----|--------|
| | PB | AIR | RBP |
| Setbacks | | | |
| Front | None, except 15 ft. when adjacent to a residential zone or use | | 50 ft. |
| Interior Side | None, except 5 ft. when adjacent to a residential zone or use | | 25 ft. |
| Street Side | None, except 10 ft. when adjacent to a residential zone or use | | 50 ft. |

| | Zone | | |
|-------------------------|--|--------|--------|
| | PB | AIR | RBP |
| Rear | None, except 10 ft. when adjacent to a residential zone or use | | 25 ft. |
| Structure Height (max.) | None | 35 ft. | 60 ft. |

2. Structure setback and height standards in the PD zone shall be as specified in an approved Development Plan as described in Section 24-32 (Planned Development Zone Requirements).

C. Additional AIR Zone Standards.

1. **Performance Standards.** Any use that is not primarily aeronautic in nature shall not produce glare, heat, noise, or odor above ambient levels at the property line.
2. **Building and Development Standards.** All structures shall be designed and constructed to limit indoor noise levels to no greater than 45 decibels during aircraft operation.
3. **Minimum Requirements for New Airport Zones.** Sites proposed for AIR zoning where no airport is in existence shall demonstrate that the site can meet all the permitting requirements of the California Department of Transportation, Division of Aeronautics.

24-31 Research and Business Park Zone Requirements

A. Design Standards. All development within the RBP zone shall comply with the following design standards. Compliance with these standards may be modified through the Master Development Plan review process, described in Subsection B below. Development within the RBP zone shall also be subject to all other applicable development standards contained in the Zoning Ordinance, including but not limited to standards for parking, signage, and landscaping.

1. **Site Design.**
 - a. Development shall be sensitive to viewshed preservation for nearby properties within and beyond the business park.
 - b. Parking lots shall not be a visually dominant site feature when viewed from adjacent streets. Large expanses of parking lot surface are to be avoided in favor of smaller amounts.
 - c. Employee parking areas shall be separated from streets by structures unless unusual sites conditions require an alternative configuration.

- d. Where parking lots are visible from streets, parked vehicles shall be partially screened with perimeter landscaping or landscaped earthen berms that do not interfere with sight distance at driveways and road intersections.
 - e. Plazas and courtyards, protected from weather and nuisance factors (e.g., loading and service areas and mechanical equipment), shall be provided within each project for the benefit and enjoyment of employees.
2. **Architectural Design.**
- a. All primary building materials shall be able to withstand local weather conditions with little or no degradation in appearance or function.
 - b. Large expanses of uninterrupted wall planes are prohibited where visible from a street or research and business park property line. Various techniques may be utilized to reduce the visual monotony of such vertical surfaces, including deep off-sets and recesses, windows, trellises, variations in colors and materials, and architectural detailing that creates definite shadow patterns.
 - c. The appearance of large, monolithic structure mass is prohibited. Where large footprint, rectilinear structures are necessary and appropriate, the perception of mass shall be reduced by breaking wall planes into smaller, connected sizes. Apparent structure mass can also be reduced by incorporating extensive tree screening.
 - d. Primary structure entrances shall be oriented toward the street.
3. **Public Facilities and Utilities.** All utilities shall be installed underground, with the exception of transformers which may be pad-mounted. Pad-mounted facilities shall be screened from off-site view using shrubs.
4. **Grading, Drainage, and Erosion Control.** Contour grading techniques shall be used to blend site grading into natural topography. Grading shall be designed to:
- a. Conserve natural topographic features by minimizing the amount of cut and fill and by blending graded slopes and benches with the natural topography; and
 - b. Retain major natural topographic features, including canyons, knolls, ridgelines, and prominent landmarks.
5. **Agricultural Uses and Environmental Resources.**
- a. Agricultural uses may be integrated into private or common open space or landscaped areas within a research and business park development.

- b. Mature trees, creeks, rock outcroppings and other natural features shall be preserved and incorporated into business parks unless project objectives cannot be achieved without their removal.
 - c. Flexible parcel sizing and clustering of development areas is encouraged as a means of preserving and incorporating sensitive land features within a research and business park.
6. **Streetscape.** Development in the RBP Zone shall provide a consistent streetscape theme addressing all elements of the streetscape, including plant materials, street lighting fixtures, street signage, and pavement material.

B. Permitting Requirements.

1. **Master Development Plan Required.** No development may occur within the RBP zone prior to the approval of a Master Development Plan. The Master Development Plan will serve as a comprehensive program that identifies the parameters and standards for the uses, design, and maintenance of all land within the RBP zone boundary.
2. **Pre-Application Conference.** An optional pre-application conference with the Department of Development Services is encouraged for all Master Development Plans.
3. **Application Submittal and Review.** An application for a Master Development Plan shall be filed and reviewed in compliance with Article 27 (Permit Application and Review) and shall, at a minimum, include all of the following materials and information:
 - a. A site development plan showing development parcels and their uses, building areas, vehicular and pedestrian access and circulation, open space areas, landscaping, and parking.
 - b. A statement identifying any requested modifications to the design standards identified in Subsection A above, and a description of the proposed method of administering and enforcing design standards and maintaining open space areas within the project.
 - c. Typical elevations that illustrate the range of permitted architectural styles for proposed buildings.
 - d. A schematic infrastructure plan (i.e., roads, sewer, water, storm drainage) showing size and availability of facilities and a description of necessary utilities.
 - e. A topographic map of the project site and land and structures within 100 feet of the project boundaries. The map shall be drawn to a scale of not less than 1 inch equals 100 feet with a contour interval of 5 feet.
 - f. Maps of existing and final slope depicting the following slope categories: 0-5 percent, 6-10 percent, 11-15 percent, and 16 percent and higher.

- g. A preliminary grading, erosion control, and drainage plan.
 - h. A hydrology report which shall identify areas of possible inundation, downstream effects, natural drainage courses, primary groundwater recharge areas (as applicable), effect of hydrologic conditions on the proposed development, recommendations regarding the adequacy of facilities proposed for the site, and proposed solutions to mitigate identified hydrologic hazards. The report shall be prepared by a registered civil engineer experienced in hydrology and hydrologic investigation.
 - i. A biological resource assessment of the subject site by a qualified biologist including the location and species of trees over six inches in diameter at breast height, habitat type, and the occurrence of any special-status species within the area.
 - j. A traffic study prepared by a qualified traffic engineer to assess current levels of service and needed improvements of both on-site and off-site roads. The study shall also evaluate pedestrian and bicycle opportunities, transit, and unique characteristics of the vehicle mix.
 - k. A description of project phasing, if applicable.
4. **Specific Plan Permitted.** A specific plan, as identified in Section 65450 et seq. of the California Government Code, or a development agreement pursuant to Article 41 (Development Agreements), may be used by the applicant to fulfill the requirement for preparation of a Master Development Plan.
5. **Public Notice and Hearing.** The Planning Commission shall hold a public hearing on the application for a Master Development Plan in compliance with Article 37 (Public Notice and Hearings).
6. **Findings.** The Planning Commission may approve an application for a Master Development Plan only if all of the following findings can be made:
- a. The Master Development Plan is consistent with all standards and regulations that apply to the RBP zone as well as all other applicable standards in the Zoning Ordinance.
 - b. The Master Development Plan complies with applicable standards in the Zoning Ordinance, other County ordinances, the General Plan and any other applicable community or specific plan.
 - c. The location, size, design, and operating characteristics of the research and business park will be compatible with existing and future land uses in the vicinity of the project site.
 - d. The research and business park is properly located within the county and adequately served by existing or planned services and infrastructure.

- e. The Master Development Plan carries out the intent of the RBP zone by providing for high quality, extensively landscaped, and well-maintained commercial and light industrial development in a campus-like environment.
7. **Modifications Permitted.** The Planning Commission may approve modifications to development standards for the RBP zone specified in Section 24-30 (Development Standards for Special Purpose Zones) during the Master Development Plan review process. A modification may be approved if it is determined that the modification meets the intent of the RBP zone, would result in a superior development or results in a comparable outcome, and would not result in greater impacts on surrounding properties or the environment in general.
8. **Master Development Plan Amendment Process.** Modifications to an approved Master Development Plan shall be approved as specified in Section 24-250 (Changes to an Approved Project).
9. **Relationship to Subdivision Process.** A tentative parcel map or subdivision map may be submitted and processed concurrently with a Master Development Plan. Alternatively, tentative parcel map or subdivision map requests may be submitted as a condition of Master Development Plan approval.
10. **Administrative Permit Process.**
 - a. Once a Master Development Plan has been approved by the Planning Commission, the Zoning Administrator shall grant Administrative Permits for any use or structure consistent with the Master Development Plan. A building permit or grading permit shall not be issued until an Administrative Permit has been approved by the Zoning Administrator.
 - b. The Zoning Administrator shall determine that all uses and development standards are consistent with the approved Master Development Plan and within the scope of the environmental review and determination for the overall research and business park. The Zoning Administrator shall also verify that the applicant has received design review approval by the research and business park property owners association or other established entity, as applicable. The CC&Rs, as required in Subsection 11 below, shall be submitted for review and approval.
11. **Deed Restrictions.**
 - a. Where multiple owners or parcels are included, deed restrictions, or covenants, conditions and restrictions (CC&Rs), administered and enforced by a property owners association, shall be submitted as part of the Administrative Permit process. CC&Rs shall be reviewed and approved by the Zoning Administrator and County Counsel to assure

conformance with the master development plan. All uses within the research and business park shall adhere to the recorded CC&Rs.

- b. CC&Rs shall give particular attention to administration and enforcement of design guidelines and to maintenance of common open space and landscaping.

24-32 Planned Development Zone Requirements

- A. **General Rezoning Requirements.** In addition to the requirements contained in this section, the rezoning of any parcel to Planned Development (PD) shall comply with the requirements for a Zoning Ordinance Map Amendment as specified in Article 39 (Zoning Ordinance Amendments).
- B. **Minimum Parcel Size.** The minimum size of a site proposed for rezoning to the PD zone is five acres.
- C. **Pre-Application Conference.** Prospective applicants are required to request a pre-application conference with the Department of Development Services before completing and filing an application for a PD rezoning. At the pre-application conference, prospective applicants shall describe the general concepts of the development project, including site layout, land uses, building height and bulk standards, circulation, and other information necessary to describe key aspects of the project. The Department of Development Services shall provide preliminary feedback on the described development project relative to project consistency with County policies. The Department of Development Services shall also review with the prospective applicant submittal requirements for a PD rezoning and the process for application review and action by the Planning Commission and Board of Supervisors.
- D. **Application Submittal.** An application for a PD rezoning shall be filed in compliance with Article 27 (Permit Application and Review). The application shall include the information and materials specified in the Department of Development Services handout for Zoning Ordinance Map Amendments, in addition to the following materials:
 1. **Project Description.** The applicant shall provide a written description of the project proposed within the PD zone. The project description shall include a narrative statement of the project's objectives and a statement of how the proposed project will comply with General Plan goals and policies for the land use designation of the project site. The project description may also include a diagram illustrating the proposed project.
 2. **Site Map.** The application shall include maps depicting the existing topography, on-site structures and natural features, mature trees, and other significant vegetation and drainage patterns. The map shall show the proposed PD zone boundaries and all properties within 300 feet of the site boundary. The map shall be accompanied by a description of the type and condition of mature trees.

3. **Parcel or Tentative Map.** If the project within the proposed PD zone involves the subdivision of land, the application shall include a parcel map or tentative map as required by Chapter 20 (Subdivisions) of the County Code.
4. **Infrastructure.** The application shall include a written description of the infrastructure necessary to serve each phase of project proposed within the PD zone.
5. **Public Facilities Financing Plan.** If the proposed project will not be adequately served by existing public infrastructure and facilities or through the adopted countywide impact fee program, the application shall include a public facilities financing plan that identifies the needed public improvements and establishes a plan to pay for and develop the required public improvements.
6. **Open Space Summary.**
 - a. The open space summary shall include the amount (in square feet or acres) and percentage of site area that will be provided as total open space, private open space, common open space, and usable open space, as applicable. The summary shall also include a description of all open space areas, including proposed recreational facilities and amenities.
 - b. In residential PUD projects, not less than 25 percent of the residential portion of the project shall be utilized for purposes other than residential dwellings and paved areas for vehicular uses. No less than 45 percent of such 25 percent shall be utilized for recreation or park areas available for use by all residents. The same criteria for open space area shall apply to agricultural PUD projects which may or may not include residential uses. For industrial or commercial PUD projects, not less than 10 percent of the project shall be developed as landscaped areas.
7. **Development Plan.** The application for a PD rezoning shall be accompanied by a Development Plan that includes the following information about the project proposed for the PD zone:
 - a. **Land Use.** The Development Plan shall include a map showing the location of each land use proposed within the site, including open space and common areas. The land use map shall be accompanied by a narrative description of permitted land uses, allowable accessory uses, and uses allowed with a Conditional Use Permit.
 - b. **Subdivision Regulations.** The Development Plan shall include a ~~statement of subdivision regulations~~ Subdivision Map (if a subdivision is proposed), including minimum parcel area and minimum parcel dimensions.

- c. **Circulation.** The Development Plan shall include a map and narrative of the major circulation features within the site, including vehicular, bicycle, and pedestrian facilities, as applicable.
- d. **Development Standards.** The Development Plan shall identify development standards for all structures within the site, including, but not limited to, density, setback, structure height, site coverage, and parking requirements.
- e. **Design Guidelines.** The Development Plan shall include design guidelines pertaining to development features such as landscaping; building materials; fences, walls and screenings; and open spaces.

E. Planning Commission Review and Recommendation.

- 1. The Planning Commission shall hold a public hearing on the PD rezoning application as required by Article 39 (Zoning Ordinance Amendments). The Planning Commission shall consider the full PD rezoning application at this hearing, including the Development Plan.
- 2. The Planning Commission shall forward a written recommendation, and reasons for the recommendation, on the proposed PD rezoning and Development Plan. The recommendation shall be based on the findings in Subsection G (Findings), in addition to the Zoning Ordinance Map Amendment findings specified in Section 24-279 (Findings and Decision).

F. Board of Supervisors Review and Decision. Upon receipt of the Planning Commission's recommendation, the Board of Supervisors shall conduct a public hearing and either approve, approve in modified form, or deny the PD rezoning and Preliminary Development Plan. The Board of Supervisors may approve the application only if all of the findings in Subsection G (Findings) below can be made, in addition to the Zoning Ordinance Map Amendment findings specified in Section 24-279 (Findings and Decision).

G. Findings. The Board of Supervisors may approve an application for PD rezoning with accompanying Preliminary Development Plan only if all of the following findings can be made:

- 1. The proposed development is consistent with the goals, policies, and actions of the General Plan and any applicable specific plan and community plan.
- 2. The site for the proposed development is adequate in size and shape to accommodate proposed land uses.
- 3. The site for the proposed development has adequate access considering the limitations of existing and planned streets and highways.
- 4. Adequate public services exist or will be provided to serve the proposed development.

5. The proposed development will not have a substantial adverse effect on surrounding property and will be compatible with the existing and planned land use character of the surrounding area.
 6. In coordination with the applicable school district, the proposed development shall dedicate adequate and appropriately-located land for school district facilities that are needed to serve residents within the project.
 7. The proposed development carries out the intent of the Planned Development zone by providing a more efficient use of the land and an excellence of site design greater than that which could be achieved through the application of established zoning standards.
- H. Ordinance Approving the Development Plan.** If the Board of Supervisors approves the establishment of a PD zone, it shall do so by adoption of an ordinance and adoption by reference of the Development Plan. The ordinance shall also include any other provisions that the Board of Supervisors finds to be necessary to constitute the regulations for use, property maintenance, and property improvement in the PD zone.
- I. Effect of Development Plan.** All proposed development and new land uses within a PD zone shall comply with the approved Development Plan.
- J. Minor Modifications.** Modifications to an approved Development Plan shall be approved as specified in Section 24-250 (Changes to an Approved Project).

Article 10. OVERLAY ZONES

Sections:

- 24-33 – Purpose of Article
- 24-34 – Airport Compatibility Overlay Zone
- 24-35 – Chapman Mulberry Overlay Zone
- 24-36 – Cohasset Overlay Zone
- 24-37 – Deer Herd Migration Overlay Zone
- 24-38 – North Chico Specific Plan Overlay Zone
- 24-39 – Retail Overlay Zone
- 24-40 – Scenic Highway Overlay Zone
- 24-41 – Stringtown Mountain Specific Plan Overlay Zone
- 24-42 – Neal Road Recycling and Waste Facility Overlay Zone
- 24-43 – Unique Agriculture Overlay Zone
- 24-44 – Watershed Protection Overlay Zone

24-33 Purpose of Article

The overlay zones in this article establish standards and regulations that apply to specified areas, in addition to the requirements established by the underlying base zone. Whenever a requirement of an overlay zone conflicts with those of the underlying base zone, the overlay zone requirements shall control. Where two or more overlay zone requirements conflict, the Zoning Administrator shall determine the appropriate requirement. For overlay zones that implement an adopted specific plan or neighborhood plan, the standards and regulations from each specific plan or neighborhood plan shall apply.

24-34 Airport Compatibility Overlay Zone

- A. **Purpose.** The Airport Compatibility (-AC) overlay zone identifies areas in unincorporated Butte County where additional requirements apply to ensure the compatibility of land uses and development with nearby airport operations.
- B. **Applicability.** The -AC overlay zone applies to land within unincorporated Butte County designated as an Airport Influence Area in the Butte County Airport Land Use Compatibility Plan (ALUCP).
- C. **Land Use Regulations.** All development projects and land use actions proposed within the -AC overlay zone shall comply with the compatibility criteria specified in the ALUCP, excluding those criteria specifically overruled by the Board of Supervisors in a manner consistent with Public Resources Code Section 21676.

D. Actions Requiring Airport Land Use Commission (ALUC) Review.

1. Prior to final action by the County, the Department of Development Services shall submit to the ALUC application materials for the following proposed land use actions:
 - a. General Plan amendments affecting land located within the -AC overlay zone.
 - b. Specific plans or specific plan amendments affecting land located within the -AC overlay zone.
 - c. Zoning Ordinance or Building Code amendments affecting land located within the -AC overlay zone.
2. For proposed land use actions requiring ALUC review, the County shall consider ALUC comments, if available, at a public hearing prior to taking final action on the application. If the ALUC finds that the proposed land use action conflicts with the Butte County Airport Land Use Compatibility Plan, the County may approve the application and overrule the ALUC only as specified in Public Resources Code Section 21676.

24-35 Chapman Mulberry Overlay Zone

- A. **Purpose.** The Chapman Mulberry (-CM) overlay zone is intended to preserve and enhance the unique characteristics of the Chapman Mulberry neighborhood in a manner consistent with the Chapman Mulberry Neighborhood Plan. The -CM overlay zone identifies the areas where the goals, policies, and standards contained in the Chapman Mulberry Neighborhood Plan apply.
- B. **Applicability.** The -CM overlay zone applies to all parcels within the Chapman Mulberry area as shown on the Zoning Map.
- C. **Land Use Regulations.** All development in the -CM overlay zone shall comply with the provisions in the Chapman Mulberry Neighborhood Plan as adopted by the Board of Supervisors on January 25, 2000 (Resolution #00-12 and Ordinance #3579). Should the provisions of the Chapman Mulberry Neighborhood Plan and the Zoning Ordinance conflict, the Chapman Mulberry Neighborhood Plan shall control.

24-36 Cohasset Overlay Zone

- A. **Purpose.** The Cohasset (-CH) overlay zone establishes development standards and use regulations to ensure that development within the overlay zone is consistent with adopted policies and standards for the Cohasset Planning Area. The general intent of these standards and regulations is to preserve the foothill character of the area, protect sensitive natural resources, allow development in a manner consistent with environmental constraints, and protect persons and property from natural hazards related to development within foothill areas.

- B. Applicability.** The -CH overlay zone applies to parcels within the boundaries of the Cohasset Planning Area.
- C. General Requirements.** All development within the -CH overlay zone shall comply with the Development Policies, Standards, and Implementation Measures for the Cohasset Planning Area as adopted by the Board of Supervisors on May 20, 1986 (Ordinance No. 2526).
- D. Land Use Regulations.** Permitted and conditionally permitted uses in the -CH overlay zone shall be the same as the base zone.
- E. Hillside Development Standards.**
1. Development in areas with a slope of greater than 30 percent shall be permitted only when:
 - a. An alternative building site with a slope of 30 percent or less is not available on the parcel; and
 - b. All other applicable development standards can be met.
 2. Removal of vegetation outside of a development area as defined in Article 42 (Glossary) shall not be permitted, except to comply with defensible space requirements set forth in Public Resources Code 4290 (Fire Safety Regulations).
 3. Grading is limited only to the minimum required for preparation and access to the development area of a parcel.
- F. Setbacks.** The minimum setback from all property lines is 30 feet for all structures or as required by current Fire Safe Regulations.
- G. Structure Separation.** The minimum separation between structures on a parcel shall be 60 feet.
- H. Private Driveways.**
1. Private driveways less than 200 feet in length shall be not less than 12 feet in width.
 2. Private driveways 200 feet or more in length shall be:
 - a. Not less than 16 feet in width; and
 - b. Terminated by a circular driveway as specified in the Development Policies, Standards and Implementation Measures for the Cohasset Planning Area.

24-37 Deer Herd Migration Overlay Zone

- A. Purpose.** The Deer Herd Migration (-DH) overlay zone is intended to protect sensitive habitat areas for migratory deer herds while continuing to allow development and the reasonable use of land within these areas.
- B. Applicability.**

1. The -DH overlay zone may be combined with any base zone.
2. The -DH overlay zone implements the Winter and Critical Winter Deer Herd Migration Area Overlay General Plan designation.

C. Permit Required.

1. **Administrative Permit.** The establishment in the -DH overlay zone of any primary structure or second dwelling unit (if allowed by the base zone) requiring a Building Permit requires the approval of an Administrative Permit.
2. **Submittal Requirements.** All applications shall include the information and materials specified in the Department of Development Services handout for the required permits. Applications for an Administrative Permit shall include the following additional information:
 - a. A detailed description of the development proposal including a description of all associated activities and operating characteristics of the use.
 - b. A description of the possible impacts to migratory deer herds resulting from the proposed development.
 - c. A description of measures taken to minimize impacts to migratory deer herds.
 - d. Additional information and materials as deemed necessary by the Zoning Administrator to determine compliance with -DH overlay zone regulations.
3. **Outside Agency Review.** Upon submittal of an Administrative Permit application within the -DH overlay zone, County staff will notify the California Department of Fish and Game (CDFG) for review and comment on the proposed project.

D. Land Use Regulations. Permitted and conditionally permitted uses in the -DH overlay zone are the same as the base zone, subject to the requirements of this section.

E. Minimum Parcel Size. Any subdivision of land within the -DH overlay zone shall comply with the following minimum parcel size requirements:

1. Winter range area: 20 acres.
2. Critical winter area: 40 acres.

F. Clustering of Structures.

1. Development within the -DH overlay zone may be clustered in a manner consistent with Article 18 (Clustered Development).
2. All structures and site improvements on a property within the -DH overlay zone shall be located within a one acre development area clearly identified on a site plan approved by the Department of Development Services.

3. Primary structures within the -DH overlay zone shall be located in the least valuable habitat areas within a parcel and shall not be located within a migration corridor identified on the Deer Herd Migration Overlay Map. DDS and County Counsel to work on this language...be realistic and practical.
4. Accessory structures within the -DH overlay zone shall be located either:
 - a. Within 150 feet of an existing on-site structure; or
 - b. Not more than 100 feet from a side property boundary and not more than 50 feet from an existing public road.

G. Fence Standards.

1. Fences within the -DH overlay zone shall comply with the following standards, except as exempted by Subsection 2 below:
 - a. The distance between ground and bottom strand or board of the fence shall be no less than 16 inches.
 - b. The fence height shall be no more than 48 inches.
 - c. The fence shall be constructed from smooth wire, barbed wire, wood, or similar material that will not be harmful to deer.
2. The following fences shall be exempt from the fence standards in Subsection 1 above:
 - a. Fences around home sites designed to exclude wildlife from gardens or landscaping enclosing no more than one acre.
 - b. Fences or corrals used for livestock.
 - c. Fencing necessary to secure domestic animals and private kennels for dogs.

H. Dogs At-Large. In order to prevent impacts to deer from dogs at-large in the -DH overlay zone, dogs shall be secured through the use of appropriate security including but not limited to fencing, kennels, or dog-runs sited within the designated one-acre development area.

24-38 North Chico Specific Plan Overlay Zone

- A. Purpose.** The North Chico Specific Plan (-NCSP) overlay zone identifies areas where the goals, policies and standards contained in the North Chico Specific Plan apply.
- B. Applicability.** The -NCSP overlay zone applies to parcels within the boundaries of the North Chico Specific Plan.

- C. **Development Regulations.** All development in the -NCSP overlay zone shall comply with the provisions in the North Chico Specific Plan. Should the provisions of the North Chico Specific Plan and the Zoning Ordinance conflict, the North Chico Specific Plan shall control.

24-39 Retail Overlay Zone

- A. **Purpose.** The Retail (-RET) overlay zone provides for needed commercial uses in areas that would have otherwise been limited by the base zone. This overlay zone is intended to reduce the need to drive by providing day-to-day goods and services close to where people live and work. The -RET overlay zone is applied in areas of the county where larger-scale retail uses as permitted in the commercial and mixed-use base zones are not desired or appropriate.
- B. **Applicability.** The -RET overlay zone may be combined only with a residential or industrial base zones.
- C. **Land Use Regulations.** Permitted and conditionally permitted uses in the -RET overlay zone are the same as the base zone, except as specified below.
1. **Permitted Uses.** The following uses are permitted as-of-right in the -RET overlay zone:
 - a. General Retail, less than 1,500 square feet.
 - b. Personal Services, less than 1,000 square feet.
 2. **Minor Use Permit Required.** The following uses are permitted in the -RET overlay zone with the approval of a Minor Use Permit:
 - a. General Retail, 1,500 to 2,500 square feet.
 - b. Personal Services, 1,000 to 2,000 square feet.
 - c. Veterinary Offices.
 - d. Pet Stores and Services.
 - e. Bed and Breakfast.
 - f. Drive-through Facilities.
 - g. Equipment Sales and Rental.
 - h. Hotel and Motel.
 - i. Medical Offices and Clinics.
 - j. Professional Offices.
 - k. Restaurants.
 - l. Vehicle Repair.

- m. Vehicle Sales and Rental.
- n. Vehicle Service and Maintenance.

D. Development Standards. Development standards (e.g., setbacks, height, parcel coverage) for commercial development and uses within the -RET overlay zone are the same as the development standards that apply in the Neighborhood Commercial (NC) zone.

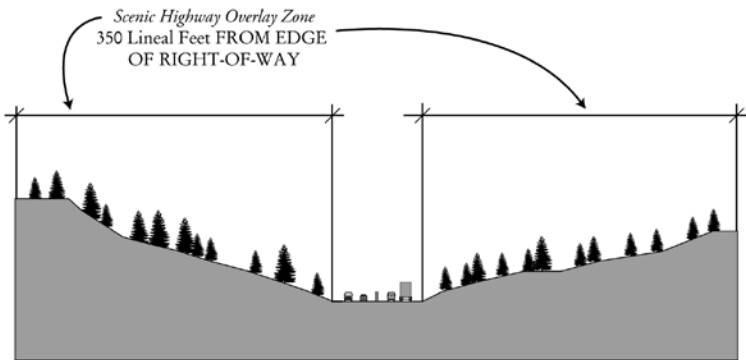
24-40 Scenic Highway Overlay Zone

A. Purpose. The Scenic Highway (-SH) overlay zone establishes standards to preserve the natural aesthetic qualities of areas visible from roadways designated as scenic highways by the State of California or the Butte County Board of Supervisors. Development within the -SH overlay is intended to feature high quality architectural design, preserve views from the highway, and maintain existing topographic features on the site.

B. Applicability.

1. The -SH overlay zone extends 350 lineal feet outward from the edges of the scenic highway right-of-way. See Figure 24-40-1 (Scenic Highway Overlay Zone).

FIGURE 24-40-1 SCENIC HIGHWAY OVERLAY ZONE



2. The -SH overlay zone may be combined with any base zone.

C. Permit Required. Any action within the -SH overlay zone requiring the approval of a Building Permit shall also require the approval of a Minor Use Permit, except for:

1. A single-family home;
2. Accessory structures associated with a single-family home;
3. Parking facilities with 10 or fewer parking spaces; and

4. Demolitions.

D. **Land Use Regulations.** Permitted or conditionally permitted uses in the -SH overlay zone are the same as the base zone, subject to the requirements of this section.

E. **Development Standards.** All structures and improvements to land in the -SH overlay zone shall comply with the following development standards:

- 1. All utilities and electric and communication distribution facilities shall be located underground.
- 2. The following signs shall be prohibited:
 - a. Off-site signs;
 - b. Temporary signs, including banners, pennants, streamers or posters; and
 - c. Freestanding signs.
- 3. Fences and walls shall be constructed of high quality materials approved by the Zoning Administrator. Fences and walls shall not detract from the aesthetic qualities of the -SH overlay zone or block views from the highway.

4. The following fences shall be exempt from the fence standards in Subsection 1 above:

- a. Fences around home sites designed to exclude wildlife from gardens or landscaping enclosing no more than one acre.
- b. Fences or corrals used for livestock.
- c. Fencing necessary to secure domestic animals and private kennels for dogs.

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F. **Findings.** To approve a Minor Use Permit for a proposed project within the -SH overlay zone, the review authority shall make all of the following findings, in addition to the findings required by Article 31 (Conditional Use and Minor Use Permits):

- 1. The architectural design of the proposed structures complements the scenic qualities of the site and surrounding areas.
- 2. The proposed project maintains existing views of scenic resources as viewed from the public right-of-way.
- 3. To the greatest extent possible, site grading and excavation associated with the proposed project preserves natural features on the site.
- 4. Landscaping associated with the proposed project complements the scenic qualities of the site and surrounding areas.

24-41 Stringtown Mountain Specific Plan Overlay Zone

- A. **Purpose.** The Stringtown Mountain Specific Plan (-SMSP) overlay zone identifies areas where the goals, policies, and standards in the Stringtown Mountain Specific Plan apply.
- B. **Applicability.** The -SMSP overlay zone applies to parcels within the boundaries of the Stringtown Mountain Specific Plan.
- C. **Land Use Regulations.** All development in the -SMSP overlay zone shall comply with the provisions in the Stringtown Mountain Specific Plan approved by the Board of Supervisors on September 27, 1994 under resolution 94-114. Should the provisions of the Stringtown Mountain Specific Plan and the Zoning Ordinance conflict, the Stringtown Mountain Specific Plan shall control.

24-42 Neal Road Recycling, Energy, and Waste Facility Overlay Zone

- A. **Purpose.** The 2,000 ft Neal Road Recycling, Energy, and Waste Facility (-RW) overlay zone promotes compatible development around the Neal Road Recycling and Waste Facility. The -RW overlay zone also ensures adequate separation between the Neal Road Recycling and Waste Facility and land uses that are potentially incompatible with landfill activities. This overlay will help to promote the diversion of solid wastes into appropriate recycling facilities, energy generation, and other uses that add value and benefit to the local economy.
- B. **Applicability.** The -RW overlay zone may be combined with the AG, ~~TM~~, LI, M-1, M-2 and P zones.
- C. **Land Use Regulations.** Permitted and conditionally permitted uses in the -RW overlay zone are the same as the base zone, except as specified below.
 - 1. **Prohibited Uses.** All residential uses and uses that involve on-going occupation by people (e.g., hotels and motels, emergency shelters, hospitals) are prohibited in the -RW overlay zone.
 - 2. **Minor Use Permit Required.** The following uses are permitted in the -RW overlay zone with the approval of a Minor Use Permit:
 - a. Composting facilities.
 - b. Anaerobic digestion facilities (in conjunction with power generation).
 - c. Solar power facilities.
 - d. Wind power facilities.
 - e. Septage receiving facilities.
 - f. Bio-gas extraction and power generation.

- g. Recycling collection facilities.
 - h. Utilities, minor.
 - i. Telecommunication facilities.
 - j. Retail uses and restaurants supporting surrounding businesses.
3. **Conditional Use Permit Required.** The following uses are permitted in the -RW overlay zone with the approval of a Conditional Use Permit:
- a. All manufacturing and processing uses.
 - b. Construction, maintenance, and repair services.
 - c. Equipment sales and rentals.
 - d. Parks and recreational facilities.
 - e. Vehicle repair.
 - f. Vehicle service and maintenance.
 - g. Warehousing, wholesaling and distribution.
 - h. Public and quasi-public facilities.
 - i. Recycling processing facilities.
 - j. Utilities, major.

D. Development Standards.

- 1. The minimum parcel size in the -RW overlay zone is 20 acres.
- 2. All other development standards (e.g., setbacks, height, parcel coverage) for development and uses within the -RW overlay zone are the same as the development standards that apply in base zone.
- 3. Development of land between SR-99 and the west face of the Neal Road Recycling, Energy, and Waste Facility shall be assessed for visual impacts from SR-99.
- 4. Industrial uses shall be subject to the industrial standards specified in Section 24-27 (Development Standards for Industrial Zones).

24-43 Unique Agriculture Overlay Zone

- A. **Purpose.** The Unique Agriculture (-UA) overlay zone is intended to support and enhance Butte County's family farms, unique crops, or historic ways of farming and by maintaining viable small-scale/historic agricultural operations and their essential ~~in~~ rural setting in Rural Residential and specially-designated Agricultural residential areas of the county. The -UA overlay zone ac-

commodates a variety of uses developed at a scale that is complementary and accessory to unique agricultural pursuits. It encourages residents and visitors to learn more about agriculture in the county by allowing educational and tourism uses on working farms. This overlay zone also includes provisions to protect adjacent residential and agricultural uses.

- B. Applicability.** The -UA overlay zone may be combined with the Rural Residential (RR) zone.
- C. Use Regulations.** Permitted and conditionally permitted uses in the -UA overlay zone are the same as the base zone, except as specified below.
1. **Permitted Uses.** The following uses are permitted as-of-right in the -UA overlay zone:
 - a. Bed and breakfasts (maximum one per parcel).
 - b. Farm tours.
 - c. Farmstays.
 - d. Growing and harvesting of unique agricultural products as defined by Article 42 (Glossary).
 - e. On-site fruit and vegetable picking of unique agricultural products.
 - f. Petting farms.
 - g. Processing, bottling or packaging of unique agricultural products produced ~~on-site~~ with-in the Unique Agriculture Overlay.
 - h. Sale of unique agricultural products or merchandise related to the region.
 - i. Picnic Areas.
 - j. Trails.
 2. **Minor Use Permit Required.** The following uses are permitted in the -UA overlay zone with the approval of a Minor Use Permit.
 - a. Special events, such as weddings, concerts, parties, educational classes, corporate events and other similar activities. Such events require the approval of a Minor Use Permit for the first event and an Administrative Permit for each subsequent similar event.
 - b. Agriculture-related museums.
 - c. Small restaurants or cafes (16 seats or less) showcasing locally grown foods.
 - d. Public tasting rooms for unique agricultural products produced ~~on-site~~ with-in the Unique Agriculture Overlay.

- e. Other similar uses determined by the Zoning Administrator to be consistent with the purpose and intent of the -UA overlay zone as allowed by Section 24-8 (Rules of Interpretation).

D. Development and Operational Standards.

1. **Limitation on Processing Activities.** Permitted agricultural processing activities are limited to products grown, cultivated, or produced ~~on-site~~with-in the Unique Agriculture Overlay.
2. **Signs.** Viticultural area and farm trail signs that comply with the standards contained in Table 24-99-3 (Allowed Signs in Agriculture and Natural Resources Zones) shall be permitted in the -UA overlay zone.
3. **Parking.** Minimum on-site parking required for uses with the -UA overlay zone are specified in Section 24-88 (On-Site Parking Requirements). Required parking for uses not listed in Section 24-88 shall be as determined by the Zoning Administrator, consistent with Section 24-8 (Rules of Interpretation).
4. **Hours of Operation.** Retail sales and similar commercial activities may be conducted only between the hours of 8 A.M. and 6 P.M. unless otherwise approved as part of a Minor Use Permit.
5. **Buses and Tour Vans.** Buses and tour vans shall not idle more than 10 minutes per hour on-site within the -UA overlay zone, so as to minimize noise and air quality impacts to the area. Buses and tour vans shall be provided with adequate off-street parking and turn-around areas.

24-44 Watershed Protection Overlay Zone

- A. Purpose.** The Watershed Protection (-WP) overlay zone is intended to maintain and improve water quality by establishing additional development standards within sensitive watershed areas.
- B. Applicability.**
 1. The -WP overlay zone may be combined with any base zone.
 2. Areas subject to the -WP overlay zone include the Firhaven Creek watershed and the Paradise and Magalia Reservoirs watershed, as shown on the Zoning Map.
- C. Permit Required.**
 1. **Administrative Permit.** The establishment of any structure or use within the -WP overlay zone requires the approval of an Administrative Permit.
 2. **Submittal Requirement.** In addition to the submittal materials required by Article 29 (Administrative Permits), applicants shall submit all information and materials as required

by the Zoning Administrator to determine compliance with the requirements of the -WP overlay zone.

- D. Land Use Regulations.** Permitted and conditionally permitted uses in the -WP overlay zone are the same as the base zone, except as specified below.
1. Existing parcel sizes in the Firhaven Creek Watershed shall be maintained. No further division of lots or parcels shall be permitted.
 2. Existing zoning shall be maintained within the Magalia Reservoir, Paradise Reservoir, and Firhaven Creek Watershed. Consideration of a rezoning to a larger minimum parcel size is allowed.
 3. Prior to the approval of a rezoning or discretionary permit application, the applicant shall demonstrate to the satisfaction of the review authority that the cumulative effects of additional sewage disposal and surface water runoff resulting from the proposed action will not result in any adverse impacts on the water quality of the watershed.
 4. Second units proposed within the -WP overlay zone shall require the approval of a Conditional Use Permit.
 5. Clustered development as allowed by Article 18 (Clustered Development) shall be prohibited within the -WP overlay zone.
- E. Maximum Impervious Surface.** For new development within the -WP overlay zone, impervious surfaces shall not exceed 50 percent of the total site area.
- F. Vegetative Buffers.**
1. Vegetative buffers shall be maintained on all sides of water bodies in the -WP overlay zone as follows:
 - a. Lakes and reservoirs: 200 lineal feet.
 - b. Perennial and intermittent rivers and streams: 100 lineal feet.
 2. For rivers and streams, minimum buffer distances shall be measured from the annual average stream bank.
 3. All structures are prohibited within buffer areas.
 4. Grading, excavation, removal of trees, the use of fertilizers and pesticides, sewage disposal, and paving are prohibited within buffer areas.
- G. Septic System Regulations.** Leach fields, septic tanks, and chemical toilets shall be setback a minimum of 50 feet in addition to the required vegetative buffer under Subsection F.1 above.
- H. Erosion Control.**

1. All driveways for new home sites shall be surfaced with at least two inches of Class 2 aggregate base, unless required by the County to be developed to a higher standard.
 2. An erosion and sediment control plan shall be approved by the County prior to issuance of a building permit. The plan shall be developed by a professional civil engineer registered by the State of California. The plan shall identify measures to prevent sediment and other pollutant discharges from reaching watershed drainages and streams, and shall address both interim (during construction) and final (post construction) control measures.
 3. Soil disturbance shall not be conducted during the rainy season (November 15 through April 1.) The County may require financial security to ensure that control measures are implemented and maintained.
 4. All areas where land clearing has been completed between April 1 and November 15 shall be revegetated, hydroseeded, mulch protected, or otherwise stabilized no later than December 1.
 5. Site work shall preserve natural topography and vegetation at the site to the greatest possible extent.
- I. Timber Harvest.** Timber harvesting permitted under a Less Than Three-Acre Conversion Exemption approved by CAL-FIRE shall not be conducted in the -WP overlay during the period from November 15 to April 1.

OVERLAY ZONES

24-44

