

BUTTE COUNTY ZONING ORDINANCE CONTENTS

Part 1 – Enactment and Applicability

| | |
|--|----|
| Article 1. Purpose and Effect of the Zoning Ordinance..... | 3 |
| 24-1 Title..... | 3 |
| 24-2 Purpose of the Zoning Ordinance..... | 3 |
| 24-3 Relationship to the General Plan | 4 |
| 24-4 Responsibility for Administration | 4 |
| 24-5 Applicability of Zoning Ordinance..... | 4 |
| Article 2. Interpretation of the Zoning Ordinance | 6 |
| 24-6 Purpose | 6 |
| 24-7 Authority..... | 6 |
| 24-8 Rules of Interpretation | 6 |
| 24-9 Procedures for Interpretation..... | 9 |
| Article 3. Zones and Zoning Map..... | 10 |
| 24-10 Purpose | 10 |
| 24-11 Zones and Zoning Map | 10 |

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..... | 31 |
| 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 | 41 |
| Article 7. | Commercial and Mixed Use Zones | 44 |
| 24-21 | Purpose of the Commercial and Mixed Use Zones | 44 |
| 24-22 | Land Use Regulations for Commercial and Mixed Use Zones..... | 46 |
| 24-23 | Development Standards for Commercial and Mixed Use Zones..... | 49 |
| 24-24 | Additional Standards for the Sports and Entertainment Zone | 50 |
| Article 8. | Industrial Zones | 52 |
| 24-25 | Purpose of the Industrial Zones | 52 |
| 24-26 | Land Use Regulations for Industrial Zones..... | 53 |
| 24-27 | Development Standards for Industrial Zones | 57 |
| Article 9. | Special Purpose Zones..... | 60 |
| 24-28 | Purpose of the Special Purpose Zones..... | 60 |
| 24-29 | Land Use Regulations for Special Purpose Zones..... | 61 |
| 24-30 | Development Standards for Special Purpose Zones..... | 66 |
| 24-31 | Research and Business Park Zone Requirements..... | 67 |
| 24-32 | Planned Development Zone Requirements | 72 |
| Article 10. | Overlay Zones..... | 76 |
| 24-33 | Purpose of Article..... | 76 |
| 24-34 | Airport Compatibility Overlay Zone..... | 76 |
| 24-35 | Chapman Mulberry Overlay Zone | 77 |
| 24-36 | Cohasset Overlay Zone | 78 |
| 24-37 | Deer Herd Migration Overlay Zone..... | 79 |
| 24-38 | North Chico Specific Plan Overlay Zone..... | 81 |
| 24-39 | Public Housing Overlay Zone | 81 |
| 24-40 | Retail Overlay Zone | 83 |
| 24-41 | Scenic Highway Overlay Zone | 84 |
| 24-42 | Stringtown Mountain Specific Plan Overlay Zone..... | 86 |
| 24-43 | Neal Road Recycling, Energy, and Waste Facility Overlay Zone..... | 86 |
| 24-44 | Unique Agriculture Overlay Zone..... | 88 |
| 24-45 | Watershed Protection Overlay Zone | 90 |

Part 3 – General Regulations

| | |
|---|-----|
| Article 11. Height Measurement and Exceptions | 97 |
| 24-46 Purpose | 97 |
| 24-47 Height Measurement | 97 |
| 24-48 Maximum Height of Structures..... | 97 |
| 24-49 Height Limit Exceptions | 98 |
| Article 12. Setback Requirements and Exceptions | 99 |
| 24-50 Purpose | 99 |
| 24-51 Setback Measurement | 99 |
| 24-52 Allowed Projections | 100 |
| 24-53 Projections over Property Lines..... | 100 |
| Article 13. Walls and Fences | 101 |
| 24-54 Purpose | 101 |
| 24-55 Measurement of Fence or Wall Height | 101 |
| 24-56 Height Limits..... | 102 |
| 24-57 Design | 102 |
| 24-58 Amortization of Nonconforming Fences | 103 |
| Article 14. Outdoor Lighting..... | 104 |
| 24-59 Purpose | 104 |
| 24-60 Applicability | 104 |
| 24-61 New Development | 104 |
| 24-62 Time Limitations for Compliance | 104 |
| 24-63 Compliance with Lighting Standards..... | 105 |
| 24-64 Standards..... | 105 |
| 24-65 Exemptions | 105 |
| 24-66 Security Lighting | 105 |
| 24-67 Prohibited Lighting | 105 |
| Article 15. Recreational Vehicles and Campers..... | 107 |
| 24-68 Purpose | 107 |
| 24-69 Applicability | 107 |
| 24-70 Permanent Residences | 107 |
| 24-71 Parking and Storage in Residential Zones..... | 107 |
| 24-72 Camping | 108 |

| | |
|---|-----|
| Article 16. Riparian Areas..... | 109 |
| 24-73 Purpose | 109 |
| 24-74 Applicability | 109 |
| 24-75 Use Regulations | 109 |
| 24-76 Performance Standards | 111 |
| 24-77 Coordination with Other Regulatory Agencies | 111 |
| Article 17. Agricultural Buffers | 112 |
| 24-78 Purpose | 112 |
| 24-79 Applicability | 112 |
| 24-80 Agricultural Buffer Setbacks..... | 112 |
| 24-81 Exceptions to Agricultural Buffer Setback..... | 113 |
| Article 18. Clustered Development | 115 |
| 24-82 Purpose | 115 |
| 24-83 Applicability | 116 |
| 24-84 Application Requirements..... | 116 |
| 24-85 Development Standards..... | 117 |
| 24-86 Permitted Uses..... | 121 |
| 24-87 Clustered Development Open Space Requirements | 121 |
| Article 19. Parking and Loading | 124 |
| 24-88 Purpose | 124 |
| 24-89 Applicability | 124 |
| 24-90 On-Site Parking Requirements..... | 124 |
| 24-91 General Requirements | 129 |
| 24-92 Parking Design Standards..... | 131 |
| 24-93 Bicycle Facilities | 137 |
| 24-94 Off-Street Loading | 137 |
| Article 20. Signs..... | 140 |
| 24-95 Purpose | 140 |
| 24-96 Applicability | 140 |
| 24-97 Definitions | 140 |
| 24-98 Signs Allowed Without Permits..... | 141 |
| 24-99 Permit Requirements..... | 143 |
| 24-100 Prohibited Signs..... | 143 |
| 24-101 General Standards..... | 144 |

| | | |
|--|---|-----|
| 24-102 | Allowed Signage by Zone..... | 145 |
| 24-103 | Standards for Specific Types of Signs..... | 148 |
| 24-104 | Master Sign Program..... | 149 |
| 24-105 | Temporary Signs..... | 150 |
| 24-106 | Nonconforming Signs..... | 152 |
| Article 21. Landscaping..... | | 153 |
| 24-107 | Purpose..... | 153 |
| 24-108 | Applicability..... | 153 |
| 24-109 | Model Water Efficient Landscaping Ordinance..... | 153 |
| 24-110 | Parking Lot Landscaping..... | 154 |
| 24-111 | Landscape Plans..... | 154 |
| 24-112 | Landscape Standards..... | 155 |
| 24-113 | Irrigation and Water Efficiency..... | 156 |
| 24-114 | Timing of Installation..... | 157 |
| 24-115 | Maintenance..... | 157 |
| Article 22. Nonconforming Uses and Structures..... | | 158 |
| 24-116 | Purpose..... | 158 |
| 24-117 | Applicability..... | 158 |
| 24-118 | General Provisions..... | 158 |
| 24-119 | Nonconforming Uses..... | 159 |
| 24-120 | Nonconforming Structures..... | 159 |
| 24-121 | Loss of Legal Status..... | 160 |
| 24-122 | Findings..... | 160 |
| 24-123 | Appeals..... | 160 |
| Article 23. Density Bonuses..... | | 161 |
| 24-124 | Purpose..... | 161 |
| 24-125 | Definitions..... | 161 |
| 24-126 | Eligibility..... | 162 |
| 24-127 | Amount of Density Bonus..... | 163 |
| 24-128 | Standards for Affordable Units..... | 167 |
| 24-129 | Donations of Land..... | 168 |
| 24-130 | Incentives..... | 168 |
| 24-131 | Waivers or Reductions of Development Standards..... | 170 |
| 24-132 | Reduced Parking Requirement..... | 171 |
| 24-133 | Housing with Child Care Facilities..... | 172 |

| | | |
|---|--|-----|
| 24-134 | Application and Review | 172 |
| 24-135 | Continued Affordability..... | 173 |
| 24-136 | Density Bonus Housing Agreement..... | 174 |
| Article 24. Land Use Compatibility Standards..... | | 177 |
| 24-137 | Purpose | 177 |
| 24-138 | Applicability | 177 |
| 24-139 | Compliance Procedures..... | 178 |
| 24-140 | Air Quality | 178 |
| 24-141 | Electromagnetic Interference..... | 178 |
| 24-142 | Erosion Control..... | 178 |
| 24-143 | Fire and Explosion Hazards | 179 |
| 24-144 | Heat..... | 179 |
| 24-145 | Light and Glare..... | 179 |
| 24-146 | Radioactivity..... | 179 |
| 24-147 | Vibrations | 179 |
| 24-148 | Outdoor Storage in Residential Zones | 179 |
| 24-149 | Liquid, Solid, and Hazardous Wastes | 180 |
| 24-150 | Noise..... | 180 |
| 24-151 | Enforcement | 181 |

Part 4 – Supplemental Use Regulations

| | | |
|--|--------------------------------------|-----|
| Article 25. Supplemental Use Regulations | | 185 |
| 24-152 | Purpose | 185 |
| 24-153 | Accessory Uses and Structures | 185 |
| 24-154 | Alternative Energy Structures..... | 189 |
| 24-155 | Animal Keeping..... | 191 |
| 24-156 | Child Care Facilities | 193 |
| 24-157 | Drive-Through Facilities | 195 |
| 24-158 | Emergency Shelters - Permanent..... | 196 |
| 24-159 | Home Occupations..... | 196 |
| 24-160 | Large Retail Projects..... | 198 |
| 24-161 | Live/Work Units..... | 200 |
| 24-162 | Kennels..... | 201 |
| 24-163 | Medical Marijuana Dispensaries | 203 |
| 24-164 | Mobile Home Parks..... | 203 |

| | | |
|---|---|-----|
| 24-165 | Permanent Outdoor Displays and Sales | 206 |
| 24-166 | Public/Mini Storage | 207 |
| 24-167 | Recycling Collection Facilities | 209 |
| 24-168 | Residential Generator Noise | 211 |
| 24-169 | Second Units | 212 |
| 24-170 | Heavy Equipment Storage..... | 214 |
| 24-171 | Temporary Uses | 216 |
| 24-172 | Winery, Olive Oil, Fruit and Nut, Brewery and Micro-Distillery Production Facilities | 219 |
| Article 26. Telecommunication Facilities..... | | 223 |
| 24-173 | Purpose | 223 |
| 24-174 | Applicability | 224 |
| 24-175 | Exemptions | 224 |
| 24-176 | Permits Required | 225 |
| 24-177 | Application Submittal and Review | 227 |
| 24-178 | General Requirements | 229 |
| 24-179 | Standards for Zones | 233 |
| 24-180 | Standards for Types of Facilities | 234 |
| 24-181 | Collocation Facilities | 236 |
| 24-182 | Terms of Approval | 237 |
| 24-183 | Performance Securities | 238 |
| 24-184 | Facility Removal..... | 238 |

Part 5 – Land Use and Development Approval Procedures

| | | |
|---|--|-----|
| Article 27. Permit Application and Review | | 244 |
| 24-185 | Purpose | 244 |
| 24-186 | Review and Decision-Making Authority | 244 |
| 24-187 | Application Preparation and Filing..... | 245 |
| 24-188 | Application Fees | 246 |
| 24-189 | Initial Review of Application | 246 |
| 24-190 | Project Evaluation and Staff Reports | 247 |
| 24-191 | Environmental Review | 248 |
| 24-192 | Applications Deemed Withdrawn..... | 248 |

| | |
|--|-----|
| Article 28. Zoning Clearances..... | 249 |
| 24-193 Purpose | 249 |
| 24-194 Applicability | 249 |
| 24-195 Review Authority..... | 249 |
| 24-196 Review and Action | 249 |
| 24-197 Public Notice and Hearing..... | 250 |
| 24-198 Conditions of Approval | 250 |
| Article 29. Administrative Permits..... | 251 |
| 24-199 Purpose | 251 |
| 24-200 Applicability | 251 |
| 24-201 Review Authority..... | 251 |
| 24-202 Application Submittal, Review, and Action | 251 |
| 24-203 Public Notice and Hearing..... | 252 |
| 24-204 Conditions of Approval | 252 |
| 24-205 Post-Decision Procedures | 252 |
| Article 30. Site Development Permits | 253 |
| 24-206 Purpose | 253 |
| 24-207 Applicability | 253 |
| 24-208 Review Authority..... | 254 |
| 24-209 Application Submittal and Review | 254 |
| 24-210 Public Notice and Hearing..... | 254 |
| 24-211 Findings | 254 |
| 24-212 Conditions of Approval | 255 |
| 24-213 Post-Decision Procedures | 255 |
| Article 31. Conditional Use and Minor Use Permits..... | 256 |
| 24-214 Purpose | 256 |
| 24-215 Applicability | 256 |
| 24-216 Review Authority..... | 256 |
| 24-217 Application Submittal and Review | 257 |
| 24-218 Public Notice and Hearing..... | 257 |
| 24-219 Findings | 257 |
| 24-220 Conditions of Approval | 258 |
| 24-221 Post-Decision Procedures | 258 |
| 24-222 Expiration of Permit..... | 258 |
| 24-223 Annual Inspection | 258 |

Article 32. Variances and Minor Variances 260

 24-224 Purpose 260

 24-225 Applicability 260

 24-226 Review Authority 261

 24-227 Application Submittal and Review 261

 24-228 Public Notice and Hearing 261

 24-229 Findings 261

 24-230 Conditions of Approval 262

 24-231 Precedent 262

 24-232 Post-Decision Procedures 263

Article 33. Reasonable Accommodations 264

 24-233 Purpose 264

 24-234 Applicability 264

 24-235 Review Authority 265

 24-236 Application Submittal and Review 265

 24-237 Criteria for Decision 265

 24-238 Conditions of Approval 266

 24-239 Post-Decision Procedures 266

Article 34. Post-Decision Procedures 267

 24-240 Purpose 267

 24-241 Effective Date of Permits, Approvals, and Legislative Actions 267

 24-242 Signature Required 268

 24-243 Performance Guarantees 268

 24-244 Changes to an Approved Project 269

 24-245 Time Limits and Extensions 269

 24-246 Resubmittals 270

 24-247 Certificates of Occupancy 271

 24-248 Permits to Run with the Land 271

 24-249 Permit Revocation or Modification 271

Part 6 – Zoning Ordinance Administration

Article 35. Administrative Responsibility 275

 24-250 Purpose 275

 24-251 Planning Agency 275

| | | |
|--|---|-----|
| 24-252 | Board of Supervisors..... | 275 |
| 24-253 | Planning Commission | 275 |
| 24-254 | Zoning Administrator | 276 |
| 24-255 | Department of Development Services..... | 276 |
| Article 36. Public Notice and Hearings..... | | 278 |
| 24-256 | Purpose | 278 |
| 24-257 | Notice of Hearing..... | 278 |
| 24-258 | Scheduling of Hearing | 280 |
| 24-259 | Hearing Procedure..... | 280 |
| 24-260 | Recommendation by Commission..... | 280 |
| 24-261 | Decision and Notice | 280 |
| 24-262 | Effective Date of Decision | 281 |
| Article 37. Appeals and Calls for Review | | 282 |
| 24-263 | Purpose | 282 |
| 24-264 | Appeal Subjects and Jurisdiction | 282 |
| 24-265 | Filing and Processing of Appeals..... | 282 |
| 24-266 | Calls for Review | 284 |
| 24-267 | Judicial Review | 286 |
| Article 38. Zoning Ordinance Amendments..... | | 287 |
| 24-268 | Purpose | 287 |
| 24-269 | Initiation | 287 |
| 24-270 | Application | 288 |
| 24-271 | Planning Commission Hearing and Action | 288 |
| 24-272 | Board of Supervisors Hearing and Action | 289 |
| 24-273 | Findings and Decision | 289 |
| 24-274 | Effective Dates | 290 |
| Article 39. General Plan Amendments..... | | 291 |
| 24-275 | Purpose | 291 |
| 24-276 | Initiation | 291 |
| 24-277 | Application | 292 |
| 24-278 | Planning Commission Hearing and Action | 292 |
| 24-279 | Board of Supervisors Hearing and Action | 293 |
| 24-280 | Findings and Decision | 293 |

| | | |
|--|--|-----|
| 24-281 | Effective Dates | 294 |
| 24-282 | Timing of Amendments | 294 |
| Article 40. Development Agreements | | 295 |
| 24-283 | Purpose | 295 |
| 24-284 | Applicability | 296 |
| 24-285 | Review Authority | 296 |
| 24-286 | Application Submittal and Review | 296 |
| 24-287 | Public Notice and Hearings..... | 296 |
| 24-288 | Planning Commission Action | 296 |
| 24-289 | Board of Supervisors Action..... | 297 |
| 24-290 | Findings | 297 |
| 24-291 | Conditions of Approval | 298 |
| 24-292 | Content of the Development Agreement | 298 |
| 24-293 | Recordation | 298 |
| 24-294 | Effect of Development Agreement..... | 299 |
| 24-295 | Periodic Review | 299 |
| 24-296 | Modification or Termination | 299 |
| Article 41. Lot Line Adjustments | | 301 |
| 24-297 | Purpose | 301 |
| 24-298 | Application Required | 301 |
| 24-299 | Zoning Ordinance Requirements..... | 301 |
| 24-300 | Exception for Minimum Parcel Size | 301 |

Part 7 – Definitions

| | | |
|---------------------------|-------------------|-----|
| Article 42. Glossary..... | | 305 |
| 24-301 | Purpose | 305 |
| 24-302 | Definitions | 305 |

