

1  
2 AN ORDINANCE OF THE COUNTY OF BUTTE ADOPTING AMENDMENTS TO BUTTE  
3 COUNTY CODE CHAPTER 24, ZONING, INCLUDING: ADOPTING NEW SECTION 24-  
4 172.1 PERTAINING TO SHORT-TERM RENTALS; AMENDING SECTION 24-172,  
5 SECOND UNITS AND ACCESSORY DWELLING UNITS, SUBSECTION (N), DEED  
6 RESTRICTIONS; AMENDING ALL LAND USE REGULATION TABLES CONTAINED IN  
7 ZONING ORDINANCE PART 2, ZONING DISTRICTS, LAND USES, AND  
8 DEVELOPMENT STANDARDS, TO INCLUDE REFERENCES TO SHORT-TERM RENTALS  
9 AND IDENTIFYING A CORRESPONDING PERMIT PROCESS; AND INCLUDING A NEW  
10 DEFINITION FOR VACATION HOME RENTAL UNDER ZONING ORDINANCE PART 7,  
11 ARTICLE 42, GLOSSARY

12 The Board of Supervisors of the County of Butte ordains as  
13 follows:

14 Section 1. Chapter 24 of the Butte County Code is amended as  
15 provided for under "ATTACHMENT A", incorporated herein by  
16 reference.

17 Section 2. Effective Date and Publication. The Clerk of the Board  
18 will publish the Ordinance codified in this Chapter as required by  
19 law. The Ordinance codified in this Chapter shall take effect thirty  
20 (30) days after final passage.

1 **PASSED AND ADOPTED** by the Board of Supervisors of the County of Butte,  
2 State of California, on the 26<sup>th</sup> day of March, 2019 by the following  
3 vote:

4  
5 **AYES:** Supervisors Connelly, Lucero, Ritter, Teeter, and Chair Lambert

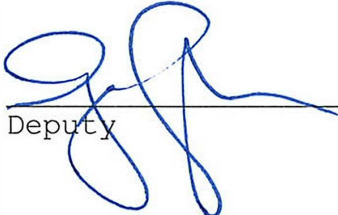
6 **NOES:** None

7 **ABSENT:** None

8 **NOT VOTING:** None

9  
10   
11 **STEVE LAMBERT**, Chair  
12 Butte County Board of Supervisors

13 **ATTEST:**  
14 **SHARI MCCRACKEN**, Chief Administrative Officer  
15 and Clerk of the Board

16 By:   
17 Deputy

## BUTTE COUNTY SHORT-TERM RENTAL ORDINANCE

**A. Purpose.** This section establishes a definition, permit process, rental term, site requirements, standards, and permit revocation requirements for short-term rentals to ensure that, 1) short-term rentals are compatible with and do not adversely impact surrounding residential uses, 2) property owners have the option to utilize their properties for short-term rental use, 3) risks to public safety and health to occupants and owners are minimized, 4) property values are maintained; 5) visitation and tourism to Butte County is supported, and, 6) transient occupancy tax is collected in order to provide fair and equitable tax collection for all lodging providers.

**B. Definitions.**

1. **Short-Term Rental.** A single-family dwelling, or a portion of a single-family dwelling, that is rented to transient guest occupants typically for periods of 30 days or less, with weekend or weekly rental periods being the most common. Short-term rentals are routinely booked for numerous periods throughout the year, with a property manager providing oversight and services for guest customers.
2. **Primary Residence.** An owner's permanent residence or usual place of return for housing as documented by at least two forms of identification.
3. **Host.** A person who rents their primary residence for short-term rentals under this section.
4. **Hosted Stay.** A primary residence where a resident remains on-site during the short-term rental guest's stay (except during daytime and/or work hours).
5. **Un-Hosted Stay.** A primary residence where the resident remains off-site during the short-term rental guest's stay.

**C. Applicability.**

1. Short-term rentals are required to be a primary residence as defined under this section, except when either of the following applies:
  - a. The applicable zone has a 5-acre or greater minimum parcel size, and the applicable parcel is 5 acres or greater in size.
  - b. The owner of a short-term rental has a permanent residence and resides on an adjacent parcel sharing a common property line with the short-term rental parcel.
2. This section does not apply to the use of single-family dwellings when not occupied as a short-term rental.
3. This section does not apply during times of a declared emergency when short-term rentals are offered at no cost to individuals displaced from their homes as a result of a disaster.
4. Development Services shall rely upon occupancy records and other sources of information for the short-term rental in determining all potential code enforcement violations.
4. Short-term rentals located in the following communities and associated zones are not subject to the primary residency requirement under C. 1 above. These communities include seasonal vacation cabins that are not primary residences. The use of seasonal vacation cabins in these communities as short-term rentals are otherwise subject to the requirements of this chapter.

**Butte Meadows**

FR-5 (Foothill Residential, 5-acre minimum)

FR-1 (Foothill Residential, 1-acre minimum)

PUD (Planned Unit Development)

**Jonesville**

REC (Recreation Commercial)

**Lake Madrone**

MDR (Medium Density Residential)

LDR (Low Density Residential)

VLDR (Very Low Density Residential)

**Philbrook Reservoir**

TM (Timber Mountain)

**D. Administrative Permit Process.** Short-term rentals are subject to an administrative permit, pursuant to Butte County Code Chapter 24, Article 29, and shall be allowed as provided by the applicable zone (refer to the Use Regulation Tables for each zone to determine if short-term rentals are allowed), subject to the requirements of this section. The administrative permit application shall include all information necessary to determine compliance with this section. The application process shall be subject to a fee in accordance with the latest fee schedule approved by the Board of Supervisors.

**E. Minor Use Permit Process.** Any short-term rental that cannot comply with the requirements set forth under this section but may otherwise support the purpose of this section shall be subject to a minor use permit and environmental review pursuant to the California Environmental Quality Act (CEQA). Short-term rentals subject to a minor use permit are limited to those parcels 5 acres or greater in size, located in a zone with a 5-acre or greater minimum parcel size.

**F. Administrative Permit Renewal Process.** The administrative permit shall be renewed annually, based upon the anniversary date of permit issuance. The renewal process shall be subject to a fee in accordance with the latest fee schedule approved by the Board of Supervisors. The Department of Development Services shall issue a renewed administrative permit upon making the following findings:

1. No more than two strikes have been issued for violations of this section during the last 24-month period;
2. The short-term rental has not been transferred to another person, entity, or landowner;
3. The short-term rental complies with the approved administrative permit and all applicable Butte County Codes and Standards; and,
4. The short-term rental property is current on transient occupancy taxes and has paid all said taxes to the Butte County Treasurer-Tax Collector by the required due date.

**No property rights conferred.** Short-term rental administrative permits do not provide a vested interest, or entitlement in the continued operation of a short-term rental upon a change of property ownership. Short-term rental permits are revocable permits and shall not run with the land

notwithstanding Butte County Code Section 24-250. Property owners must notify the Butte County Department of Development Services and the Central Collections Division of the Treasurer-Tax Collector's Department upon change of ownership. Continued operation of a short-term rental upon change of ownership will result in a violation of this section

**G. Short-Term Rental Restrictions.**

1. Short-term rentals are not allowed in structures not intended for residential occupancy under the current California Building Code Standards, in farmworker housing, or on property subject to a Williamson Act contract.
2. No more than two short-term rentals may be permitted on the same parcel (e.g. a primary residence and an approved second unit), and one of the short-term rentals must be operated as a hosted stay.

**H. Transient Occupancy Taxes.** Butte County Code Chapter 23-A authorizes the levy of a Transient Occupancy Tax for overnight stays at all lodging facilities. Short-term rental proprietors must complete a Transient Occupancy Tax Questionnaire and submit it to the Central Collections Division of the Treasurer-Tax Collector's Department within ten days of commencing business.

**I. Standards.** Short-term rentals are subject to the following operation and development standards at all times. On-site inspections by Butte County or a verifiable self-certification process shall be required to ensure compliance with all permit standards. By accepting an administrative permit, the owner agrees to allow on-site inspections by the County at reasonable times.

1. **Second and Accessory Dwelling Units.** Both a single-family dwelling that is a primary residence and a second unit on the same parcel may be permitted as a short-term rental. Accessory Dwelling Units as defined and permitted under Butte County Code Section 24-172 shall not be permitted for use as short-term rentals. The administrative permit shall identify each of the units permitted as short-term rentals.
2. **Appearance, Visibility, and Signage.** No alteration shall be made that would identify a dwelling as a short-term rental, and that would not preserve and protect the residential character of the dwelling or existing neighborhood. No signage pertaining to a short-term rental is allowed excepting as required below under Sub-Section I (10) (b) - Posting of Permit Standards.
3. **Commercial Activity Prohibited.** Commercial activities and special events, including but not limited to, weddings, receptions, and parties are prohibited. All occupants of the short-term rental shall be notified of the prohibition against commercial activities prior to the reservation, rental, or lease, and said prohibition shall be a part of any rental or lease agreement.
4. **Building, Fire, and Health Standards.** Short-term rentals are subject to the following development standards:
  - a. Meet the current California Building Code Standards for the intended occupancy to the satisfaction of the Butte County Department of Development Services.

- b. Provision of potable domestic water supply, including bacteriological test results and verification of availability of adequate quantity of potable water, if an onsite well provides the domestic water supply.
  - c. On-site septic system or sewer connection necessary to accommodate the short-term rental to the satisfaction of the Butte County Public Health Department.
  - d. Fire extinguishers, smoke detectors, and carbon monoxide detectors shall be maintained in working order, and information related to all emergency exits shall be provided inside of the short-term rental.
5. **Trash and Recycling.** Trash and recycling receptacles shall be stored out of public view and serviced on a weekly basis. After pick-up, receptacles shall be returned to storage areas within 8 hours.
6. **Noise Standards.** It is the goal of this section to preserve the quality of life and character of existing residential neighborhoods in Butte County. In accordance with the Noise Control Ordinance, Butte County Code Chapter 41A, excessive, unnecessary or offensive noise within the County is detrimental to the public health, safety, welfare, and peace and quiet of the inhabitants of the County and therefore is considered a nuisance. Accordingly, noise levels at all short-term rentals shall comply with Butte County Code Section 41A-7 Exterior Noise Standards and Section 41A-8 Interior Noise Standards. In addition to compliance with the Noise Control Ordinance, all short-term rentals shall comply with the following requirements:
- a. Property managers shall insure that the occupants of the short-term rental understand that loud or unreasonable noise that disturbs others and that is not in keeping with the character of the surrounding neighborhood will result in a violation of this section.
  - b. Property managers shall immediately respond to all complaints concerning noise levels at all times. Failure to respond to all verifiable complaints will result in the issuance of a strike.
  - c. Quiet hours shall be observed between 10:00 pm and 7:00 am, Monday through Friday, and 10:00 pm and 9:00 am on Saturdays, Sundays, and holidays.
  - d. Outdoor amplified sound is prohibited during quiet hours. Outdoor amplified sound is allowed during non-quiet hours but shall be kept at a volume that complies with the Noise Control Ordinance.
  - e. All occupants of the short-term rental shall be notified of the noise standards as set forth under this section and said standards shall be a part of any rental or lease agreement.
7. **Occupancy and Parking.** Occupancy and parking requirements shall be specified on the administrative permit application. Table 1 and Table 2 below provide maximum occupancy and parking requirements depending upon whether the rental is served with public sewer or an on-site septic system. Additional standards for occupancy and parking are provided as follows:
- a. **Size.** Depending on the configuration of the building and the adequacy of the potable water and on-site septic systems, short-term rentals are limited to a maximum of five rented bedrooms. Each bedroom shall provide not less than 70 square feet of floor area for the first two occupants. The total floor area requirements per bedroom shall increase at a rate of 50 square feet for each occupant in excess of two.

- b. **Maximum Annual Nights for Un-Hosted Stays.** Un-hosted short-term rental stays shall not exceed 90 nights per calendar year, except a 180 nights per calendar year shall be allowed when, 1) the parcel is located in a zone with a 5-acre or greater minimum parcel size; and, 2) the applicable parcel is 5 acres or greater in size.
- c. **On-Site Residents.** The number of on-site residents shall be subtracted from the allowed maximum occupancies shown under Table 1 and Table 2.
- d. **Septic Systems.** The number of overnight guests for rentals served by on-site septic systems shall be based on two guests per approved bedroom, whether or not the guests sleep in a bedroom, or if more than two guests sleep in a bedroom. An approved bedroom is one recognized as such by the Butte County Public Health Department at the time the on-site septic system was legally constructed.
- e. **Maximum Occupancy.**
  - 1. **Public Sewer.** Short-term rentals served with public sewer shall not exceed 14 overnight guests, excluding children under 3-years of age, provided the rental meets the bedroom number standards as per Table 1 below.
  - 2. **On-Site Septic System.** Short-term rentals served by an on-site septic system shall not exceed 10 overnight guests, excluding children under 3-years of age, provided the rental meets the bedroom number standards as per Table 2 below.
- f. **Parking.** On-site tandem parking may be permitted if parallel parking cannot be accommodated on-site. Dimensions for parking stalls shall be in accordance with Section 24-295, Parking Design Standards. Parking spaces shall be clearly delineated on the site plan accompanying the application.
- g. **Notification.** The property owner shall ensure that all contracts, online listings, and advertisements clearly set forth the maximum number of overnight guests permitted at the property, and the maximum number on-site parking spaces. All occupants of the short-term rental shall be notified of these occupancy and parking standards and said standards shall be a part of any rental or lease agreement.

<b>Table 1. Maximum Occupancy and Parking Requirements Rentals with Public Sewer</b>		
<b>Number of Bedrooms</b>	<b>Maximum Occupancy</b>	<b>On-Site Parking</b>
1	4	1
2	8	2
3	10	3
4	12	4
5 or more	14	5

Table 2. Maximum Occupancy and Parking Requirements Rentals with On-Site Septic Systems		
Number of Bedrooms	Maximum Occupancy	On-Site Parking
1	2	1
2	4	2
3	6	3
4	8	4
5 or more	10	5

8. **Daytime Visitors.** For each allowed overnight occupant permitted under this section, one daytime visitor is allowed, up to a maximum of ten daytime visitors. Additional on-site parking for all daytime visitors' vehicles, in addition to overnight occupants, must be provided at a rate of one on-site parking space per two daytime visitors.
9. **No Overnight Camping.** A short-term rental administrative permit does not authorize any overnight camping, sleeping in tents, travel trailers, campers, or recreational vehicles. Recreational vehicles are permitted if they are the primary transportation for the renter or visitor, but they may not be used for overnight accommodations during the stay.
10. **Property Management.** The short-term rental shall be managed and supervised in accordance with the following requirements and responsibilities:
  - a. **Property Manager.** Short-term rentals must have a local property manager who is available 24-hours per day, seven days per week during all times that the property is rented. For hosted stays, the resident host shall be the property manager. For un-hosted stays, the property manager may be the owner or a designee of the owner. The property manager must ensure compliance with all requirements set forth in this section, including the timely response (within 30 minutes) to all complaints and their resolution. The name and contact information (address, text-enabled phone number, and email) of the property manager shall be provided on the permit application, posted inside the short-term rental and be available to any interested party upon request. Property managers shall provide Development Services with current contact information for identification on the Department of Development Services Short-Term Rentals registry website.
  - b. **Posting of Permit Standards.** A copy of the short-term rental permit listing all applicable standards and limits, including the name, text-enabled phone number, and email of the property manager, shall be posted inside the rental property in a prominent interior location within six feet of the front door. The applicable prohibitions, standards, and limits on occupancy shall be included.
  - c. **Disaster Preparedness.** Property managers shall make community evacuation information and maps for the community where the short-term rental is located as provided by the Butte County Office of Emergency Management available to all guest



customers. Applicable community evacuation information and maps shall be posted in a prominent interior location within six feet of the front door.

- d. **Right to Farm.** Pursuant to Butte County Code Chapter 35. Right to Farm Ordinance, the County of Butte permits the operation of properly conducted agricultural operations on agricultural land within the unincorporated area of Butte County and residents or users of property located near an agricultural operation on agricultural land may at times be subject to inconvenience or discomfort arising from that operation. The County of Butte has determined in the Butte County Right to Farm Ordinance that inconvenience or discomfort arising from a properly conducted agricultural operation on agricultural land will not be considered a nuisance for purposes of the Butte County Code or County regulations, and that residents or users of nearby property should be prepared to accept such inconvenience or discomfort as a normal and necessary aspect of living in a county with a strong rural character and an active agricultural sector. Disclosure concerning the allowance of agricultural uses and operations, and the potential for short-term renters to experience inconveniences, shall be a part of all rental agreements and posted along with the permit standards in a prominent interior location within six feet of the front door. This disclosure shall be approved in accordance with Butte County Code Section 35-8 at the time of Administrative Permit application.
- e. **Neighbor Notification of Administrative Permit Standards.** At the permit holder's expense, the Butte County Department of Development Services shall provide a mailed notice at the time of permit issuance to property owners within 300 feet of the subject parcel, and all property owners located on any non-county maintained private road serving the short-term rental. The notice shall include all applicable standards and limitations placed upon the short-term rental, the Butte County administrative permit number, and the County website that contains the official registry of each approved Short-Term Rental. The official registry will include the property manager's name, text-enabled phone number, and email.
- f. **Internet Posting and other Listings.** All advertising, marketing, online hospitality services, or other types of listing for the short-term rental shall include the following information in accordance with the approved Administrative Permit:
  - 1. Maximum occupancy of rental, not including children under 3 years of age;
  - 2. Maximum number of off-street vehicle parking spaces located on the property;
  - 3. Notification that quiet hours shall be observed between 10:00 pm and 7:00 am, Monday through Friday, and 10:00 pm and 9:00 am on Saturdays, Sundays, and holidays;
  - 4. Notification that outdoor amplified sound is only allowed during specified non-quiet hours, and is subject to the Butte County Noise Control Ordinance;
  - 5. Notification that commercial activities and special events, including but not limited to weddings, receptions, and parties, are prohibited; and,
  - 6. The issued Butte County administrative permit number and the transient occupancy tax certificate number.

**J. Enforcement Process.** This section contains its own enforcement process as set forth below. However, this process does not preclude other means of enforcement. Enforcement of this section may be in accordance with Butte County Code Section 24-5 (F), Enforcement, which may include, but not be limited to, the procedures as established in Butte County Code Section 1-7 (General Penalty, Continuing Violations), Chapter 32A (Abatement of Public Nuisances) and 41 (Code Enforcement Policies and Procedures), as well as any other procedures available in State or federal law. In no case shall the issuance of a courtesy notice or a warning notice pursuant to Section 41-2 be required for a code enforcement officer to issue a citation pursuant to this Section.

1. **Three Strikes Revocation Rule.** Three verifiable administrative citations, violations, or hearing officer determinations concerning the permit requirements issued to the owner or occupants at the property within a 24-month period shall result in a notice to cease and desist operations and permit revocation. Revocation is subject to prior notice and to appeal, if requested within ten days. In the event of permit revocation, an application to reestablish a short-term rental after revocation shall not be accepted for a minimum period of 24 months.
  - a. Prior to revocation under this section, at least two of the verified complaints leading to a citation, violation or hearing officer determination shall be filed from separate households.
2. **Complaints.** Complaints shall be sent by text message and/or email. Complaints about potential violations shall be directed to the host/property manager with a copy to the Department of Development Services. If the host/property manager corrects a violation upon request within 30 minutes, the violation shall not be counted as a strike under the three strikes revocation rule under this section. The host/property manager shall document the correction to the complainant, with a text or email copy provided to the Department of Development Services. If the host/property manager is unavailable or fails to correct a potential violation, the violation shall be counted as a strike. The Department of Development Services shall send notice of the strike to the host/property manager and give the host/property manager the opportunity to respond. The Department of Development Services shall evaluate any response and communicate its determination to the host/property manager. When three strikes have been documented, the Department of Development Services shall schedule a revocation hearing to be heard by the Zoning Administrator.
3. **Increased Permit Fee Penalty for Non-Compliance.** Any property that is determined to be advertised for use as a short-term rental without first obtaining the necessary administrative permit required under this section shall be issued a citation and a notice to cease and desist. A permit fee penalty of ten times the regular application fee shall be applied to said property for future short-term rental administrative permit applications.

TABLE 24-13-1 PERMITTED LAND USES IN THE AGRICULTURE 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
	AG	AS	
<b>Agricultural Uses</b>			
Agricultural Processing	P	P	
Animal Grazing	P	P	
Animal Processing	C	C	
Animal Processing, Custom	P	P	
Crop Cultivation	P	P	
Feed Store	C	P	
Intensive Animal Operations	C	C	
Stables, Commercial	C	C	
Stables, Private	P [3]	P [3]	
Stables, Semiprivate	P [3]	P [3]	
<b>Natural Resource Uses</b>			
Forestry and Logging	P	-	
Mining and Surface Mining Operations	C	C	Chapter 13 Butte County Code
Oil and Gas Extraction, including reinjection wells for natural gas	C	C	
Oil and Gas Extraction, storage or disposal of Well Stimulation Byproducts	-	-	Section 24-167.1
Timber Processing	-	-	
<b>Residential Uses</b>			
Agricultural Worker Housing Center	C[3]	-	Section 24-14 (G)
Caretaker Quarters	-	A [3]	
Duplex Home	-	-	
Home Occupations - Major	M	-	Section 24-162
Home Occupations - Minor	A	-	Section 24-162
Live/Work Unit	-	-	
Mobile Home Park	-	-	
Multiple-Family Dwelling	-	-	
Residential Care Homes, Large	-	-	
Residential Care Homes, Small	P	-	
Second Units and Accessory Dwelling Units	P [4]	-	Section 24-172
Single-Family Home	P [4]	-	

Key <b>P</b> Permitted use, subject to Zoning Clearance <b>A</b> Administrative Permit required <b>M</b> Minor Use Permit required <b>C</b> Conditional Use Permit required - Use not allowed	Zone		Applicable Regulations
	AG	AS	
<u>Short-Term Rental</u>	<u>Δ</u>	<u>-</u>	<u>Section 24-172.1</u>
<b>Community Uses</b>			
Cemeteries, Private	-	-	
Cemeteries, Public	-	-	
Child Care Center	-	-	
Child Day Care, Large	-	-	
Child Day Care, Small	P [3]	-	Section 24-159
Clubs, Lodges and Private Meeting Halls	M [5]	M [5]	
Community Centers	-	-	
Correctional Institutions and Facilities	-	-	
Cultural Institutions	C	-	
Emergency Shelter	-	-	
Golf Courses and Country Clubs	-	-	
Hospital	-	-	
Office, Governmental	-	-	
Outdoor Education	P	-	
Parks and Recreational Facilities	C	C	
Public Safety Facilities	C	C	
Religious Facilities	C	C	
Schools, Public and Private	-	-	
Water Ski Lakes	-	-	
<b>Commercial Uses</b>			
Adult Businesses	-	-	
Agricultural Product Sales, Off-Site	M	M	
Agricultural Product Sales, On-Site	P	P	
Agricultural Support Services, General	-	C	
Agricultural Support Services, Light	-	P	
Animal Services	C [7]	C	Section 24-158
Animal Processing, Limited	-	-	
Bars, Nightclubs and Lounges	-	-	
Bed and Breakfast	M	-	
Commercial Recreation, Indoor	-	-	

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 the end use pursuant to the Surface Mining and Reclamation Act.

## 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	
<b>Agricultural Uses</b>				
Agricultural Processing	P	M	-	
Animal Grazing	P	P	P	
Animal Processing	-	-	-	
Animal Processing, Custom	P	P	-	
Crop Cultivation	P	P	-	
Feed Store	-	-	-	
Intensive Animal Operations	-	-	-	
Stables, Commercial	C	-	-	
Stables, Private	P	P	P	
Stables, Semiprivate	P	M [4]	-	
<b>Natural Resource Uses</b>				
Forestry and Logging	P	P	-	
Mining and Surface Mining Operations	C	C [4]	C	
Oil and Gas Extraction, including reinjection wells for natural gas	C	C [4]	-	
Oil and Gas Extraction, storage or disposal of Well Stimulation Byproducts	-	-	-	Section 24-167.1
Timber Processing	P	P	-	
<b>Residential Uses</b>				
Agricultural Worker Housing Center	-	-	-	
Caretaker Quarters	-	-	-	
Duplex Home	-	-	-	
Home Occupations - Major	M	M [4]	M	Section 24-162

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	
Home Occupations - Minor	A	A [4]	A	Section 24-162
Live/Work Unit	-	-	-	
Mobile Home Park	-	-	-	
Multiple-Family Dwelling	-	-	-	
Residential Care, Large	-	-	-	
Residential Care Homes, Small	P	P	P	
Second Units and Accessory Dwelling Units	-	-	-	
Single-Family Home	P	P	P	
<u>Short-Term Rental</u>	<u>A</u>	<u>-</u>	<u>-</u>	<u>Section 24-172.1</u>
<b>Community Uses</b>				
Cemeteries, Private	C	C [4] [5]	-	
Cemeteries, Public	M	M [4] [5]	-	
Child Care Center	-	-	-	
Child Day Care, Large	-	-	-	
Child Day Care, Small	P	P	P	
Clubs, Lodges and Private Meeting Halls	-	P [5]	-	
Community Centers	-	-	-	
Correctional Institutions and Facilities	-	-	-	
Cultural Institutions	-	-	-	
Emergency Shelter	-	-	-	
Golf Courses and Country Clubs	-	-	-	
Hospital	-	-	-	
Medical Office and Clinic	-	-	-	
Office, Governmental	-	-	-	
Outdoor Education	P	P	P	
Parks and Recreational Facilities	C	C [4]	C [3]	
Public Safety Facilities	C	C [4][5]	-	
Religious Facilities	C	-	-	
Schools, Public and Private	C	-	-	
Water Ski Lakes	-	-	-	
<b>Commercial Uses</b>				
Adult Businesses	-	-	-	
Agricultural Product Sales, On-Site	-	-	-	
Agricultural Product Sales, Off-Site	-	-	-	

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	FCR	RR	RCR	VLDR	VLDCR	LDR	MDR	MHDR	HDR	VHDR	
<b>Agriculture Uses</b>												
Agricultural Processing	-	-	-	-	-	-	-	-	-	-	-	
Animal Grazing	P	P	P	P	P [15]	P [15]	P [15]	P [15]	P [15]	P [15]	P [15]	Section 24-158
Animal Processing	-	-	-	-	-	-	-	-	-	-	-	
Animal Processing, Custom	P	P	P	P	-	-	-	-	-	-	-	
Feed Store	-	-	-	-	-	-	-	-	-	-	-	
Crop Cultivation	P	P	P	P	P [15]	P [15]	P [15]	P [15]	P [15]	P [15]	P [15]	
Intensive Animal Operations	-	-	-	-	-	-	-	-	-	-	-	
Stables, Commercial	C [3]	C [3]	C [3]	C [3]	-	-	-	-	-	-	-	
Stables, Private	P	P	P	P	P	P	M [14]	M [14]	M [14]	M [14]	M [14]	
Stables, Semiprivate	P [3]	P [3]	P [3]	P [3]	M [3]	M	-	-	-	-	-	
<b>Natural Resource Uses</b>												
Forestry and Logging	P	P	-	-	-	-	-	-	-	-	-	
Mining and Surface Mining Operations	C [4]	C [4]	-	-	-	-	-	-	-	-	-	
Oil and Gas Extraction, including reinjection wells for natural gas	-	-	-	-	-	-	-	-	-	-	-	
Oil and Gas Extraction, storage or disposal of Well Stimulation Byproducts	-	-	-	-	-	-	-	-	-	-	-	Section 24-167.1
Timber Processing	-	-	-	-	-	-	-	-	-	-	-	
<b>Residential Uses</b>												
Agricultural Worker Housing Center	-	-	-	-	-	-	-	-	-	-	-	
Caretaker Quarters	-	-	-	-	-	-	-	-	-	-	-	
Duplex Homes	-	-	-	-	-	-	-	-	P	P	P	
Home Occupations - Major	M	M	M	M	M	M	M	M	M	M	M	Section 24-162
Home Occupations - Minor	A	A	A	A	A	A	A	A	A	A	A	Section 24-162
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
	FR	FCR	RR	RCR	VLDR	VLDCR	LDR	MDR	MHDR	HDR	VHDR	
Mobile Home Park	-	-	-	-	-	-	-	-	C	C	C	Section 24-167
Multiple-Family Dwelling	-	-	-	-	-	-	-	-	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	P	P	P	
Second Units and Accessory Dwelling Units	P	P	P	P	P	P	P	P	P	P	P	Section 24-172
Single-Family Home	P [6]	P [6]	P [6]	P [6]	P [6]	P [6]	P	P	P	P	P	
<u>Short-Term Rental</u>	Δ	Δ	Δ	Δ	Δ	=	Δ	Δ	Δ	=	=	<u>Section 24-172.1</u>
<b>Community Uses</b>												
Cemeteries, Private	-	-	-	-	-	-	-	-	-	-	-	
Cemeteries, Public	-	-	-	-	-	-	-	-	-	-	-	
Child Care Center	-	-	-	-	C	-	C	C	C	C	C	Section 24-159
Child Day Care, Large	M	M	M	M	M	-	M	M	M	M	M	Section 24-159
Child Day Care, Small	P	P	P	P	P	P	P	P	P	P	P	Section 24-159
Clubs, Lodges and Private Meeting Halls	C	C	C	C	C	-	C	C	C	C	C	
Community Centers	C	C	C	C	C	-	C	C	C	C	C	
Correctional Institutions and Facilities	-	-	-	-	-	-	-	-	-	-	-	
Cultural Institutions	-	-	-	-	-	-	-	-	-	-	-	
Emergency Shelter	-	-	-	-	-	-	-	-	-	-	-	
Golf Courses and Country Clubs	C	C	C	C	C	-	-	-	-	-	-	
Hospital	-	-	-	-	-	-	-	-	-	-	-	
Medical Office and Clinic	C [11]	C [11]	C [11]	C [11]	C	-	C	C	C	C	C	
Office, Governmental	-	-	-	-	-	-	-	-	-	-	-	
Outdoor Education	-	-	-	-	-	-	-	-	-	-	-	
Parks and Recreational Facilities	C	C	C	C	C	-	C	C	C	C	C	
Public Safety Facilities	C	C	C	C	C	-	C	C	C	C	C	



- E. 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).
- F. 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 ranges from 0.3 to 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	SE	MU	
<b>Agriculture Uses</b>							
Agricultural Processing	-	-	-	-	-	-	
Animal Grazing	P [4]	P [4]	P [4]	P [4]	P [4]	P [4]	Section 24-158
Animal Processing	-	-	-	-	-	-	
Animal Processing, Custom	-	-	-	-	-	-	
Crop Cultivation	P [4]	P [4]	P [4]	P [4]	P [4]	P [4]	
Feed Store	P	P	P	-	-	-	
Intensive Animal Operations	-	-	-	-	-	-	
Stables, Commercial	-	-	P	C	-	C [4]	
Stables, Private	-	-	-	-	-	A [4]	
Stables, Semiprivate	-	-	-	M	-	A [4]	

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	SE	MU	
<b>Natural Resource Uses</b>							
Forestry and Logging	-	-	-	-	-	-	
Mining and Surface Mining Operations	-	-	-	-	-	-	
Oil and Gas Extraction, including reinjection wells for natural gas	-	-	-	-	-	-	
Oil and Gas Extraction, storage or disposal of Well Stimulation Byproducts	-	-	-	-	-	-	Section 24-167.1
Timber Processing	-	-	-	-	-	-	
<b>Residential Uses</b>							
Agricultural Worker Housing Center	-	-	-	-	-	-	
Caretaker Quarters	M [3]	-	-	P [3]	-	-	
Duplex Home	-	-	-	-	-	P	
Home Occupations - Major	M	M	M	-	-	M	Section 24-162
Home Occupations - Minor	A	A	A	-	-	M	Section 24-162
Live/Work Unit	C	C	C	-	-	P	Section 24-164
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 and Accessory Dwelling Units	-	-	-	-	-	-	
Single-Family Home	-	-	P	-	-	P	
<u>Short-Term Rental</u>	=	=	=	=	=	A	<u>Section 24-172.1</u>
<b>Community Uses</b>							
Cemeteries, Private	-	-	-	-	-	-	
Cemeteries, Public	-	-	-	-	-	-	
Child Care Center	M	M	M	M	-	M	Section 24-159
Child Day Care, Large	M	M	M	-	-	M	Section 24-159
Child Day Care, Small	P	P	P	-	-	P	Section 24-159
Clubs, Lodges and Private Meeting Halls	P	P	P	C	P	P	
Community Centers	C	C	C	C	P	C	
Correctional Institutions and Facilities	-	-	-	-	-	-	
Cultural Institutions	C	C	C	C	P	C	
Emergency Shelter	C	C	C	-	-	C	

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	
<b>Agricultural Uses</b>				
Agricultural Processing	-	C	P	
Animal Grazing	P [4]	P [4]	P [4]	Section 24-158
Animal Processing	-	-	C	
Animal Processing, Custom	-	-	-	
Crop Cultivation	P [4]	P [4]	P [4]	
Feed Store	-	-	-	
Intensive Animal Operations	-	-	-	
Stables, Commercial	-	-	-	
Stables, Private	-	-	-	
Stables, Semiprivate	-	-	-	
<b>Natural Resource Uses</b>				
Forestry and Logging	-	-	-	
Mining and Surface Mining Operations	-	-	C	
Oil and Gas Extraction, including reinjection wells for natural gas	-	-	-	
Oil and Gas Extraction, Storage or disposal of Well Stimulation Byproducts	-	-	-	Section 24-167.1
Timber Processing	-	C	P	
<b>Residential Uses</b>				
Agricultural Worker Housing Center	-	-	-	
Caretaker Quarters	A	A	A	
Duplex Home	-	-	-	
Home Occupations – Major	-	-	-	
Home Occupations – Minor	-	-	-	
Live/Work Unit	M	M	-	Section 24-164
Mobile Home Park	-	-	-	
Multiple-Family Dwelling	-	-	-	
Residential Care Homes, Large	-	-	-	
Residential Care Homes, Small	-	-	-	
Second Units and Accessory Dwelling Units	-	-	-	
Single-Family Home	-	-	-	
<u>Short-Term Rental</u>	-	-	-	

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	
Commercial Recreation, Indoor	M	M	-	
Commercial Recreation, Outdoor	-	-	-	
Construction, Maintenance and Repair Services	P	P	P	
Drive-Through Facility	A	A	A	Section 24-160
Equipment Sales and Rentals	P	P	P	
Firewood Storage, Processing and Off-Site Sales, Small	-	P	P	
Firewood Storage, Processing and Off-Site Sales, Medium	-	M	P	
Firewood Storage, Processing and Off-Site/On-Site Sales, Large	-	M	P	
Gas and Service Stations	-	-	-	
Heavy Equipment Storage	P	P	P	Section 24-173
Hotel and Motel	-	-	-	
Hunting and Fishing Clubs	-	-	-	
Offices, Professional	-	-	-	
Nursery, Retail	-	-	-	
Nursery, Wholesale				
Personal Services	A	A	-	
Personal Services, Restricted	-	-	-	
Public/Mini Storage	P	P	-	Section 24-169
Recreational Vehicle Parks	-	-	-	
Restaurant	A	A	-	
Retail, General	A	A	-	
Retail, Large Projects	-	-	-	
Retail, Restricted	-	-	-	
Vehicle Repair	P	P	P	
Vehicle Sales and Rental	M	M	M	
Vehicle Service and Maintenance	P	P	P	
Wine, Olive Oil, Fruit and Nut, Micro-Brewery and Micro-Distillery Facilities	-	-	-	

Industrial Uses				
Composting Facilities	-	C	P	
Manufacturing, General	C	P	P	
Manufacturing, Heavy	-	C	C	

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, refer to Section 24-32 (Planned Development Zone Requirements) for further discussion.

## 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.
- B. Permitted Uses in the PD Zone.** Permitted land uses shall conform to the land uses allowed by the applicable General Plan land use designation. Planned Development zoning is allowed in the Residential, Commercial and Industrial zones.

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

Key	Zone			Applicable Regulations
	PB	AIR	RBP	
<b>P</b> Permitted use, subject to Zoning Clearance				
<b>A</b> Administrative Permit required				
<b>C</b> Conditional Use Permit required				
<b>M</b> Minor Use Permit required				
— Use not allowed				
<b>Agriculture Uses</b>				
Agricultural Processing	-	-	C	
Animal Grazing	-	-	-	
Animal Processing	-	-	-	
Animal Processing, Custom	-	-	-	
Crop Cultivation	-	-	See Section 24-31.A.5.a	
Feed Store	-	-	-	
Intensive Animal Operations	-	-	-	
Stables, Commercial	-	-	-	
Stables, Private	-	-	-	
Stables, Semiprivate	-	-	-	
<b>Natural Resource Uses</b>				
Forestry and Logging	-	-	-	
Mining and Surface Mining Operations	-	-	-	
Oil and Gas Extraction, including reinjection wells for natural gas	-	-	-	
Oil and Gas Extraction, storage or disposal of Well Stimulation Byproducts	-	-	-	Section 24-167.1

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	
Timber Processing	-	-	-	
<b>Residential Uses</b>				
Agricultural Worker Housing Center	-	-	-	
Caretaker Quarters	-	P [3]	C [3]	
Duplex Home	-	-	-	
Home Occupations - Major	-	-	M	Section 24-162
Home Occupations - Minor	-	-	A	Section 24-162
Live/Work Unit	-	-	C [3]	Section 24-164
Mobile Home Park	-	-	-	
Multiple-Family Dwelling	-	-	C [3]	
Residential Care Homes, Large	-	-	C [3]	
Residential Care Homes, Small	-	-	C [3]	
Second Units and Accessory Dwelling Units	-	-	-	
Single-Family Home	-	-	C [3]	
<u>Short-Term Rental</u>	=	=	=	
<b>Community Uses</b>				
Cemeteries, Private	C	-	-	
Cemeteries, Public	P	-	-	
Child Care Center	C	-	P [4]	Section 24-159
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]	
Golf Courses and Country Clubs	-	-	-	
Emergency Shelters	C	-	-	
Hospital	C	-	-	
Medical Office and Clinic	C [5]	C	P [4]	
Office, Governmental	P	C	-	
Outdoor Education	-	-	-	
Parks and Recreational Facilities	P [5]	-	P	

**C. Standards.**

1. **Noise Levels.** Noise shall be regulated pursuant to Butte County Code Chapter 41A. Noise Control.
2. **Installation.** Permanent generators shall be permanently secured on a minimum 3½ -inch thick concrete slab extending a minimum of 2 feet beyond the generator on all sides, or shall be anchored as required in the manufacturer's installation instructions to prevent vibration.
3. **Compliance with Noise Standard.** Residential generators not meeting the standards set forth under Chapter 41A. Noise Control shall be brought into compliance in any of the following ways:
  - a. Cessation of operation;
  - b. Retrofitting of the generator with a manufacturer-approved muffler or exhaust silencer;
  - c. Repair of the generator;
  - d. Replacement of the generator with a conforming generator; or
  - e. Enclosure of the generator in conformance with Subsection (D) of this section.

**D. Enclosure.** If needed to comply with the maximum or hourly decibel level, generators shall be enclosed in a sound reduction enclosure approved by the Building Official. This enclosure shall be constructed consistent with published County guidelines for generator noise reduction, or may be a commercially manufactured enclosure. Generator enclosures shall reduce noise to the level required by this section. Enclosures shall be constructed to meet current California Building Code standards, shall provide a minimum of 30 inches of interior structural clearance to allow access on all sides of the generator, and shall be adequately ventilated and vented. The Department of Development Services shall publish and maintain guidelines for the construction of effective generator noise reduction enclosures.

**E. Exceptions.** The standards of this section are not applicable to generator noise from the following sources:

1. The use of any generator related to or connected with an emergency, in order to protect life or property; or during a temporary power outage; and
2. The operation of any generator for commercial agricultural use.

**24-172 Second Units and Accessory Dwelling Units**

**A. Purpose.** This section establishes standards for the location and construction of second units, and accessory dwelling units in conformance with Section 65852.2 of the California Government Code. These standards are intended to allow for second units and accessory dwelling units as an important form of affordable housing while preserving the character and integrity of residential areas within the county.

**B. Location.** Accessory dwelling units shall be permitted in zones as provided in Part 2 (Zoning Districts, Land Uses, and Development Standards). Accessory dwelling units are not allowed in the North Chico Specific Plan area, Timber Mountain (TM), Timber Production (TPZ), Resource Conservation (RC) zones, or on Williamson Act contracted property. Accessory dwelling units proposed within the Airport Compatibility (-AC) overlay zone must comply with the allowed residential dwelling units/acre specified by the Butte County Airport Land Use Compatibility Plan.

**C. Second Units.** An attached or detached second unit is permitted in place of an accessory dwelling unit and is subject to all standards and requirements pertaining to accessory dwelling units as described under this chapter except as otherwise noted under Subsection (F), Size.

**D. Site Requirements.**

1. Accessory Dwelling units shall be permitted only on legally-created parcels. Accessory dwelling units cannot be sold separately from the primary residence.
2. In Agriculture Zones, Accessory dwelling units shall be located in close proximity to the primary dwelling unit.

**E. Guest Houses.**

1. Guest houses shall be excluded from the requirements of this section and shall be regulated pursuant to Section 24-156(g) (Accessory Uses and Structures).
2. Accessory dwelling units that comply with all requirements of this section are permitted on a parcel containing a guest house.

**F. Size.**

1. The increased floor area of an attached accessory dwelling unit shall not exceed 50 percent of the existing living areas, with a maximum increase in floor area of 1,200 square feet.
2. The total area of floor space for a detached accessory dwelling unit shall not exceed 1,200 square feet.
3. Any accessory dwelling unit shall comply with all applicable County regulations, including height and setback standards, Building Code regulations, and water supply, sewage disposal, and driveway/road access requirements; provided that accessory dwelling units that are attached to the primary residence shall not be required to provide fire sprinklers if they are not required for the primary residence.
4. Second units, whether attached or detached, are not subject to the 1,200-square-foot maximum size, and may be larger than 1,200 square feet.

**G. Maximum Number Permitted.**

1. Only one (1) accessory dwelling unit shall be allowed on a parcel.
2. An accessory dwelling unit is not permitted on parcels already containing two (2) or more dwelling units. Agricultural Worker Housing approved by the State of California and Butte County shall not be counted as a dwelling unit pursuant to this section.

**H. Relationship to Primary Dwelling.**

1. An accessory dwelling unit may be within, attached to, or detached from the primary dwelling. Attachment to the primary dwelling shall be by sharing a common interior wall or common roof.
2. An accessory dwelling unit shall have its own kitchen, bathroom facilities, and entrance separate from the primary dwelling.



3. No passageway shall be required in conjunction with the construction of an accessory dwelling unit.
- I. Occupancy.** The owner of a parcel developed with an accessory dwelling unit shall reside in either the primary dwelling or the accessory dwelling unit.
- J. Parking.** Parking requirements for detached accessory dwelling units shall not exceed one parking space per unit. These spaces may be provided as tandem parking on an existing driveway.
- K. Development Standards.** An accessory dwelling second unit shall comply with all development and design standards of the Zoning Ordinance that are applicable to the primary dwelling, including, but not limited to, building setbacks, parcel coverage, and building height, however, no setback shall be required for an existing garage that is converted to an accessory dwelling unit, and a setback of no more than five feet from the side and rear lot lines shall be required for an accessory dwelling unit that is constructed above a garage.
- L. Utilities.** Accessory dwelling units shall have adequate sewage disposal facilities and potable water facilities, as determined by the Butte County Environmental Health Division.
- M. Site Improvements.**
1. As a condition for the issuance of a building permit for an accessory dwelling unit, the existing driveway or road serving the parcel shall be improved, if necessary, to meet Public Resources Code Section 4290 (Fire Safe Regulations).
  2. Construction of the accessory dwelling unit may require drainage improvements that are customary for a building permit. The extent and timing of the improvements shall be determined by the Department of Public Works and shall conform to the technical standards and specifications for drainage improvements as adopted by the Board of Supervisors.
- N. Deed Restrictions.** Prior to the issuance of a building permit for an accessory dwelling unit, a covenant of restriction to run with the land shall be recorded which specifies that the accessory dwelling unit cannot be sold separately, that the property owner shall reside in either the primary or accessory dwelling unit, and that the primary dwelling unit and accessory dwelling unit cannot be used for short-term rentals (terms of less than 30 days or less); however, an approved second unit (over 1,200 square feet in size) may be used for a short-term rental pursuant to Butte County Code Section 24-172.1, and either the primary dwelling or second dwelling, or both may be used as a short-term rental, provided that the owner resides in the primary or second unit. ~~and that t~~These restrictions shall be binding on successors in ownership.

### 24-173.1 Heavy Equipment Storage in the VLDR (Very Low Density Residential) Zone

- 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.
- B. Location/Applicability.** This section applies to the Very Low Density Residential Zones as shown under Part 2 (Zoning Districts, Land Uses, and Development Standards). The allowance of Heavy Equipment Storage for all other zones is set forth under Section 24-156 (Accessory Uses and Structures)

## Article 42. GLOSSARY

### Sections:

24-303 – Purpose

24-304 – Definitions

### 24-303 Purpose

This article defines terms and phrases used in the Zoning Ordinance that are technical or specialized, or which may not reflect common usage. If any of the definitions in this article conflict with others in the Butte County Code, these definitions shall control only for the provisions of the Zoning Ordinance. If a word is not defined in this article or in other provisions of the Zoning Ordinance, the Zoning Administrator shall determine the appropriate definition.

### 24-304 Definitions

*200 Year Floodplain.* Areas that have a 1-in-200 chance of flooding in any given year using criteria consistent with, or developed by, the Department of Water Resources. As used in this chapter, the term shall be ascribed to all areas labeled as such on Health and Safety Element Figure HS-2.

*Accessory Kitchen.* A second kitchen that is either attached to or detached from the primary dwelling, not associated with a second dwelling unit, and is used for entertaining, hobby, or used for commercial purposes related to a Home Occupation.

*Accessory Structure.* A structure that is subordinate to a primary structure such as a single-family dwelling or an allowed use within a zone. The use of an accessory structure is incidental to that of the primary structure or a use allowed by a zone. Excluded from this definition are trash enclosures, planter boxes with a maximum height of 42 inches, small-animal pet shelters, playground equipment, small sheds not subject to a building permit, and similar structures.

*Accessory Use.* A use that is incidental, related, appropriate, and clearly subordinate to the primary use of the parcel, building, or zone, which does not alter the primary use of such parcel, building, or zone, nor serve property other than the parcel of land on which the primary use is located.

*Acidizing.* Any well stimulation treatment that uses, in whole or in part, the application of one or more acids, at any pressure, into a well or an underground geologic formation in order to cause or enhance, or with the intent to cause or enhance, the production of oil, gas or other hydrocarbon substances from a well. Acidizing may include, but is not limited to, processes known as acid fracturing and acid matrix stimulation. Acidizing does not include routine well cleanout work, routine well maintenance, routine activities that do not affect the integrity of a well or an underground geologic formation, or treatments that do not penetrate into an underground geologic formation more than 36 inches from the wellbore.

*Vacation Home Rental.* A dwelling rented out as a short-term rental, as defined in 24-172.1 (B) (1), which is not an owner's primary residence, as defined in 24-172.1 (B) (2). Vacation Home Rentals are not permitted in Butte County except in zones that permit a Hotel and Motel use as defined under Butte County Code Section 24-304, consistent with how Hotels and Motels may be permitted under the Use Regulation Tables under Part 2 of Chapter 24 (Zoning Districts, Land Uses, and Development Standards) for each zone.

*Variance Major.* A discretionary permit approved by the Planning Commission that allows for deviation from development standards contained in the Zoning Ordinance by more than 10 percent.

*Variance, Minor.* A discretionary permit approved by the Zoning Administrator that allows for deviation from development standards contained in the Zoning Ordinance by 10 percent or less.

*Vegetation, Native.* Any plant species with a geographic distribution indigenous to all or part of Butte County. Plant species that have been introduced by humans are not native vegetation.

*Vegetative Buffer.* An area adjacent to a sensitive natural feature within which development restrictions apply.

*Vehicle.* A device by which any person or property may be propelled, moved or drawn, except a device moved by human power or used exclusively upon stationary rails or tracks.

*Vehicle Repair and Maintenance.* An establishment for the repair, alteration, restoration or finishing of any vehicle, including body repair, collision repair, painting, tire and battery sales and installation, and towing. Repair shops that are part of a vehicle sales or rental establishment on the same site are excluded from this definition.

*Vehicle Sales and Rental.* An establishment for the retail sales or rental of new or used vehicles. May include parts sales and vehicle repair, provided that these activities are incidental to the sale of vehicles.

*Vehicle Service and Maintenance.* An establishment providing limited vehicle repair and maintenance services. Examples of Vehicle service and maintenance uses include self-service car washes, detailing services, quick-lube services, tire and battery sales and installation (not including recapping), vehicle repossession and towing services. Major vehicle repair such as painting and body work and vehicle impound yards are excluded from this definition.

*Warehousing, Wholesaling, and Distribution.* An establishment used primarily for the storage, selling or distributing of goods to retailers, contractors, commercial purchasers or other wholesalers, or to the branch or local offices of a company or organization. Examples of Warehousing, Wholesaling, and Distribution uses includes vehicle storage, moving services, general delivery services, minor waste tire storage facilities, fuel yards and house boat storage yards where no maintenance of house boats occurs. The storage of flammables, explosives, or materials that create dust, odors, or fumes is excluded from this definition.

*Watershed.* The entire region drained by a waterway or watercourse that drains into a lake or reservoir.