

An Ordinance adding Section 24-175.2, entitled "Special Events Facilities", to Chapter 24, entitled "Zoning" of the Butte County Code

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

**Section 1.** Section 24-175.2 is hereby added to Chapter 24 of the Butte County Code to read as follows:

**Section 24-175.2 Special Events Facilities**

**A. Purpose.** This section establishes a permit process and standards for the development and operation of special event facilities accessory to an owner's primary residence, or manager's residence if the manager is responsible for running the special event facility, applicable to the zones identified below. These provisions are necessary to reduce impacts to surrounding properties so that special event facilities do not result in an incompatible land use.

**B. Definitions.**

**1. Special Event.** A Special Event is a celebration, ceremony, wedding, reception, corporate function, or similar activity for the benefit of someone other than the property owner that takes place on a periodic basis, involving the gathering of individuals assembled for the common purpose of attending a special event. Uses that are accessory to a single-family residential use including private parties, gatherings, and similar activities that are not subject to a use agreement between a private individual or group and the homeowner are not defined as a special event and are not regulated under this section.

**2. Special Event Facility.** A Special Event Facility is a facility where special events are permitted to occur under this section.

1 Special event facilities are subject to a use agreement between a  
2 private group or individual and the facility owner. The facility  
3 owner may or may not charge a fee for the use of the facility such  
4 as for a fundraiser for a charitable non-profit organization.  
5 Facilities may operate entirely within a structure, outside of a  
6 structure, or both inside and outside a structure. Facilities must  
7 include improvements to accommodate special events, including  
8 access and circulation improvements, parking areas, water supplies  
9 and sewer systems, gathering areas, and other physical improvements  
10 necessary to accommodate special events.

11 **C. Applicability.** The provisions set forth under this section apply in the  
12 AG (Agriculture), TM (Timber Mountain), RR (Rural Residential), FR  
13 (Foothill Residential), and VLDR (Very Low Density Residential) zones.  
14 This section does not apply to the special event permit process provided  
15 for under Butte County Code Section 24-175, Winery, Olive Oil, Fruit and  
16 Nut, Micro-Brewery and Micro-Distillery Production Facilities, including  
17 facilities permitted under County Ordinance No. 3815, Section 1  
18 (Wineries), or Butte County Code Chapter 12, Article III, Outdoor  
19 Festivals.

20 **D. Exemptions.** The following activities shall be exempt from the provisions  
21 of this section:

22 **1. Temporary Activities.** Temporary activities defined under Butte  
23 County Code Section 24-174.

24 **2. Accessory Uses.** Uses that are accessory to a single-family  
25 residential use including private parties, gatherings, and  
26 similar activities that are not subject to a use agreement  
27 between a private individual or group and the homeowner.

28 **3. Religious Facilities,** as defined under the Zoning Ordinance.

1           **4. Parks and Recreational Facilities**, as defined under the Zoning  
2           Ordinance.

3  
4           **E. Permit Process.** All Special Event Facilities as described under this  
5           section require the approval of a Minor Use Permit. The Minor Use Permit  
6           application shall include a detailed plot plan, description of all uses,  
7           an exhibit map showing the location and distance of the facility to the  
8           closest surrounding sensitive receptors such as single family residences  
9           and other housing types, and shall comply with the Special Event Facility  
10          Standards set forth under this chapter. The applicant shall submit a  
11          deposit in an amount necessary for the County to undertake a noise study  
12          and/or traffic and circulation study that will be completed in compliance  
13          with the California Environmental Quality Act (CEQA).

14  
15          **F. Special Event Facility Standards.** Special event facilities are subject  
16          to the following operation and development standards at all times:

17               **1. Event Management Plan.** Owner/operator shall maintain an event  
18               management plan that includes but is not limited to all  
19               applicable conditions of approval, approved Use Permit and plot  
20               plan, traffic management plan, exhibit map showing all closest  
21               surrounding sensitive receptors, and all other operational  
22               limitations. A copy of the event management plan shall be  
23               provided to the Department of Development Services and must be  
24               available for on-site inspection at all times.

25               **2. Noise Control.**

26                    a. Noise Standards shall be regulated in accordance with Butte  
27                    County Code Chapter 41.A Noise Control.

1 b. The County may conduct field-testing to verify noise levels, or  
2 the County may require the operator to hire an acoustical  
3 consultant to conduct field-testing. For evaluating conformance  
4 with the standards of this section, noise levels shall be  
5 measured in accordance with Butte County Code Chapter 41A. Noise  
6 Control.

7 **3. Traffic and Circulation.** The Minor Use Permit shall include a  
8 traffic management plan. The traffic management plan shall be  
9 approved for traffic safety by the Department of Public Works. The  
10 traffic management plan shall include the following requirements  
11 and standards:

12 a. Approved access conforming to County improvement standards as  
13 determined by the Department of Public Works.

14 b. Adequate ingress and egress shall be provided for all emergency  
15 vehicles to the satisfaction of the Butte County Fire Department  
16 and Public Works Department.

17 c. The event site access connection to a County maintained road  
18 shall meet the minimum requirements as identified in the County  
19 Improvement Standards as determined by the Department of Public  
20 Works.

21 d. A traffic control plan to ensure an orderly and safe arrival,  
22 parking, and departure of all vehicles and to ensure that traffic  
23 will not back-up or block private easements, county roads,  
24 intersections, or private driveways.

25 e. A parking attendant (s) shall direct traffic into the facility  
26 and towards available parking during the arrival of guests.  
27 Attendants shall direct traffic leaving the facility at the  
28 conclusion of the event.

1 f. The location of all temporary direction signs on driveway  
2 entrance and within parking lots to ensure orderly flow of  
3 traffic. Temporary directional signs shall be placed prior to  
4 all events and promptly removed at the conclusion of the event.

5  
6 **4. Operational Limitations.** The following operational limitations  
7 apply to all Special Event Facilities:

8 a. Special Event facilities shall be operated accessory to the  
9 owner's primary residence or manager's residence if the manager  
10 is responsible for running the special event facility. No  
11 Special Events Facility shall be permitted where no residential  
12 use exists on the property.

13 b. No special event facility shall be allowed to exceed an  
14 attendance level of 500 people, or last longer than 2 days, not  
15 including set-up and take down.

16 c. The special event duration shall not exceed 12 hours per day,  
17 within an operational period limited to the hours of 7:00 am to  
18 10:00 pm, except on Saturdays and Sundays, which are limited to  
19 a 9:00 am start time.

20 **5. Public Health.** Special Event Facilities shall provide a potable  
21 domestic water supply and an on-site sewage disposal or sewer  
22 service connection necessary to accommodate all special events  
23 to the satisfaction of the Public Health Department.

24 **6. Setbacks.** The following setbacks shall be maintained at all  
25 times:

26 a. No event facilities shall be located closer than 30 feet from  
27 a property line, unless a greater distance is required under  
28 the zone or a greater distance is identified as being necessary

1 under the minor use permit to ensure compatibility with  
2 surrounding sensitive receptors.

3 b. All temporary structures such as tents, stages and dance floors  
4 shall abide by all setbacks, and their use must be identified  
5 on the plot plan.

6 **7. Lighting.** All lighting shall comply with the following  
7 requirements:

8 a. All outdoor lighting associated with the special event shall be  
9 turned off by 11:00 pm. Parking lot lighting may remain on for  
10 a longer period if specified under the minor use permit.

11 b. Outdoor lighting shall comply with Butte County Code Article 14.  
12 Outdoor Lighting in order to reduce light trespass and glare.  
13 Outdoor lighting shall be located, adequately shielded, and  
14 directed such that no direct light falls outside the property  
15 line, or into the public right-of-way.

16 **8. Signage.** All signage shall comply with the following  
17 requirements:

18 a. One sign up to 24 square feet is permitted per facility, subject  
19 to the General Standards for signs set forth under Butte County  
20 Code Section 24-104.

21 b. Temporary directional signage is allowed during event activities  
22 as well as to slow traffic if placed outside of the county right-  
23 of-way.

24 c. The sign shall be a wall-mount or monument style, and shall not  
25 be internally illuminated or electronic but may be indirectly  
26 illuminated.

27 **9. Dust Control.** Fugitive dust shall be minimized by reducing  
28 vehicle speeds on driveways and parking areas and, during visibly

1 dry conditions, the application of water or other approved dust  
2 palliative.

3 **10. Parking.** On-site parking shall be provided in accordance with  
4 the "Special Events" category under Article 19 (Parking and  
5 Loading): 1 space per 4 seats or 1 space for every 4 persons  
6 based upon maximum building occupancy, whichever is greater.  
7 Parking shall also be in accordance with Section 24-94 (B).  
8 Parking for Persons with Disabilities.

9 **11. Neighbor Notification.** Notification to neighbors of event  
10 scheduling shall be accomplished as follows:

11 a. In lieu of the 300-foot notification required under Section 24-  
12 259(B) (1) (c) the Department of Development Services shall  
13 provide the mailed notification to all owners of real property  
14 within 1,200 feet of the exterior boundaries of the parcel that  
15 is subject to the hearing, 30 days prior to the date of a hearing  
16 to consider a minor use permit.

17  
18 **G. Development Standards Applicable to the Agriculture (AG) Zone.** In addition  
19 to the Special Event Facility Standards as set forth under this chapter,  
20 the following additional standards shall apply to the Agriculture (AG)  
21 Zone:

22 1. Special event facilities in the Agriculture (AG) zone shall be  
23 accessory to the agricultural use and the owner's, or manager's  
24 residence, if the manager is responsible for running the special event  
25 facility. No Special Events Facility shall be permitted where no  
26 residential use exists on the property.

- 1        2. Special event facilities are permitted in Agriculture (AG) zones only
- 2        when not requiring new permanent improvements and when not interfering
- 3        with agricultural operations.
- 4        3. Special event facilities shall not convert agricultural land to an
- 5        alternative use for the purpose of developing or expanding a special
- 6        event facility.
- 7        4. Special event facilities shall be reviewed for compliance with any
- 8        applicable Williamson Act Contract.
- 9        5. An Agricultural Maintenance Plan shall be submitted in accordance with
- 10       Section 24-13 (B).
- 11       6. Special Event Facilities are not permitted on parcels that are less
- 12       than 10 acres in size.
- 13       7. Owner shall sign a declaration acknowledging the right-to-farm
- 14       pursuant to Butte County Code Chapter 35 (Protection of Agricultural
- 15       Land) indicating that facilities may be subject to inconveniences
- 16       related to agricultural activities taking place on adjacent
- 17       properties.

18 **H. Permit Revocation or Modification.** Any permit may be revoked, or conditions  
19 of the approval modified, as provided for under Butte County Code Section  
20 24-251.

21 **I. Complaints.** Any person making a complaint relating to this section must  
22 file a complaint form provided by the Department of Development Services.

23 **J. Findings.** The following factors shall be assessed in the processing and  
24 review of a minor use permit application pursuant to this section. No minor  
25 use permit application shall be granted unless the review authority finds  
26 that the special event facility, as approved, 1) complies with the standards  
27 and operational limitations set-forth under this section, and, 2) will not  
28 be incompatible with surrounding land uses:

- 1           1. The design of the special events facility in terms of its physical  
2           and operating characteristics.
- 3           2. The intensity of the use proposed and density of the surrounding  
4           area, including the size of the parcel proposed for the special event  
5           facility and the size of surrounding parcels.
- 6           3. The distance to surrounding sensitive receptors, including  
7           residences, from the special event facility.
- 8           4. The type of sound generated by the special event facility and whether  
9           the facility includes an allowance for amplified music, non-amplified  
10          music or no music, and the location where amplified and non-amplified  
11          music may take place.
- 12          5. The location of noise producing activities such as stages, party  
13          areas, speakers, temporary tents, and dance floors, including whether  
14          such activities may take place entirely within enclosed structures,  
15          partially enclosed structures, or in outdoor areas and their  
16          proximity to surrounding sensitive receptors.
- 17          6. The allowed number of events per year, frequency of events, and  
18          allowed number of guests that may occupy the site at any given time.
- 19
- 20
- 21
- 22
- 23

24           Section 2. Severability. If any provision of this Ordinance or the  
25 application thereof to any person or circumstances is for any reason held to be  
26 invalid by a court of competent jurisdiction, such provision shall be deemed  
27 severable and the invalidity thereof shall not affect the remaining provisions  
28

1 or applications of the Ordinance which can be given effect without the invalid  
2 provision or application thereof.

3 Section 3. Effective Date and Publication. This Ordinance shall take  
4 effect thirty (30) days after the date of its passage. The Clerk of the Board  
5 of Supervisors is authorized and directed, before the expiration of fifteen  
6 (15) days after its passage, to publish this Ordinance once, with the names of  
7 the members of the Board of Supervisors voting for and against it, in the  
8 Chico Enterprise Record, a newspaper published in the County of Butte, State of  
9 California.

10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

PASSED AND ADOPTED by the Board of Supervisors of the County of Butte,  
State of California, on the 24<sup>th</sup> day of March, 2015, by the following vote:

AYES: Supervisors Connelly, Kirk, Lambert and Chair Teeter

NOES: Supervisor Wahl

ABSENT: None

NOT VOTING: None



Doug Teeter, Chair of the  
Butte County Board of Supervisors

ATTEST:  
PAUL HAHN, Chief Administrative  
Officer and Clerk of the Board

By  \_\_\_\_\_

Deputy