

- j. The permit may be revoked if any of the terms or conditions of the permit are violated or if any acts or omissions of the permittee in connection with the use authorized by said permit constitute a public nuisance.

G. Additional Requirements. Temporary uses shall comply with the following additional requirements:

1. Upon, or prior to, the expiration of temporary use approval, any temporary structures, and all appurtenances thereto, shall be removed from the property.
2. The site shall be cleared of debris, litter, and other trash upon expiration of temporary use approval.

H. Extensions. Extensions of the time period for the temporary use shall not be permitted, unless otherwise permitted under this chapter.

24-175 Winery, Olive Oil, Fruit and Nut, Micro-Brewery and Micro-Distillery Production Facilities

A. Purpose. This section establishes standards for the development and operation of winery and olive oil, fruit and nut, Micro-Brewery, and micro-distillery production facilities. The goals of this section are to:

1. Encourage the establishment of winery, olive oil, fruit and nut, micro-brewery and micro-distillery production facilities as a viable economic activity in Butte County.
2. Encourage the activities associated with winery, olive oil, fruit and nut, micro-brewery and micro-distillery production facilities that enable these operations to prosper, including providing tasting facilities for visitors and special events on-site.
3. Encourage the tourism industry in Butte County by providing an additional destination activity.
4. Establish standards for the operation of winery, olive oil, fruit and nut, micro-brewery and micro-distillery production facilities that will protect neighboring properties and the environment in general, and are appropriate based on the size and character of the operation under review.
5. Encourage agricultural activities associated with the wine, olive oil, fruit and nut, micro-brewery and micro-distillery industries.

B. Applicability. This section applies to all winery, olive oil, fruit and nut, micro-brewery and micro-distillery production facilities as defined in Article 42 (Glossary).

C. Types of Wine, Olive Oil, Fruit and Nut, Micro-Brewery and Micro-distillery Production Facilities. Types of wine, olive oil, fruit and nut, micro-brewery and micro-distillery production facilities permitted in Butte County and the permits they require are described in Table 24-175-1 (Permits Required for Wine, Olive Oil, Fruit and Nut, Micro-Brewery and Micro-Distillery Production Facilities).

TABLE 24-175-1 PERMITS REQUIRED FOR WINE, OLIVE OIL, FRUIT AND NUT, MICRO-BREWERY AND MICRO-DISTILLERY PRODUCTION FACILITIES

Type	Size	Permit Required
Small Facility	7,500 or fewer cases of wine, beer, sprits, fruit or nut extracts, or bottles of olive oil per year	Administrative Permit
Large Facility	Less than 15,000 cases, and more than 7,500 cases of wine, beer, spirits, fruit or nut extracts, or olive oil per year	Minor Use Permit
Very Large Facility [1]	15,000 or more cases of wine, fruit or nut extracts, or olive oil per year	Conditional Use Permit
Industrial Facility	No active on-site wine grape or olive production	Conditional Use Permit

Notes:

[1] Very large micro-breweries and micro-distillers are not permitted. Micro-breweries and micro-distilleries subject to the requirements of this section shall produce less than 15,000 cases of beer or spirits per year.

D. Use Regulations.

1. **Permitted Uses for All Facilities.** The following uses shall be permitted as part of all types of facilities.
 - a. Growing and harvesting grapes, olives, fruit and nuts, and other products suitable for wine, olive processing and other products.
 - b. Milling, pressing, and bottling of grapes, olives, grape products, and olive products produced on and off the premises.
 - c. Micro-distillation of products grown on and off-site.
 - d. Sale of wine, beer, spirits, olive oil, fruit and nut products for consumption off premises whether grown or produced on premises or off.
 - e. Sale of merchandise related to wine, olive oil, or the facility.
 - f. Wine, olive oil, fruit and nut tasting involving serving wine, olive oil, fruit and nut products to the public for the purpose of sampling.
2. **Additional Use Regulations.**
 - a. Restaurants shall be permitted as an accessory use with the approval of a Conditional Use Permit for large, very large, and industrial facilities.

- b. Processing and bottling of grapes, grape products, fruit and nuts, olives, and olive products produced off the facility premises are permitted for industrial facilities.

E. Development Standards.

1. **Parcel Size.**
 - a. The minimum parcel size for small, large, and very large facilities shall be 3 acres.
 - b. There shall be no minimum parcel size for industrial facilities.
2. **Signage.** All signage associated with a winery shall be consistent with the requirements provided in Article 20 (Signs).
3. **Parking and Access.** On-site parking will be provided for in accordance with the “Wineries and Olive Oil, Fruit and Nut, Micro-Brewery and Micro-Distillery” category under Article 19 (Parking and Loading).

F. Operational Standards.

1. **License Required.**
 - a. Small, large, and very large facilities producing wine shall be licensed by State of California Department of Alcohol Beverage Control, license “Type 02, Winegrower.”
 - b. Industrial facilities producing wine shall be licensed by State of California Department of Alcohol Beverage Control.
 - c. Micro-breweries producing beer shall be licensed by the State of California Department of Alcohol Beverage Control, license “Type 23, Small Beer Manufacturer.”
 - d. Micro-distilleries producing distilled spirits shall be licensed by State of California Department of Alcohol Beverage Control, license “Type 04, Distilled Spirits Manufacturer.”
2. **Wine Production Reports.** The operator or land owner of a winery 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.
3. **Beer Production Reports.** The operator or land owner of a micro-brewery shall provide the Department of Development Services with copies of its beer production reports submitted to the Bureau of Alcohol, Tobacco, and Firearms or other similar agency.
4. **Alcoholic Beverage Production Reports.** The operator or land owner of a micro-distillery shall provide the Department of Development Services with copies of its distilled beverage production reports submitted to the Alcohol and Tobacco Tax and Trade Bureau (TTB) or any other similar federal agency.

5. **Tour Buses and Vans.** Tour buses are allowed to visit large, very large, and industrial facilities. Tour buses are prohibited from visiting small facilities, unless a Minor Use Permit is approved to tour bus visits. Tour vans are permitted to visit small facilities. Tour buses and vans shall not idle more than 10 minutes per hour on-site within the -UA overlay zone, so as to minimize noise and air quality impacts to the area. Tour buses and vans shall be provided with adequate off-street parking and turn-around areas.
6. **Frequency of Wine and Olive Oil Tasting.** Wine and olive oil tasting shall be limited to three days per week for small facilities. More frequent tasting may be allowed at small facilities with the approval of a Minor Use Permit. There shall be no limit to the frequency of tasting for all other types of facilities.
7. **Outdoor Amplified Music.** Outdoor Amplified music used in conjunction with special events shall only be permitted with the approval of a Minor Use Permit. The Minor Use Permit will include a specific event time, duration, and shall not allow exceeding 60 decibels (maximum) as measured at the nearest property line. Amplified music shall only be allowed between the hours of 10:00 am to 7:00 pm.
8. **Special Events.**
 - a. Special events, such as weddings, dances, assemblies and craft fairs, are permitted in all facilities subject to the standards contained in this section.
 - b. All special events 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 date of the event, the hours of operation, the maximum permitted number of guests and shall include any other conditions of approval determined necessary by the approving authority.
 - c. Hours of operation shall not exceed a maximum of 12 hours per day.
 - d. No more than 100 people may be present at any one time at small facilities. No more than 200 people may be present at any one time as part of a special event at large, very large, or industrial facilities.
 - e. No more than six special events per calendar year are allowed at small facilities. No more than 12 special events per calendar year are allowed at large facilities. There shall be no limit to the frequency of special events at very large facilities and industrial facilities.
9. **Parking.** On-site parking will be provided for in accordance with the “Special Events” category under Article 19 (Parking and Loading). The required parking shall be regulated under the Minor Use Permit or Administrative Permit.