

Division 1. Agriculture Zones

24-12 Purpose of the agriculture zones.

- A. Agriculture (AG). The purpose of the AG zone is to support, protect, and maintain a viable, long-term agricultural sector in Butte County. Standards for the AG zone maintain the vitality of the agricultural sector by retaining parcel sizes necessary to sustain viable agricultural operations, protecting agricultural practices and activities by minimizing land-use conflicts, and protecting agricultural resources by regulating land uses and development intensities in agricultural areas. Permitted uses include crop cultivation, animal grazing, stock ponds, and agricultural processing. More intensive agricultural activities, such as animal processing, dairies, hog farms, stables, forestry and logging, and mining and oil extraction, are permitted with the approval of a Conditional Use Permit. One (1) single-family home and one (1) accessory dwelling unit is permitted on each legally established parcel within the AG zone, and residential uses for agricultural employees are permitted as an accessory use within the AG zone. The minimum permitted parcel size in the AG zone ranges from twenty (20) acres to one hundred sixty (160) acres. The AG zone implements the Agriculture land use designation in the General Plan.
- B. Agriculture Services (AS). The purpose of the AS zone is to protect, maintain, promote, and enhance agriculture as a viable, long-term economic sector by accommodating agricultural uses or compatible commercial and light industrial uses that directly support agricultural activities within the county. Standards for the AS zone are intended to allow most agricultural uses allowed in the AG zone while encouraging new, compatible support industries and operations, and to protect agricultural and other neighboring land uses by minimizing conflicts. Agricultural support uses permitted as-of-right in the AS zone include uses with minimal potential impacts on adjacent parcels, such as agricultural equipment sales and rental, light manufacturing, warehousing, and distribution and storage. Agricultural support uses that are more likely to impact adjacent parcels, such as agricultural vehicle repair and heavier manufacturing, require the approval of a Conditional Use Permit. Residential uses are not permitted in the AS zone, except caretaker quarters as an accessory use, which requires an Administrative Use Permit. The maximum permitted floor area ratio in the AS zone is eight-tenths (0.8). The AS zone implements the Agriculture Services land use designation in the General Plan.

(Ord. No. 4062, § 1, 9-10-13; Ord. No. 4132, § 1(Att. A), 9-12-17; Ord. No. 4134, § 1(Att. A), 9-26-17; Ord. No. 4197, § 7, 1-12-21)

24-13 Land use regulations for agriculture zones.

- A. Permitted Uses. Table 24-13-1 (Permitted Land Uses in the Agriculture Zones) identifies land uses permitted in the agriculture zones.

TABLE 24-13-1 PERMITTED LAND USES IN THE AGRICULTURE ZONES [1] [2]			
Key	Zone		Applicable Regulations
	AG	AS	
P Permitted use, subject to Zoning Clearance			
A Administrative Permit required			
M Minor Use Permit required			
C Conditional Use Permit required			
- Use not allowed			

Agricultural Uses			
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]	
Natural Resource Uses			
Forestry and Logging	P	-	
Mining and Surface Mining Operations	C	C	Chapter 33B 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
Oil and Gas Extraction by means of Hydraulic Fracturing	-	-	Butte County Code 33B
Timber Processing	-	-	
Residential Uses			
Accessory Dwelling Units	P [4]	-	Section 24-172
Agricultural Worker Housing Center	A[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	-	
Single-Family Home	P [4]	-	
Short-Term Rental	A	-	Section 24-172.1
Community Uses			
Cemeteries, Private	-	-	
Cemeteries, Public	-	-	
Child Care Center	-	-	
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	-	-	
Family Daycare Home, Large	P	-	Section 24-159
Family Daycare Home, Small	P	-	Section 24-159
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	-	-	
Commercial Uses			
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	-	-	
Assessment Facility	-	-	
Bars, Nightclubs and Lounges	-	-	
Bed and Breakfast	M	-	
Commercial Recreation, Indoor	-	-	
Commercial Recreation, Outdoor	-	-	
Construction, Maintenance and Repair Services	-	-	
Drive-through Facility	-	-	
Equipment Sales and Rental	-	-	
Firewood Storage, Processing and Off-Site Sales, Small	P	P	
Firewood Storage, Processing and Off-Site Sales, Medium	M	M	
Firewood Storage, Processing and Off-Site/On-Site Sales, Large	C	C	
Gas and Service Stations	-	-	
Heavy Equipment Storage	P	P	Section 24-173
Hotel and Motel	-	-	
Hunting and Fishing Clubs	P [7]	-	
Medical Offices and Clinics	-	-	
Offices, Professional	-	-	
Nursery, Retail	-	-	

Nursery, Wholesale	P	P	
Personal Services	-	-	
Personal Services, Restricted	-	-	
Public/Mini-Storage	-	-	
Recreational Vehicle Parks	A [7]	A [7]	
Restaurant	-	-	
Retail, General	-	-	
Retail, Large Projects	-	-	Section 24-163
Retail, Restricted	-	-	
Vehicle Repair	-	-	
Vehicle Sales and Rental	-	-	
Vehicle Service and Maintenance	-	-	
Wine, Olive Oil, Fruit and Nut, Micro-Brewery and Micro-Distillery Facilities	Section 24-175		
Industrial Uses			
Composting Facilities	M	M	
Manufacturing, General	-	- [6]	
Manufacturing, Heavy	-	- [6]	
Manufacturing, Light	-	- [6]	
Research and Development	-	-	
Warehousing, Wholesaling and Distribution	-	-	Transportation, Communication, and Utility Uses
Aerial Applicator and Support Services	M	C	
Airport-Related Uses	-	-	
Farm Airstrips	P	P	
Freight and Truck Terminals and Yards	-	-	
Recycling Collection Facility, Large	-	-	
Recycling Collection Facility, Small	A	A	Section 24-170
Recycling Processing Facility, Heavy	-	-	Section 24-170
Recycling Processing Facility, Light	-	A	Section 24-170
Reverse Vending Machine	A	A	Section 24-170
Runways and Heliports	M [3]	M [3]	
Telecommunications Facilities	Article 26		
Utilities, Major	C [8]	C [8]	Section 24-157
Utilities, Intermediate	M [8]	M [8]	Section 24-157
Utilities, Accessory	A	A	Section 24-157
Utilities, Minor	P	P	Section 24-157
Other Uses			
Accessory Uses and Structures	Section 24-156		

Notes:

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- [1] See Article 42 (Glossary) for definitions of listed land uses.
 - [2] Standards in the Zoning Ordinance that apply to specific uses are identified under the column "Applicable Regulations," defined under Section 24-8G.5, and are intended to direct the reader to a section that is related to the use.
 - [3] Permitted only as an accessory use.
 - [4] One (1) single-family home and an accessory dwelling unit is permitted per legal parcel. Accessory dwelling units are not allowed on parcels subject to Williamson Act contracts.
 - [5] Permitted only for organizations that provide a service to the agricultural community, such as a grange or similar organization.
 - [6] Manufacturing uses that directly support agricultural activities are permitted as "Agricultural Support Services, General" and "Agricultural Support Services, Light."
 - [7] Permitted only when not requiring permanent improvements and not interfering materially with agricultural operations.
 - [8] Solar Energy Systems under Utilities, Major and Utilities, Intermediate shall only be permitted on "Grazing Land" or "Other Land" as defined under the latest mapping provided by the California Department of Conservation Division of Land Resource Protection Farmland Mapping Program and as shown under General Plan Agriculture Element, Figure AG-1, and only on those lands not subject to a Williamson Act Contract, unless the landowner has rescinded the Williamson Act Contract and entered into a solar-use easement pursuant to State law for marginally productive or physically impaired farmland.

B. Agricultural Maintenance Plan.

1. An Agricultural Maintenance Plan shall be submitted as part of any application for a non-agricultural use requiring a Conditional Use Permit or Minor Use Permit on a parcel with existing agricultural operations. The Agricultural Maintenance Plan shall identify specific measures to be implemented to ensure that the proposed use does not adversely impact agricultural activities on the parcel.
2. The Zoning Administrator and Agricultural Commissioner shall review the Agricultural Maintenance Plan and shall prepare comments and recommended conditions for consideration of the Planning Commission or Zoning Administrator at the hearing for the Conditional Use Permit or Minor Use Permit.
3. To approve a Conditional Use Permit or Minor Use Permit on a parcel with existing agricultural operations, the Planning Commission or Zoning Administrator shall consult with the Agricultural Commissioner to determine that the Agricultural Maintenance Plan will adequately mitigate any potential adverse impacts to agricultural operations on the parcel, in addition to making all the findings required by Article 31 (Conditional Use and Minor Use Permits).

(Ord. No. 4062, § 1, 9-10-13; Ord. No. 4091, § 1, 1-27-15; Ord. No. 4094, § 2, 4-21-15; Ord. No. 4132, § 1(Att. A), 9-12-17; Ord. No. 4134, § 1(Att. A), 9-26-17; Ord. No. 4159, § 1(Att. A), 3-26-19; Ord. No. 4161, § 1(Att. A), 5-7-19; Ord. No. 4175, § 1, 11-19-19; Ord. No. 4197, § 7, 1-12-21; Ord. No. 4225, § 1, 1-24-23; Ord. No. 4244, § 1, 4-23-24)

24-14 Development standards for agriculture zones.

- A. Agriculture Sub-Zones.** The AG zone is divided into five (5) sub-zones, each with its own minimum parcel size. All standards that apply to the AG zone in general also apply to each individual sub-zone, except for minimum parcel area as specified in Table 24-14-1 (Parcel Size and Density for Agriculture Zones).

TABLE 24-14-1 PARCEL SIZE AND DENSITY FOR AGRICULTURE ZONES				
	Parcel Size (min.) [1]	Parcel Width (min.) [1]	Dwelling Units per Parcel (max.) [2]	Floor Area Ratio [4]
AG-20	20 acres	65 ft.	1 unit	-
AG-40	40 acres	65 ft.	1 unit	-
AG-80	80 acres	65 ft.	1 unit	-
AG-160	160 acres	65 ft.	1 unit	-
AS	20,000 sq. ft.	50 ft.	None [3]	0.8

Notes:

- [1] Applies only to the creation of new parcels.
- [2] Accessory dwelling units are permitted.
- [3] Caretaker quarters permitted as an accessory use.
- [4] Floor Area Ratio (FAR) is defined and illustrated in Article VII, Division 1 (Glossary).

- B. Parcel Size and Density. Table 24-14-1 (Parcel Size and Density for Agriculture Zones) identifies the parcel size and density standards that apply in the agriculture zones.
- C. Setbacks and Height. Table 24-14-2 (Setback and Height Standards for Agriculture Zones) identifies development standards that apply in the agriculture zones.

TABLE 24-14-2 SETBACK AND HEIGHT STANDARDS FOR AGRICULTURE ZONES			
	Standard by Zone		Applicable Standards
	AG	AS	
Primary Structure Setbacks (min.)			Article III, Division 7 (Agricultural Buffers) Article III, Division 6 (Riparian Areas) Article III, Division 2 (Setbacks Requirements and Exceptions)
Front [1]	20 ft.		
Interior Side	25 ft. or 5 percent of the lot width, whichever is less but no less than 5 ft.		
Street Side	20 ft.		
Rear	25 ft.		
Accessory Structure Setback (min.)	See Section 24-156		
Separation Between Structures (min.)	As required by the California Building Code		
Primary Structure Height (max.)	See Subsection D, below		Article III, Division 1 (Height Measurement and Exceptions)
Accessory Structure Height (max.)	See Section 24-156		

Notes:

[1] For parcels with a front property line extending to the centerline of the public right-of-way abutting the parcel, the front setback shall be measured from the edge of the public right-of-way.

D. Maximum Permitted Height in Agriculture Zones.

1. Residential Structures. The maximum permitted height of residential structures within an agriculture zone is thirty-five (35) feet.
2. Non-Residential Structures. The maximum permitted height of non-residential structures within an agriculture zone is fifty (50) feet, except as allowed by Subsection 3 below.
3. Exceptions for Non-Residential Structures. Water tanks, granaries, barns, pole buildings, electronic towers, antennas, agricultural processing equipment and silos, aggregate processing equipment, and similar structures associated with agricultural operations may exceed fifty (50) feet in height provided they do not exceed height restrictions in regulated airport approach zones. Such structures shall not exceed the maximum height necessary to perform its intended function. See also Section 24-157 (Alternative Energy Structures) concerning the height of alternative energy structures, and Article IV, Division 2 (Telecommunication Facilities) concerning the height of towers, antennas, and similar structures not associated with agriculture. No structures shall exceed the maximum permitted height in areas as specified in Section 24-49 (Height Measurement) and the County's Military Overlay Zone Map.

E. Rezoning of Agricultural Lands. The rezoning of land zoned AG or AS to a different zone shall be allowed only if all of the following criteria are met in addition to all applicable Zoning Ordinance Map Amendment requirements specified in Article VI, Division 6 (Zoning Ordinance Amendments):

1. The parcels for which rezoning is requested ("subject parcels") are adjacent to uses other than agriculture or agricultural support uses.
2. The rezoning will not be detrimental to existing agricultural operations.
3. The subject parcels are adjacent to existing development or urban infrastructure and conversion will constitute a logical contiguous extension of a designated urban area.
4. No feasible development alternative exists that is less detrimental to agriculture.
5. Full mitigation of impacts to the extent allowed under the law is provided, including, but not limited to, roads, drainage, schools, fire protection, law enforcement, recreation, sewage, and lighting, as established by the Board of Supervisors.
6. The subject parcels are not subject to a contract with the County pursuant to the Williamson Act.
7. The rezoning will not otherwise interfere with a Butte County General Plan policy, including the Chico Area Greenline policies.

F. Rezoning from Larger to Smaller Agriculture Sub-Zones. In order to preserve the viability of agricultural operations in Butte County, special criteria shall be met prior to the rezoning of parcels from one (1) AG sub-zone to another AG sub-zone that allows a smaller minimum parcel size (e.g., rezoning from AG-40 to AG-20). The Board of Supervisors may approve an application for such a rezoning only if all of the following criteria are met in addition to all applicable Zoning Ordinance Map Amendment requirements specified in Article VI, Division 6 (Zoning Ordinance Amendments):

1. The rezoning complies with Agricultural Buffer requirements as outlined in Article III, Division 7 of the Zoning Ordinance and Butte County General Plan Agriculture Element Policy 5.3, and all other applicable General Plan policies.
2. Building site envelopes allowed for by the rezoning can be accommodated in compliance with all Agricultural Buffer requirements.

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3. The applicant has prepared and committed to implement an Agricultural Production and Stewardship Plan that details how the property will be kept in commercial agricultural use. The Plan shall show how the property will be planted with crops, orchards, vineyards, or utilized for grazing and animal production. The Plan shall specify agricultural infrastructure and facilities, including a production water source, irrigation, fences, and farm worker housing if needed. The Plan shall be reviewed by the County Agricultural Commissioner to verify that it will sustain farming practices and maximize agricultural compatibility.
 4. For identified flood hazard areas, building site envelopes shall be located outside of the flood hazard area. Development permits will be prohibited within flood hazard areas unless findings based on substantial evidence provided by the owner show that development meets current government standards for flood protection. Some flood hazard areas may be removed from FEMA maps by requesting a change with the National Flood Insurance Program.
 5. For areas of high erosion as identified by Butte County General Plan 2030 Figure HS-5 —Erosion Hazard Potential, the residential density allowed by the rezoning shall not increase sediment load or erosion characteristics on or off the subject parcels.
 6. The reduced parcel size meets the terms specified under any applicable Williamson Act Contract.
- G. Agricultural Worker Housing Center.
1. Permit Process. Agricultural worker housing centers shall be subject to an administrative permit pursuant to Article 29, Administrative Permits.
 2. Location. The agricultural worker housing center shall be located in an area that will present the least amount of impact to agricultural resources (e.g., close to existing access and other structures, and in a locations that will present the least amount of disturbance to agricultural resources and operations).
 3. Size. Agricultural housing units shall be clustered in close proximity to each other and shall occupy an area of no more than one (1) contiguous acre per parcel. No more than twelve (12) agricultural worker housing units or a single building that contains no more than thirty-six (36) beds, and other facilities associated with a residence, may be developed within the one acre area.
 4. Occupancy. Agricultural worker housing shall be occupied by agricultural employees. The family members of an agricultural employee residing in agricultural worker housing are allowed occupants.
 5. Deed Restriction. Prior to the issuance of a building permit for an agricultural worker housing center, a covenant of restriction to run with the land shall be recorded which specifies that the agricultural worker housing center cannot be sold separately, that the housing shall only be used to house agricultural workers and their families, and that these restrictions shall be binding on successors in ownership.
 6. Williamson Act. Agricultural Worker Housing Centers shall comply with any applicable Williamson Act Program.

(Ord. No. 4062, § 1, 9-10-13; Ord. No. 4091, § 1, 1-27-15; Ord. No. 4134, § 1(Att. A), 9-26-17; Ord. No. 4175, § 2, 11-19-19; Ord. No. 4197, § 7, 1-12-21)