

Butte County Department of Development Services

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Butte County Board of Supervisors AGENDA REPORT

Butte County General Plan 2030 Proposed General Plan Amendments and Additional Draft Zoning Ordinance Recommendations Meeting Series #8

April 24, 2012

Butte County Board of Supervisors
25 County Center Drive
Oroville, CA

Subject: Changes to the Recreation Commercial General Plan designation and Draft Recreation Commercial-2 Zoning –Pacific Heights Road, South Oroville Area.

I. STAFF RECOMMENDATION

Recommended Motion:

- ♦ The Board of Supervisors directs that the area shown under Attachment A be changed to an Industrial and Resource Conservation General Plan designation, that zoning be changed on the Final Draft Zoning Map to Light Industrial (LI), General Industrial (GI) and Resource Conservation where established by current zoning;
- ♦ That a Recreation Commercial Overlay Zone be established in the Final Draft Zoning Ordinance for the existing Recreation Overlay zone that will

- include the uses allowed under the Recreation Commercial-2 draft zone;
- ◆ That Gas and Service Stations be additionally included as a permitted use within the new Recreation Commercial Overlay zone; and,
 - ◆ That the Recreation Commercial-2 zone be removed from the Draft Zoning Ordinance.

II. BACKGROUND

On April 14, 2009 the Board of Supervisors reviewed the Preferred Land Use Alternative for broad areas of the County not included in any particular study area. This area, bound by SR-70 to the east and the Feather River to the west, and generally served with access by Pacific Heights Road, was recommended by staff and directed by the Board for a change from Resource Conservation and Industrial with a Recreation Overlay to a Recreation Commercial designation.

Later in the Draft Zoning Ordinance process, a Recreation-Commercial-2 zone was developed to implement the new Recreation Commercial General Plan designation. At that time, staff met with one of the majority landowners in this area to discuss this recommendation. While there was initial acceptance of the concept to develop a Recreation Commercial designation and zone, a recent meeting and further communication with landowners within this area show a clear consensus that the current Industrial designation is still important to the area's businesses. The landowner's consensus is that a Recreation Commercial designation should supplement the Industrial designation, but should not be replaced by it. The landowners also requested that the new overlay include gas and service stations as an allowed use to provide the opportunity to provide this land use in light of its location next to SR-70 and the Oroville area.

Granite Construction Company, which operates a rock quarry and plant near the Feather River in this area, was apprised of this change, which would uphold existing Light Industrial and Resource Conservation zoning for their property. A company representative concurred with the proposed change.

Staff support's the landowners request for this area. This approach allows existing industrial uses to be supported by the General Plan and Zoning Ordinances, but also encourages existing and new recreational and commercial uses that can take advantage of the proximity of the area to the Feather River, the State Highway and the Oroville Enterprise Zone. Ordinarily, staff would recommend against mixing industrial and recreational uses; however, this area already successfully supports both recreational and light industrial uses, such as the recreational paint ball gaming course, several RV parks and recreational areas along the Feather River, and many existing light industrial businesses.

III. ANALYSIS

The existing zoning for this area is shown under Attachment B. This map shows the extent of the Recreational Overlay and the Limited Industrial (L-I), Light Industrial (M-1) and Resource Conservation zones.

Attachment C shows the Recreation Commercial-2 (REC-2) zoning proposed by the Draft Zoning Ordinance.

This proposal brings back the existing Industrial and Resource Conservation zones as shown under Attachment B, with corresponding Light Industrial (LI) General Industrial (GI) and Resource Conservation (RC) zoning from the new draft Zoning Ordinance and implements a new Recreation Commercial Overlay Zone that provides for all of the uses allowed under the Recreation Commercial-2 zoning. This new overlay zone would be placed on the map where the existing Recreation Overlay zone currently exists as shown under Attachment B with no change to its current boundary.

Staff recommends that the text for the Recreation Commercial Overlay Zone to be included in the Draft Zoning Ordinance be similar to the Recreation Commercial-2 (REC-2) zone shown under Attachment D, with the addition of allowing Gas and Service Stations as a permitted use as requested by the property owners.

The benefits of implementing a Recreational Commercial Overlay zone remain the same whether it is implemented as a primary zone or as it will now be implemented as an overlay:

- ◆ Promotion of recreational aspects of Oroville area – adjacent Feather River; Lake Oroville; other destinations
- ◆ Promotion of economic development within the Oroville Enterprise Zone
- ◆ Potentially serve additional growth in the Oroville area with recreational and commercial uses (future Rio D' Oro Development, to south, 2,700 dwellings)
- ◆ Improve SR-70 gateway to Oroville area with attractive uses along the Feather River.

An overlay zone is applied to base zoning to provide for additional uses where appropriate. Similar to the Recreation Commercial-2 zone, the proposed Recreational Commercial Overlay zone would allow a variety of uses. However, the area would also enjoy the uses allowed under the base industrial zoning. All uses in the Recreational Commercial Overlay zone would be permitted as-of-right; meaning uses would be permitted without a Conditional Use Permit or other

discretionary actions. Building permits would be required for all structures subject to the building code.

Uses permitted as-of-right in the Recreation Commercial Overlay zone include the following:

- ◆ Commercial Stables;
- ◆ Golf Courses and Country Clubs;
- ◆ Bed and Breakfasts;
- ◆ Commercial Recreation (golf ranges, gun clubs, water parks amusement parks, boat ramps, docks, landing facilities commercial campgrounds, bowling alleys, gymnasiums);
- ◆ Hotels and Motels;
- ◆ Hunting and Fishing Clubs;
- ◆ Restaurants;
- ◆ Retail (banks, appliance stores, bookstores, clothing stores, convenience stores, department stores, drug stores, furniture stores, home improvement stores, vehicle parts and accessories sales, hardware stores); and
- ◆ RV Parks

Coordination with City of Oroville

Staff contacted City of Oroville staff for comment concerning this proposed change, since the area resides within the City's sphere of influence. The staff indicated that they would review the proposal and provide any comments to the County. As of the writing of this staff report no comments had been received. Any comments received prior to the meeting will be provided to the Board of Supervisors.

Flood Zone Issues

This area is located within a special flood hazard area subject to inundation by the 1 percent annual chance flood (Zone A - 100-year flood), according to mapping provided by the Federal Emergency Management Agency (FIRM Panel #06007C0980E, January 6, 2011). This area is also located within the Feather River Floodway with the exception of the strip of land between SR-70 and Pacific Heights Road. Development within the floodplain is not precluded, but must comply with Butte County Code Chapter 26, Article IV, Flood Hazard Prevention. However, recent changes to floodplain legislation impose additional conditions on developing within the floodplain.

The Butte County General Plan includes policy within the Health and Safety Element that requires applicants to demonstrate a number of life, safety and property issues for development within the floodplain. Additionally, after adoption of the Central Valley Flood Protection Plan, scheduled for July 2012, Butte

County General Plan policy requires specific findings prior to approval of development demonstrating that conditions have been imposed that will protect property in accordance with the Government Code. These policies are recited below for reference.

Policy HS-P2.4

Development projects on lands within the 100-year flood zone, as identified on the most current available maps from FEMA (the most current available map at the time of the publication of General Plan 2030 is shown on Figure HS-1), shall be allowed only if the applicant demonstrates that it will not:

- a. Create danger to life and property due to increased flood heights or velocities caused by excavation, fill, roads and intended use.
- b. Create difficult emergency vehicle access in times of flood.
- c. Create a safety hazard due to the height, velocity, duration, rate of rise and sediment transport of the flood waters expected at the site.
- d. Create excessive costs in providing governmental services during and after flood conditions, including maintenance and repair of public facilities.
- e. Interfere with the existing water conveyance capacity of the floodway.
- f. Substantially increase erosion and/or sedimentation.
- g. Require significant storage of material or any substantial grading or substantial placement of fill that is not approved by the County through a development agreement, discretionary permit, or other discretionary entitlement; a ministerial permit that would result in the construction of a new residence; or a tentative map or parcel map.
- h. Conflict with the provisions of the applicable requirements of Government Code Sections 65865.5, 65962 or 66474.5.

Policy HS-P2.6

After General Plan 2030 and the Zoning Ordinance are amended to be consistent with the Central Valley Flood Protection Plan, scheduled for adoption in July 2012, the County shall make specific findings prior to approval of a development agreement, subdivision or discretionary permit or other discretionary entitlement, or any ministerial permit that would result in the construction of a new residence. The County shall make findings that it has imposed conditions that will protect the property to the urban level of flood protection, as defined in Government Code Section 65007, in urban and urbanizing areas, or to the national Federal Emergency Management Agency standard of flood protection in nonurbanized areas.

NEXT STEPS

Upon receiving direction from the Board concerning this request, staff will incorporate the change into the General Plan Amendment that is being processed for General Plan 2030, as well as the Fourth Draft Zoning Ordinance and map. This change will be reviewed under the Supplemental EIR already directed by the Board and will be considered for adoption by the Planning Commission and Board of Supervisors in September/October of this year.

Should you have any questions, please do not hesitate to contact me at 538-6821.

Sincerely,

Tim Snellings, Director
Butte County Department of Development Services

ATTACHMENTS:

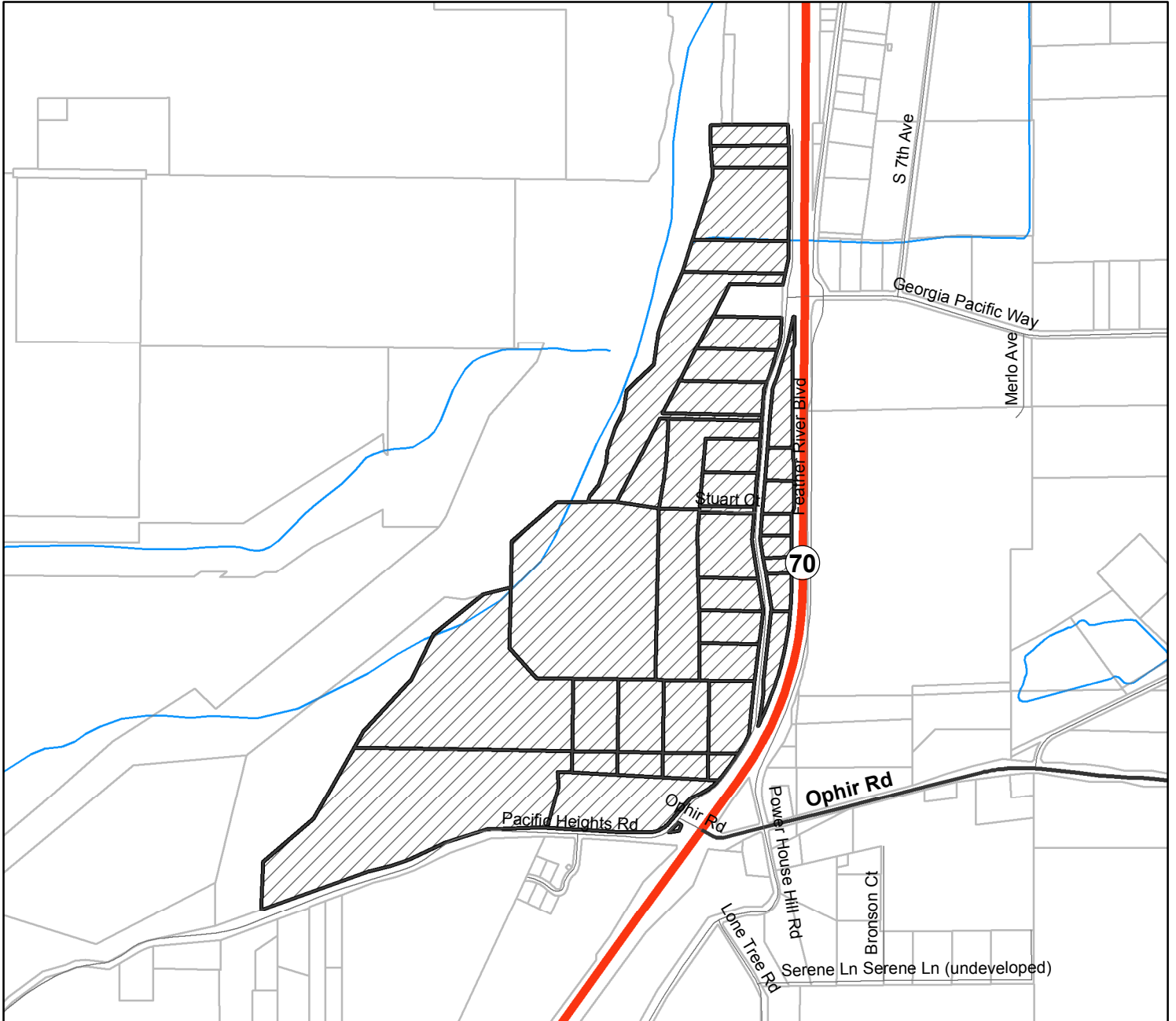
Provided separately to the Board of Supervisors:

- A. Draft Zoning Ordinance Update, Meeting Series #8 Background Material
- B. November 17, 2011, Third Draft Zoning Ordinance and Map (in both “clean” and edited versions).

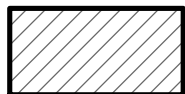
Attached to this Agenda Report:

- A. Location Map of proposed changes
- B. Existing Zoning Map
- C. Draft 3 Zoning Map
- D. Recreation-2 Zone Text

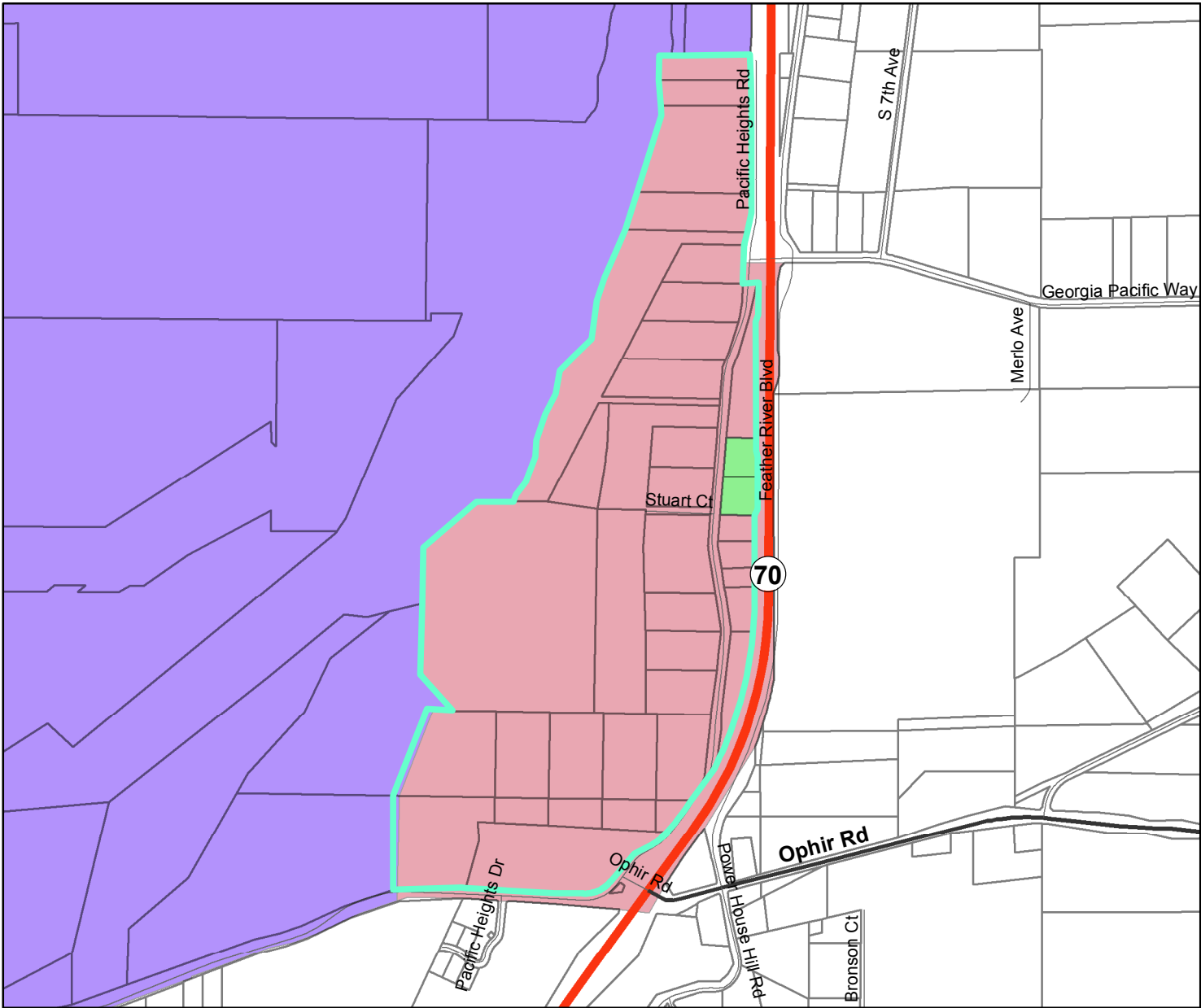
Pacific Heights Road Area Proposed Change Area



Area Proposed for Change



Pacific Heights Road Area Existing Zoning



Legend

 Recreational_Overlay_Zone

Zoning

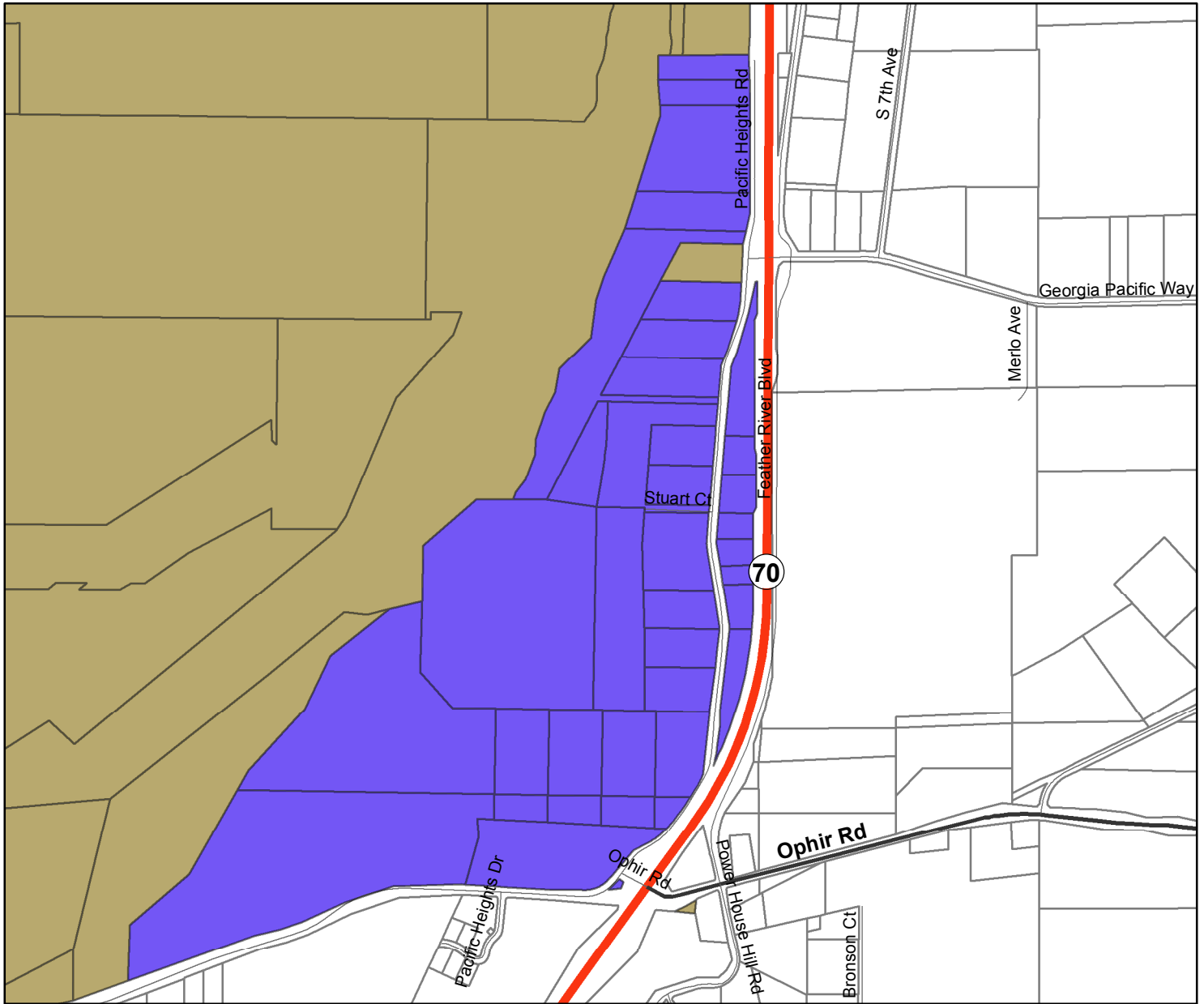
ZONE_

 L-I

 M-1

 R-C

Pacific Heights Road Area Proposed Zoning



Legend

Zoning_November2011

Zone_111111

 RC

 REC-2

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 Sports and Entertainment 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. Multiple-family dwellings, vehicle repair, light manufacturing, and warehousing and storage are permitted in the GC zone with the approval of a Conditional Use Permit. Single-family homes 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, 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 are permitted in the CC zone. 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 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 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, including sports facilities, golf courses, theaters, and amphitheaters, as well as a range of related commercial uses that are compatible with the Sports and Entertainment zone. 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 6 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 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	
Agriculture Uses								
Agricultural Processing	-	-	-	-	-	-	-	
Animal Grazing	-	-	-	-	-	-	A [5]	
Animal Processing	-	-	-	-	-	-	-	
Animal Processing, Custom	-	-	-	-	-	-	-	
Crop Cultivation	-	-	-	-	-	-	-	
Feed Store	P	P	P	-	-	-	-	
Intensive Animal Operations	-	-	-	-	-	-	-	
Stables, Commercial	-	-	P	C	P	-	C [5]	
Stables, Private	-	-	-	-	-	-	A [5]	
Stables, Semi-Private	-	-	-	M	M	-	A [5]	
Natural Resource Uses								
Forestry and Logging	-	-	-	-	-	-	-	
Mining and Surface Mining Operations	-	-	-	-	-	-	-	
Oil and Gas Extraction, including reinjection wells for natural gas	-	-	-	-	-	-	-	
Timber Processing	-	-	-	-	-	-	-	
Residential Uses								
Agricultural Worker Housing Center	-	-	-	-	-	-	-	
Caretaker Quarters	M	-	-	P [3]	P [3]	-	-	
Duplex Home	-	-	-	-	-	-	P	
Home Occupations - Major	M	M	M	-	-	-	M	Section 24-161
Home Occupations - Minor	A	A	A	-	-	-	M	Section 24-161
Live/Work Unit	C	C	C	-	-	-	P	Section 24-163
Mobile Home Park	-	-	-	-	-	-	-	
Multiple-Family Dwelling	C	C	-	-	-	-	P	
Residential Care Home, Large	M	-	-	-	-	-	C	
Residential Care Home, Small	M	M	P [3]	-	-	-	P	
Second Units	-	-	-	-	-	-	-	

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	
Single-Family Home	-	-	P	-	-	-	P	
Community Uses								
Cemeteries, Private	-	-	-	-	-	-	-	
Cemeteries, Public	-	-	-	-	-	-	-	
Child Care Center	M	M	M	M	M	-	M	Section 24-158
Child Day Care, Large	M	M	M	-	-	-	M	Section 24-158
Child Day Care, Small	P	P	P	-	-	-	P	Section 24-158
Clubs, Lodges and Private Meeting Halls	P	P	P	C	P	P	P	
Community Centers	C	C	C	C	-	P	C	
Correctional Institutions and Facilities	-	-	-	-	-	-	-	
Cultural Institutions	C	C	C	C	P	P	C	
Emergency Shelter	C	C	C	-	-	-	C	
Golf Courses and Country Clubs	P	M	C	C	P	P	-	
Hospital	-	-	-	-	-	-	-	
Medical Offices and Clinic	P	P	P	-	-	-	P	
Office, Governmental	P	P	P	-	-	-	P	
Outdoor Education	-	-	-	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	-	P	P	-	-	-	P	
Agricultural Product Sales On-Site	-	P	P	-	-	-	P	
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	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	-	-	-	-	

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	
Drive-Through Facility	M	M	M	-	-	-	-	Section 24-159
Equipment Sales and Rental	A	-	M	-	-	-	-	
Gas and Service Stations	A	-	M	-	-	-	-	
Heavy Equipment Storage	P	-	-	-	-	-	-	Section 24-155
Hotels and Motels	P	P	P	C	P	P	P	
Hunting and Fishing Clubs	-	-	-	P	P	P	-	
Offices, Professional	P	P	P	-	-	-	P	
Nursery, Retail	P	P	P	-	-	-	P	
Nursery, Wholesale	P	P	P	-	-	-	P	
Personal Services	P	P	P	-	-	C	P	
Personal Services, Restricted	C	C	C	-	-	-	C	
Public/Mini Storage	C	C	C	-	-	-	-	Section 24-168
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 24-162
Retail, Restricted	C	C	C	-	-	-	C	
Vehicle Repair	A	-	A	-	-	-	-	
Vehicle Sales and Rental	P	M	M	-	-	-	-	
Vehicle Service and Maintenance	A	M	M	-	-	-	-	
Wine, Olive Oil, Fruit and Nut, Micro-Brewery and Micro-Distillery Facilities	See Section 24-174							
Industrial Uses								
Composting Facilities	-	-	-	-	-	-	-	
Manufacturing, General	-	-	-	-	-	-	-	
Manufacturing, Heavy	-	-	-	-	-	-	-	
Manufacturing, Light	C	C	C	-	-	-	-	
Research and Development	-	-	-	-	-	-	-	
Warehousing, Wholesaling and Distribution	C	C	C	-	-	-	-	
Transportation, Communication, and Utility Uses								
Aerial Applicator and Support Services	-	-	-	-	-	-	-	
Airport-Related Uses	-	-	-	-	-	-	-	
Farm Airstrips	-	-	-	-	-	-	-	
Freight and Truck Terminals and Yards	-	-	-	-	-	-	-	

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	
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	-	-	-	-	-	-	-	
Parking Facilities	A	M	A	A	A	-	A	
Telecommunications Facilities	See Article 26							
Utilities, Major	C	C	C	C	C	C	C	Section 24-156
Utilities, Intermediate	M	M	M	M	M	M	M	Section 24-156
Utilities, Accessory [6]	A	A	A	A	A	A	A	Section 24-156
Utilities, Minor	P	P	P	P	P	P	P	Section 24-156
Other Uses								
Accessory Uses and Structures	See Section 24-155							

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 will all site development standards for MDR zones as specified in Section 24-19 (Development Standards for the Residential Zones).
- [4] A Conditional Use Permit is required for theme parks and amusement parks of 10 acres or more in size, to address traffic impacts and parking needs.
- [5] Permitted only in the MU-1 and MU-2 zone as an interim use prior to redevelopment to Mixed Uses.
- [6] Agricultural Wind Energy System not allowed in any commercial zone.

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.) [2]
GC	10,000 sq. ft.	65 ft.	-	14 units per acre	0.4
NC	10,000 sq. ft.	65 ft.	-	6 units per acre-	0.3
CC	10,000 sq. ft.	65 ft.	-	1 unit per parcel	0.2
REC-1,2	10,000 sq. ft.	65 ft.	-	-	0.4
SE	10,000 sq. ft.	65 ft.	-	-	0.4
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] 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							Additional Standards
	GC	NC	CC	REC-1, 2	SE	MU		
Setbacks [1]								
Front	None, except 15 ft. when adjacent to a residential zone						Article 12 (Setback Requirement and Exceptions) Article 16 (Riparian Areas)	
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.	Article 11 (Height Measurements and Exceptions)	

[1] Setbacks for roads that are dedicated for public use are defined under Butte County Code Section 10-7.

- D. Expansion of Existing Allowed Uses in the REC-1 Zone.** Expansion of existing allowed uses within the REC-1 zone is allowed through Administrative Permit for no more than:
1. 50 percent of the floor area of the structure before the addition, or 2,500 square feet, whichever is less; or
 2. 10,000 square feet if:
 - a. The project is in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan and
 - b. The area in which the proposed expansion is located is not environmentally sensitive.
 3. The expansion and Administrative Permit shall be subject to all development standards (e.g., parking, landscaping, and setbacks) as set forth under this chapter.

24-24 Additional Standards for the Sports and Entertainment Zone

- A. Applicable Regulations.** All new development 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 a public use and a 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.