

**Butte County Winery Ordinance
Chapter 24 ZONING***

Article V. Specific Use Requirements

24-263 Wineries.

A. Purpose and Intent: The purpose of this section is to establish policies, procedures, and standards applicable to the development and operation of wineries. The goals of this section are to: (i) encourage the establishment of wineries as a viable economic activity in Butte County; (ii) encourage the activities associated with wineries throughout the state that have enabled wineries to prosper, including providing wine tasting for visitors and special events on site; (iii) encourage the tourism industry in Butte County by providing an additional destination activity; (iv) establish standards for the operation of wineries that will protect neighboring properties and the environment in general, and are appropriate based on the size and character of the winery operation under review; and (v) encourage agricultural activities associated with the wine industry.

B. Applicability: The provisions of this Ordinance shall apply to all facilities operated for the purpose of production of wine from grape or other products, including facilities providing space and accommodation for wine tasting and special events.

C. Definitions: The following definitions shall apply in connection with the interpretation and application of this Section:

(1) Small winery-commercial facilities: A commercial winery producing seven thousand five hundred (7,500) or fewer cases of wine per year with on-site wine grape production.

(2) Large winery-commercial facilities: A commercial winery producing less than fifteen thousand (15,000) cases, and more than seven thousand five hundred (7,500) cases of wine per year with on-site wine grape production.

(3) Very large winery-commercial facilities: A commercial winery producing fifteen thousand (15,000) or more cases of wine per year with on-site wine grape production.

(4) Winery-industrial: A winery located on a parcel that has no active on-site wine grape production.

D. Permitting Requirements: All wineries are subject to the following land use permitting requirements in specified zone districts, in addition to all applicable requirements of this Chapter.

Zone District Minimum acreage is 3 acres except for Industrial	Small Winery- Commercial Less than 7,501 cases per year	Large Winery- Commercial Less than 15,000 cases per year	Very Large Winery- Commercial Unlimited cases per year	Winery- Industrial
A-S to A-160	AP	MUP	UP	UP
AR to AR-10	AP	MUP	UP	UP
FR-1 to FR-160	AP	MUP	UP	UP
MR	AP	MUP	UP	UP
SR to SR-5	AP	MUP	UP	UP
TM-1 to TM-160	AP	MUP	UP	UP
SH	AP	MUP	UP	UP
U	AP	MUP	UP	UP

AP=Administrative Permit

MUP=Minor Use Permit

UP=Use Permit

E. Small Winery-Commercial Facilities: Provided that a parcel meets the requirements specified in Section E-1 below, the parcel shall be entitled to the uses described in Section E-2, in addition to any other uses allowed under the zoning which applies to the parcel.

(1) Requirements:

(a) Landowner shall obtain the permit specified in subsection D above.

(b) The parcel shall be licensed by State of California Department of Alcohol Beverage Control, license Type 02 “Winegrower.”

(c) The premises shall have a minimum parcel size of three (3) acres.

(d) If the winery is accessed only via a private road, an Administrative Permit is required, and shall require the applicant to pay its fair share of the road maintenance costs.

(e) Landowner shall provide the Department of Development Services with copies of its wine production reports submitted to the Bureau of Alcohol, Tobacco and Firearms or other similar agency.

(2) Allowed Uses:

(a) Growing and harvesting grapes and other products suitable for wine processing and bottling of grapes and grape products produced on the premises up to seven thousand five hundred (7,500) cases per year.

(b) Processing and bottling of grapes and grape products produced off the winery premises up to seven thousand five hundred (7,500) cases per year.

(c) Sale of wine for consumption off premises whether grown or produced on premises or off.

(d) Sale of merchandise related to wine or the winery.

(e) Wine tasting involving serving wine to the public for the purpose of sampling the wine, subject to the following restrictions:

(i) Wine tasting shall be limited to three (3) days per week.

(ii) No buses or tour vans shall be allowed.

(iii) Notwithstanding Section 24-240 Parking Regulations a minimum of four (4) and a maximum of ten (10) paved or unpaved parking areas shall be provided in addition to any required for the handicapped pursuant to Section 11-29B of the California Building Code. Covered and garage parking shall not count towards the total maximum parking. No on-street parking shall be allowed.

(iv) Use of outdoor amplified music shall be prohibited.

(v) Sanitary facilities and domestic water shall be provided pursuant to the requirements of environmental health department.

F. Large Winery-Commercial Facilities: Provided that a parcel meets the requirements specified in Section F-1 below, the parcel shall be entitled to the uses described in Section F-2, in addition to any other uses allowed under the zoning which applies to the parcel.

(1) Requirements:

(a) Landowner shall obtain the permit specified in Section D above.

(b) Landowner shall comply with all the requirements of Small Winery-Commercial Facilities.

(2) Allowed Uses:

(a) All uses allowed in the Small Winery-Commercial Facility numbered E-2 (a) through 2 (d).

(b) Wine tasting involving serving wine to the public for the purpose of sampling the wine, subject to the following restrictions:

(i) Use of outdoor amplified music shall be prohibited.

(ii) Sanitary facilities and domestic water shall be provided pursuant to the requirements of environmental health department.

(iii) Notwithstanding Section 24-240 Parking Regulations, a minimum of four (4) and a maximum of twenty (20) paved or unpaved parking places are required in addition to any required for the handicapped pursuant to Section 11-29B of the California Building Code. Covered and garage parking spaces do not count towards to the total maximum parking place requirement. One (1) parking place per employee is required. No on-street parking is allowed.

(iv) Bus and van access is permitted provided that there shall be a minimum of seven (7) car-sized parking places and adequate access to accommodate bus turning movements.

(c) Sit-down restaurant type food service is permitted with a separate Use Permit.

(d) Special events such as weddings, dances, assemblies and craft fairs shall be allowed subject to the following restrictions. At special events the sale of non-wine related goods shall be permitted.

(i) No such special events shall be permitted on land designated Orchard or Field Crop by the General Plan.

(ii) Any such special event shall require a separate Minor Use Permit for the first event and an Administrative Permit for each subsequent similar event. The permit for the special event shall specify the following:

(a) Specific date.

(b) Specific hours of operation with a maximum of twelve (12) hours per day.

(c) No more than two hundred (200) people per event at any one time.

(d) No more than twelve (12) special events per calendar year are allowed.

(e) Such other restrictions as Butte County may deem prudent.

G. Very Large Winery-Commercial Facilities: Provided that a parcel meets the requirements specified in Section G-1 below, the parcel shall be entitled to the uses described in Section G-2, in addition to any other uses allowed under the zoning which applies to the parcel.

(1) Requirements:

(a) Landowner shall obtain the permit specified in Section D above.

(b) Landowner shall comply with all the requirements for a Large Winery-Commercial Facility.

(2) Allowed Uses:

(a) All uses allowed under the Large Winery-Commercial Facility.

(b) Production of wine without quantity limitation.

(c) Parking subject to Use Permit conditions.

(d) Bus and van access subject to Use Permit conditions.

(e) Unlimited number of special events. Such special event shall require a separate Minor Use Permit for the first event and an Administrative Permit for each subsequent similar event. The permit for the special event shall specify the following:

(i) Specific date.

(ii) Specific hours of operation with a maximum of twelve (12) hours per day.

(iii) No more than two hundred (200) people per event at any one time.

(iv) No more than twelve (12) special events per calendar year are allowed.

H. Winery-Industrial: Provided that a parcel meets the requirements specified in Section H-1 below, the parcel shall be entitled to the uses described in Section H-2, in addition to any other uses allowed under the zoning which applies to the parcel.

(1) Requirements: Landowner shall obtain the permit specified in Section D above.

(2) Allowed Uses:

(a) All uses allowed for the Very Large Winery-Commercial facility.

(b) Production of wine and grape juice from grapes exclusively produced off premises.

I. Signage:

(1) Signage in connection with the operation of any winery allowed in this Section shall be subject to review and approval as part of the permit review procedure required for such winery.

(2) Off-site signs for wineries may be permitted, provided that any such signage shall be permitted only in conjunction with the Administrative Permit, Minor Use Permit, or Use Permit, with appropriate conditions. (Ord. No. 3815, § 1, 2-26-2002)