

Heavy Equipment Storage (Section 24-170). This section of the Second Draft Zoning Ordinance was developed from input received during the update process to provide a way for private contractors who wished to store heavy equipment on their residential property in conjunction with an off-site business. Under the existing code, such contractors cannot store their equipment and must find areas with appropriate commercial or industrial zoning, often many miles away from their residences. **This section is not intended to regulate the private use of heavy equipment on individual property**, only to accommodate those private contractors who have equipment used elsewhere in conjunction with a commercial business, and to ensure compatibility with surrounding residential uses in the Very Low Density Residential (VLDR) zone.

The following information provides some key information concerning the development of the Heavy Equipment Storage draft ordinance:

- Heavy Equipment Storage for use by private contractors at off-site commercial jobs is a use currently NOT ALLOWED under the EXISTING County Zoning Ordinance.
- The Second Draft Zoning Ordinance included a DRAFT section on Heavy Equipment Storage in response to input from contractors who wished to store heavy equipment in residential zones.
- Since its publication on July 8, 2011, within the Second Draft Zoning Ordinance, concerns have been expressed to county staff about the applicability and intent of this section. This section has been re-drafted to address concerns, and to focus this provision on the Very Low Density Residential zone only.
- **Major changes proposed in the re-drafted Heavy Equipment Storage section and the Second Draft Zoning Ordinance include:**
 - The Section will only apply to the Very Low Density Residential (VLDR) zone. It requires an Administrative or Minor Use Permit to ensure compatibility with residential uses in the VLDR zone only.
 - The Accessory Use Section of the Zoning Code will be updated to allow Heavy Equipment Storage as a permitted use in all Rural Zones (Timber Mountain, Timber Production, Rural Residential, Foothill Residential, and Agriculture), allowing this use “by right” WITHOUT PERMITS.
 - The Heavy Equipment Storage section would no longer apply to the Rural Zones of the County (Timber Mountain, Timber Production, Rural Residential, Foothill Residential, and Agriculture) only to the Very Low Density Residential Zone.
 - The complete re-drafted section on Heavy Equipment Storage is provided on the reverse with recommended edits shown. The Planning Commission will review and provide recommendations on September 15, 2011 at 1:00 pm. The public is encouraged to attend and provide comments.
 - Further comments may be directed to Tim Snellings, Director, Butte County Department of Development Services, 7 County Center Drive, Oroville, 95965; tsnellings@buttecounty.net

24-170 Heavy Equipment Storage in the Very Low Density Residential Zones

- A. Purpose. This section establishes minimum standards and permit requirements for the storage of heavy equipment used by individual contractors/drivers for off-site commercial jobs. This section applies to the storage of heavy equipment in the Very Low Density Residential (VLDR, VLDR 2.5) zones. Storage of heavy equipment in all other zones is set-forth under Section 24-153 –Accessory Uses and Structures, all Rural Zones (RR, FR, AG, TM, TPZ). Heavy equipment includes equipment with a manufacturer’s gross weight of 10,000 pounds or more, carried by trailers such as graders, excavators, bulldozers, backhoes and similar equipment; heavy vehicles such as dump trucks, semi tractor trailers, and similar equipment, and other heavy equipment that may necessitate being pulled behind a vehicle. Heavy equipment storage as used in this section means heavy equipment that is stored for one or more consecutive days during the year.
- B. Permits Required.
1. The storage of up to two pieces of heavy equipment in conjunction with a residence requires the approval of an Administrative Permit.
 2. The storage of ~~thee up~~ up to six pieces of heavy equipment in conjunction with a residence ~~or on an undeveloped parcel~~ requires the approval of a Minor Use Permit.
- C. Standards. All Heavy Equipment Storage sites shall comply with the following standards:
1. ~~Parcel must be a minimum of 5 acres in size.~~
 2. ~~The heavy equipment and vehicle storage area shall be designated on the site plan.~~
 3. The heavy equipment and vehicle storage area may not exceed ~~is limited to~~ $\frac{1}{4}$ $\frac{1}{2}$ -acre in size where all vehicles shall be stored.
 4. The storage area shall be setback from property lines in accordance with the setbacks required for structures. ~~in the applicable zone, and maintain a 100 foot setback from all domestic wells.~~
 5. ~~No more than the permitted number of pieces of heavy equipment may be stored at any one time.~~
 6. Heavy equipment may be stored and removed on a daily basis, subject to the hours of operation of 6:00 am to 6:00 pm, Monday-Friday, and 8:00 am to 6:00 pm Saturdays, Sundays and Holidays.
 7. All vehicles shall be screened from direct view through vegetation, or approved fencing/walls or other approved means.
 8. All vehicles must be operational and be in a running condition ~~and~~ have a current license.
 9. No heavy mechanical work, ~~maintenance or service~~ is allowed. Light maintenance such as fluid changes, tire changes, and other minor repairs are permitted.
 10. Inoperative vehicles are not permitted to be stored at the site.
 11. ~~Vehicles shall be kept secure and safe from vandalism, trespass and unauthorized operation.~~
 12. Vehicles shall not idle longer than 15 minutes at the site prior to leaving or upon return.
 13. ~~An approved encroachment to a public or private right of way is required.~~
 14. Access roads shall be sufficient to carry the equipment without sustaining undue damage to the roads. ~~Permits issued under this section may require that only unloaded equipment be stored.~~
 15. Mud, run-off, erosion, and drainage, shall be controlled at all times and contained on-site. ~~Vehicles are not permitted to track dirt or mud onto a county or private right of way.~~
 16. Dust shall be mitigated during dry conditions.
 17. Storage of oil, gas, or other fluids/materials associated with the maintenance of heavy vehicles must comply with state law regulating the storage of hazardous materials. ~~is prohibited.~~
 18. Storage of construction related material such as aggregate, sand, soil or debris is prohibited.
 19. Measures shall be taken to prevent leaks and spills. Any leaks and spills shall be immediately addressed.
- D. Suspension of Permit. The Zoning Administrator may suspend the approval of the Minor Use Permit or Administrative Permit for Heavy Equipment and Vehicle Storage if one of the following applies:
1. ~~The site has become a detriment to the public health, safety, welfare, or character of a neighborhood, or constitutes a hazard or nuisance to pedestrian or vehicular circulation.~~
 2. ~~It is determined that standards applicable to the Heavy Equipment Storage site have been violated.~~