



Department of Development Services

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Watershed Protection Overlay Zone

Paradise Reservoir, Magalia Reservoir, and Firhaven Creek Watersheds

On October 6, 1987, the Butte County Board of Supervisors designated the area in the vicinity of Paradise Reservoir, Magalia Reservoir, and the Firhaven Creek Watersheds as a “Water Protection Zone.” Please refer to the attached map which shows the boundaries of the Paradise Reservoir, Magalia Reservoir, and the Firhaven Creek Watersheds.

The Watershed Protection (-WP) Overlay Zone is intended to maintain and improve water quality by establishing additional development standards within sensitive watershed areas. The Paradise and Magalia Reservoirs are the main source of drinking water for the Town of Paradise, Magalia, and Paradise Pines. Increased soil erosion to these reservoirs will result in the degradation of water quality and an increase in the water costs due to greater water filtration needs.

A. Purpose. The Watershed Protection (-WP) overlay zone is intended to maintain and improve water quality by establishing additional development standards within sensitive watershed areas.

B. Applicability.

1. The -WP overlay zone may be combined with any base zone.
2. Areas subject to the -WP overlay zone include the Firhaven Creek watershed and the Paradise and Magalia Reservoirs watershed, as shown on the Zoning Map.

C. Permit Required.

1. **Administrative Permit.** The establishment of any structure or use within the -WP overlay zone requires the approval of an Administrative Permit.
2. **Submittal Requirement.** In addition to the submittal materials required by Article 29 (Administrative Permits), applicants shall submit all information and materials as required by the Zoning Administrator to determine compliance with the requirements of the -WP overlay zone.

D. Land Use Regulations. Permitted and conditionally permitted uses in the -WP overlay zone are the same as the base zone, except as specified below.

1. Existing parcel sizes in the Firhaven Creek Watershed shall be maintained. No further division of lots or parcels shall be permitted.
2. Existing zoning shall be maintained within the Magalia Reservoir, Paradise Reservoir, and Firhaven Creek Watersheds. Rezoning to a smaller minimum parcel size is not allowed.
3. Prior to the approval of a rezoning or discretionary permit application, the applicant shall demonstrate to the satisfaction of the review authority that the cumulative effects of additional sewage disposal and surface water runoff resulting from the proposed action will not result in any adverse impacts on the water quality of the watershed.

4. Second units proposed within the -WP overlay zone shall require the approval of a Conditional Use Permit.

5. Clustered development as allowed by Article 18 (Clustered Development) shall be prohibited within the -WP overlay zone.

E. Maximum Impervious Surface. For new development within the -WP overlay zone, impervious surfaces shall not exceed 50 percent of the total site area.

F. Vegetative Buffers.

1. Vegetative buffers shall be maintained on all sides of water bodies in the -WP overlay zone as follows:

a. Lakes and reservoirs: 200 lineal feet.

b. Perennial and intermittent rivers and streams: 100 lineal feet.

2. For rivers and streams, minimum buffer distances shall be measured from the annual average stream bank.

3. All structures are prohibited within buffer areas.

4. Grading, excavation, removal of trees, the use of fertilizers and pesticides, sewage disposal, and paving are prohibited within buffer areas.

G. Septic System Regulations. Leach fields, septic tanks, and chemical toilets shall be setback a minimum of 50 feet in addition to the required vegetative buffer under Subsection F.1 above.

H. Erosion Control.

1. All driveways for new home sites shall be surfaced with at least two inches of Class 2 aggregate base, unless required by the County to be developed to a higher standard.

2. An erosion and sediment control plan shall be approved by the County prior to issuance of a building permit. The plan shall be developed by a professional civil engineer registered by the State of California. The plan shall identify measures to prevent sediment and other pollutant discharges from reaching watershed drainages and streams, and shall address both interim (during construction) and final (post construction) control measures.

3. Soil disturbance shall not be conducted during the rainy season (November 15 through April 1.)

The County may require financial security to ensure that control measures are implemented and maintained.

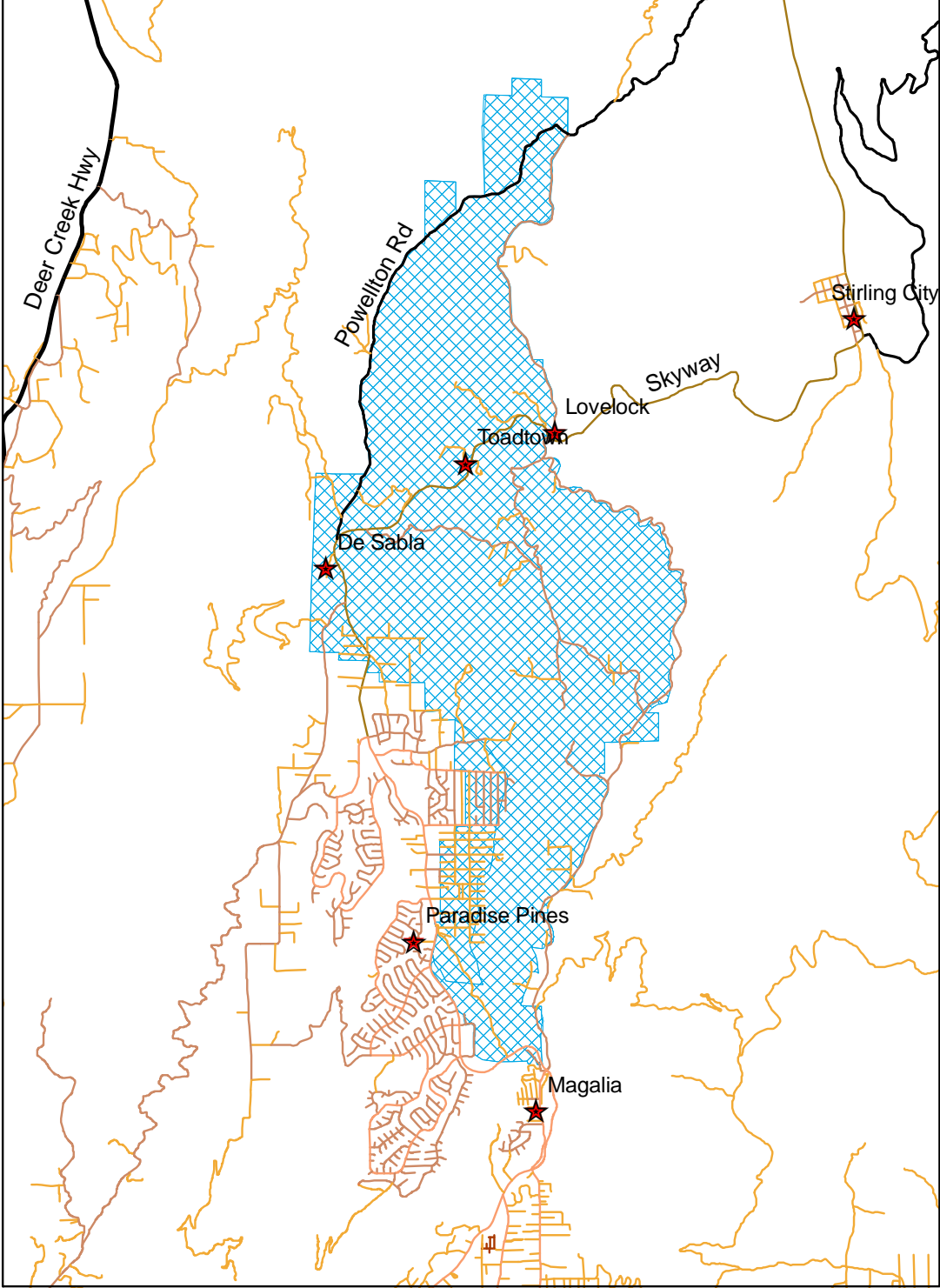
4. All areas where land clearing has been completed between April 1 and November 15 shall be revegetated, hydroseeded, mulch protected, or otherwise stabilized no later than December 1.

5. Site work shall preserve natural topography and vegetation at the site to the greatest possible extent.

I. Timber Harvest. Timber harvesting permitted under a Less Than Three-Acre Conversion Exemption approved by CAL-FIRE shall not be conducted in the -WP overlay during the period from November 15 to April 1.

If you own property in the Watershed Protection area, or are considering buying property in that area, you should be aware that new construction on that property may be subject to the provisions of the Water Protection Overlay Zone Ordinance.

If you are unsure if your property is within the-WP Overlay Zone, or if you have any questions regarding the WPZ, please contact the Planning Division at (530) 538-5359. Please have your Assessor Parcel Number available.



Boundary of Paradise, Magalia, and Firhaven Watersheds