



Solano County

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Agenda Submittal

Agenda #:	2	Status:	PC-Regular
Type:	PC-Document	Department:	Planning Commission
File #:	PC 24-028	Contact:	Allan Calder
Agenda date:	12/05/2024	Final Action:	
Title:	Public Hearing to consider and make a recommendation to the Board of Supervisors on a proposed Ordinance, Zone Text Amendment No. ZT-24-02, amending Chapter 28 (Zoning Regulations) of the Solano County Code to revise and update sections pertaining to interpretation of the chapter, minimum architectural standards for dwellings, Residential-Traditional Community District-4 (R-TC-D-4) development standards, and roadside stands. The proposed ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15061(b)(3)		
Governing body:	Planning Commission		
District:			
Attachments:	A - Resolution with Draft Ordinance Clean), B - Draft Ordinance (Redline), C - Public Notice		

Date:	Ver.	Action By:	Action:	Result:
Published Notice Required?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>		
Public Hearing Required?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>		

DEPARTMENTAL RECOMMENDATION:

The Department of Resource Management recommends that the Planning Commission:

1. Conduct a noticed public hearing; and
2. Adopt a resolution recommending that the Board of Supervisors adopt the proposed ordinance (ZT-24-02) amending Chapter 28 (Zoning Regulations) of the Solano County Code to revise and update sections pertaining to interpretation of the chapter, minimum architectural standards for dwellings, Residential-Traditional Community District-4 (R-TC-D-4) development standards, and roadside stands (Attachment A).

SUMMARY:

The matter before the Planning Commission involves proposed amendments to Chapter 28 of the Solano County Code (Zoning Regulations) to revise and update certain sections with the goal of eliminating ambiguities, correcting typographical errors, and promoting practicality and internal consistency. Department staff are presenting proposed updates to four parts of the Code.

DISCUSSION:

Background:

The first update pertains to general interpretation of Chapter 28, clarifying mandatory and permissive terms, and clarifying how aliquot parts of land relate to the minimum lot area requirements of zoning districts. The second update is to remove the requirement that the minimum pitch of the roof of a dwelling be three inches vertical to 12 inches horizontal. The third update is to correct a typographical error by adding a column for the R-TC-D-4 zoning district to Table 28.32C related to development standards for any permitted main building and accessory dwelling unit. The fourth update is to correct typographical errors and clarify regulations related to roadside stands in all zoning districts in which they are permitted in the unincorporated area of Solano County.

Summary of Amendments:

Interpretation of Chapter: Section 28.03, relating to how Chapter 28 is interpreted, is amended to add general rules that the words “shall,” “will,” “is to” and “are to” are mandatory. “Should” means a regulation that is not mandatory but must be either fulfilled or the applicant must demonstrate an alternative that fulfills the intent of the regulation. “May” is permissive. These changes are made to minimize ambiguity and are consistent with how staff has historically interpreted and applied the Code.

Section 28.03 is also amended to clarify how aliquot parts of land relate to the minimum lot area requirements in specific zoning districts. Currently, the Solano County Zoning Code does not have a provision regarding the interpretation of Sectionalized Land under the Public Land Survey System (PLSS) to accommodate for potential blunder and/or errors in the Record distances of Sections of Land. Under the PLSS, a Section of land is defined as 640 acres (5280’ x 5280’). Furthermore, as the Section of Land is subdivided, it is known as Aliquot Parts of Land (proper divisor). This amendment would ensure the applicant is not penalized for blunders and/or errors in the gross acreage of land as described in their Legal Description. The Zone Text amendment will allow Staff to work with the applicant and move forward subdividing the land as intended within the spirit of the PLSS and Solano County Code.

Minimum Architectural Standards for Dwellings: Section 28.72.10(A)(2)(c) is amended to remove the requirement that the minimum pitch of the roof of a dwelling be three inches vertical to 12 inches horizontal. Staff has found that this minimum roof pitch requirement is a legacy regulation and is no longer relevant for architectural / dwelling approvals. By eliminating this requirement, staff expects to gain efficiency in building permit approvals.

Residential-Traditional Community District Development Standards: There is a typographical error in Table 28.32C in that it omits a column for the R-TC-D-4 zoning district setting forth the development standards for main buildings and accessory dwelling units in that district.

Roadside Stands: Section 28.01 (definitions) and Article II of Chapter 28 is amended to update the County’s roadside stand land use regulations. County staff has identified the need to clarify regulations related roadside stands in the County because, as written, they are ambiguous, contain numerous typographical errors, and are inconsistent in verbiage between various zoning districts. County staff has also received input from the public that the existing standards present too high of a regulatory bar and therefore disincentivize this type of agritourism and economic development. These revisions are a direct result of staff responding to the Board of Supervisor’s priorities of encouraging and promoting additional agritourism opportunities in Solano County.

The most significant changes made through these proposed amendments include the following:

- Revising the term “roadside stand” to “farm stand” throughout the Code.
- More consistent verbiage and standards between multiple zoning districts.
- Lowering the requirement of a Use Permit to a Minor Use Permit for roadside stands greater than 2,500 square feet. This both reduces applicant fees and expedites the permitting review process, while

still requiring a public hearing and a discretionary decision by the hearing authority.

- New definitions for agricultural products, agricultural-related products, and nonagricultural products.
- Clarifying the amount and types of product sales. As revised, the Code will allow up to 100% of square footage to be used for agricultural product sales; up to 50% of the total square footage to be used for agricultural-related product sales, and up to 10% of the total square footage to be used for nonagricultural product sales.
- Clarifying that at least 50% of the agricultural products sold at the farmstand shall be grown or produced on-site or off-site on land within Solano County owned or leased by the farmstand operator. The remainder must be produced within Solano County.
- Clarifying that pre-packaged food sales are only allowed on a maximum area of 50 square feet pursuant to the requirements of the Solano County Department of Resource Management, Environmental Health Services Division, and must be from an “approved source” and not a “potentially hazardous food.”
- Allowing one sandwich board and one awning, freestanding, or wall sign to promote the farmstand, subject to specific size requirements.

Land Use and Transportation Committee:

The proposed zone text amendments related to interpretation and roadside stands were brought to the Solano County Land Use and Transportation Committee (LUTC) on June 18, 2024. The LUTC and the public did not express any concerns and favored the amendment related to the interpretation of Chapter 28 and aliquot divisions of land. The LUTC and the public also favored a zone text amendment to clarify the County’s regulations related to roadside stands. Public comments during the LUTC meeting focused on making permitting requirements easier for roadside stands because they further economic development within the agricultural community, providing consistent standards and verbiage between the different zoning districts, maintaining current regulations in the Suisun Valley, and the need to define agricultural, agricultural-related, and nonagricultural products and clarify standards regarding how much of each product-type may be sold at a roadside stand. Public comments included a suggestion for a new category of “agricultural-related products,” which would be favored over other nonagricultural products for sale at a roadside stand.

GENERAL PLAN CONSISTENCY:

The proposed ordinance is consistent with the Solano County General Plan in that the amendments to the text of Solano County Zoning Regulations are compatible with the objectives, policies, general land uses, and programs specified in the plan. The proposed ordinance does not alter prior regulations for intensity or location of development in the County.

ENVIRONMENTAL REVIEW:

The proposed zone text amendment is exempt from the California Environmental Quality Act (CEQA) under State CEQA Guidelines Section 15061(b)(3) because the proposed project has no potential to cause a significant effect on the environment. The proposed project entails a set of minor amendments to the text of Chapter 28 of the Solano County Code to eliminate ambiguities, correct typographical errors, and promote practicality and internal consistency. The proposed project will not alter prior regulations for intensity or location of development or otherwise compel any physical disturbance to the existing physical environment.

OTHER AGENCY INVOLVEMENT:

County Counsel assisted in development of the proposed zone text amendments.

PUBLIC HEARING NOTICE:

In accordance with Solano County Zoning Regulations, notice of a public hearing was published at least 15 days before the scheduled hearing in the local newspapers.

RECOMMENDATION:

Staff recommends that the Planning Commission recommend that the Board of Supervisors adopt the proposed ordinance (ZT-24-02) amending Chapter 28 (Zoning Regulations) of the Solano County Code to revise and update sections pertaining to interpretation of the chapter, minimum architectural standards for dwellings, Residential-Traditional Community District-4 (R-TC-D-4) development standards, and roadside stands.

ATTACHMENTS:

- A - Resolution with Draft Ordinance (Clean)
- B - Draft Ordinance (Redline)
- C - Public Notice

**SOLANO COUNTY PLANNING COMMISSION
RESOLUTION NO. XXX**

**RESOLUTION OF THE SOLANO COUNTY PLANNING COMMISSION
RECOMMENDING APPROVAL OF ZONE TEXT AMENDMENT NO. ZT-24-02
TO THE SOLANO COUNTY BOARD OF SUPERVISORS**

WHEREAS, the Solano County Planning Commission, after proper notice, conducted a public hearing on December 5, 2024, to consider proposed zone text amendment ZT-24-02 that would amend Chapter 28 (Zoning Regulations) of the Solano County Code to revise and update sections pertaining to interpretation of the chapter, minimum architectural standards for dwellings, Residential-Traditional Community District-4 (R-TC-D-4) development standards, and roadside stand regulations; and

WHEREAS, the proposed zone text amendment is exempt from the California Environmental Quality Act (CEQA) under State CEQA Guidelines Section 15061(b)(3) because the proposed project has no potential to cause a significant effect on the environment. The proposed project entails a set of minor amendments to the text of Chapter 28 of the Solano County Code to eliminate ambiguities, correct typographical errors, and promote practicality and internal consistency. The proposed project will not alter prior regulations for intensity or location of development or otherwise compel any physical disturbance to the existing physical environment; and

WHEREAS, based on the staff report and recommendations, and after considering all public testimony and due deliberation, the Planning Commission determines that the proposed zone text amendment is appropriate and desirable, and is consistent with the Solano County General Plan.

RESOLVED, that the Solano County Planning Commission does hereby recommend approval of the proposed zone text amendment, attached hereto as Exhibit A, to the Solano County Board of Supervisors.

I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Planning Commission on December 5, 2024, by the following vote:

AYES:	Commissioners	_____
NOES:	Commissioners	_____
ABSTAIN:	Commissioners	_____
ABSENT:	Commissioners	_____

By: _____
Paula Bauer, Chair

Attest:
By:

EXHIBIT A

ORDINANCE NO. 2024-__

An ordinance amending Chapter 28 (Zoning Regulations) of the Solano County Code to revise and update sections pertaining to interpretation of the chapter, minimum architectural standards for dwellings, Residential-Traditional Community District-4 (R-TC-D-4) development standards, and roadside stands (ZT-24-02)

Whereas, Chapter 28 of the Solano County Code (Zoning Regulations) is occasionally amended by the Board of Supervisors with the goal of modernizing certain regulations to eliminate ambiguities, correct typographical errors, and promote practicality and internal consistency; and

Whereas, in furtherance of the above-stated goal, the proposed zone text amendment ZT-24-XX would revise and update sections of the County Zoning Regulations pertaining to interpretation of the chapter, minimum architectural standards for dwellings, Residential-Traditional Community District-4 (R-TC-D-4) development standards, and roadside stand regulations; and

Whereas, on December 5, 2024, the Solano County Planning Commission held a noticed public hearing to consider the proposed zone text amendment, and adopted a resolution recommending approval by the Board of Supervisors; and

Whereas, based on the staff report, recommendation of the Planning Commission, and all other relevant evidence presented to the Board of Supervisors, and after considering all public testimony and due deliberation, the Board of Supervisors determines that the proposed zone text amendment is appropriate and desirable, and is consistent with the Solano County General Plan.

Therefore, the Solano County Board of Supervisors ordains as follows:

SECTION I

Section 28.03 of the Solano County Code, relating to interpretation of Chapter 28, is amended as follows:

28.03 Interpretation of Chapter

A. General Rules. The following general rules apply to the interpretation and application of the Zoning Ordinance.

1. In their interpretation and application, provisions of this chapter shall be held to be minimum requirements, except where they are expressly stated to be maximum requirements.
2. The words “shall,” “will,” “is to,” and “are to” are mandatory. “Should” means a regulation that is not mandatory but must be either fulfilled or the applicant must demonstrate an alternative that fulfills the intent of the regulation. “May” is permissive.

- B. Unlisted Land Uses.** If an owner proposes a type of land use which is not described or identified in this chapter, the Zoning Administrator may determine that the proposed use is substantially similar to another type of land use which is described or identified in this chapter, and the permit application shall be accepted and processed for proposed use as if it were functionally equivalent to the substantially similar land use. If a Use Permit or other discretionary approval of the Planning Commission is required by this chapter for the substantially similar land use, the Planning Commission is not bound by the Zoning Administrator's determination.
- C. Aliquot Divisions of an Irregular Section of Land.** Land divisions consistent with the requirements of the State Subdivision Map Act and Chapter 26 (Subdivisions) of this Code, shall have a minimum parcel size as indicated by the zoning district pursuant to Article II of this chapter (Districts and Allowable Uses) (e.g., A-20, A-40, A-80, A-160, R-R-10, R-R-5, etc.).

However, for the purpose of complying with the minimum lot area as required by the zoning district, surveyed sections of land as established under the Public Land Survey System containing less than the equivalent of a full aliquot part of a standard six hundred forty (640) acre section of land shall be deemed equivalent to a full aliquot part, provided the subject parcel's legal description describes the area in terms of the aliquot part and the deviation is less than ten (10) percent. Under this provision, the resultant parcels of the Land Division shall be of equal size.

The following table lists aliquot parts of a section of land:

Aliquot Parts of a Section under the Public Land Survey System	Total Area of Aliquot Part
Full section	640 acres
One-half (1/2) section	320 acres
One-quarter (1/4) section	160 acres
One-eighth or quarter-quarter (1/8) section	80 acres
One-sixteenth (1/16) section	40 acres
One-thirty-second (1/32) section	20 acres
One-sixty-fourth (1/64) section	10 acres
One-one-hundred twenty-eighth section (1/128)	5 acres

SECTION II

Section 28.72.10(A)(2)(c) of the Solano County Code, relating to Minimum Architectural Standards for Dwellings, is amended as follows:

- c. Roofing material shall be limited to materials commonly found on conventionally built residential structures. Roofing material with a shiny, metallic appearance is not allowed.

SECTION III

Table 28.32C within Section 28.32.30 of the Solano County Code, relating to Residential-Traditional Community District Development Standards, is amended as follows:

Table 28.32C Development Standards for Main Building (1) and Accessory Dwelling Unit											
Development Feature	Requirement by Zoning District										
	R-TC-1AC	R-TC-20	R-TC-15	R-TC-10	R-TC-6	R-TC-5	R-TC-4	R-TC-D-4	R-TC-D-6	R-TC-MF	R-TC-MU
Minimum Lot Area (2)	<i>Minimum area required for new lots</i>										
	1 acre	20,000 s.f.	15,000 s.f.	10,000 s.f.	6,000 s.f.	5,000 s.f.	4,000 s.f. ⁽³⁾	4,000 s.f. ⁽³⁾	6,000 s.f. ⁽³⁾	5,000 s.f.	4,000 s.f.
Dwelling Size	<i>Minimum or maximum gross floor area for new dwellings</i>										
Primary Dwelling	1,000 square feet minimum										
Accessory Dwelling Unit	See subsection 28.72.10(B)(2)										
Setbacks	<i>Minimum setbacks required. See Section 28.50(e) for setback requirement, allowed projections into setbacks, and exceptions.</i>										
Front	20 feet ⁽⁵⁾				20 feet ⁽⁶⁾	0 feet ⁽⁶⁾	20 feet ⁽⁶⁾			30 feet ⁽⁶⁾	0 feet ⁽⁶⁾
Sides (each)	10 feet					5 feet			10 feet	5 feet	
Sides (combined)	N/A				15 feet	10 feet			20 feet	5 feet	
Rear	25 feet				20% of lot depth, not exceeding 25 feet, and not less than 15 feet	0 feet	20% of lot depth, not exceeding 25 feet, and no less than 15 feet			15 feet	0 feet
Between Structures ⁽⁷⁾	10 feet						10 feet between single family dwelling on the same lot when placed side-by-side and 20 feet between such buildings placed in any other manner.			10 feet	10 feet between single family dwelling on the same lot when placed side-by-side and 20 feet between such building placed in any other manner
Height Limit	<i>Maximum allowed height of structures.</i>										
	<i>See Section 28.93 (height exceptions) and Section 28.99 (Airport flight obstruction Areas)</i>										
	35 feet								50 feet	35 feet	
Parking	<i>As required by Section 28.94 (Parking Requirements) and Section 28-102 (Architectural Approval)</i>										

SECTION IV

Section 28.01 of the Solano County Code is amended to add and amend definitions as follows:

Agricultural Products: For purposes of this chapter, fresh or processed products

produced in California, including fruits, nuts, vegetables, herbs, mushrooms, dairy, shell eggs, honey, pollen, unprocessed bees wax, propolis, royal jelly, flowers, grains, nursery stock, raw sheared wool, livestock meats, poultry meats, rabbit meats, and fish, including shellfish that is produced under controlled conditions in waters located in California.

Nonagricultural Products: For purposes of this chapter, products that are characterized as services, arts, crafts, bakery, candies, soaps, balms, perfumes, cosmetics, pottery, clothing, fabrics, pastas, compost, fertilizers, candles, ceramics, foraged foods, types of wares and other similar products.

Agricultural-Related Products: For purposes of this chapter, Nonagricultural Products made on-site or off-site within Solano County that are in harmony with the agricultural community character, such as handcrafted items (pottery, knitted goods, homemade jewelry, and similar), specialty candies and chocolates made with local ingredients, homemade soaps and lotions, and local artwork and photography.

Farm Stand: An area of an agricultural property set aside for the sale of processed and unprocessed crops, that are grown primarily on the property (“on-site”). Crops that have been grown or produced off the property (“off-site”) may only be sold in conjunction with the sale of crops grown on-site or off-site on land owned or leased by the operator within Solano County and in compliance with applicable laws or regulations governing the construction, operation and maintenance of the stand. Agricultural-Related Products and Nonagricultural products may also be sold, but only in conjunction with the sale of crops, as regulated by the applicable zoning district. A Farm Stand shall not include the sale of nursery stock or winery products, or any processing of agricultural products or “food preparation” unless conducted in compliance with the California Health and Safety Code and approved by the Department of Resource Management, Environmental Health Services Division.

SECTION IV

Article II of Chapter 28 of the Solano County Code (Zoning Regulations, Districts and Allowable Uses) is amended to update the Tables of Allowed Uses in the A-20, A-40, A-80, A-160, A-SV-20, ATC, ATC-NC, RR-2.5, RR-5, RR-10, C-H, C-R, IAS, and P Zoning Districts with respect to Farm Stands, as follows:

Table 28.21A Table of Allowed Uses

A = Allowed by right, AP = Administrative Permit, MUP = Minor Use Permit, UP = Use Permit, E = Exempt, - - - = Prohibited					
ALLOWED USES* *See Definitions Section 28.01	Permit Requirements				Land Use Regulations** **See Section 28.70.10
	A-40	A-80	A-20	A-160	
RETAIL AND OFFICE USES					
A. RETAIL USES					
Farm Stand					28.74.10(A), (B)(8)
1,000 sq. ft or less in size	A	A	A	A	
Between 1,000 and 2,500 sq. ft. in size	AP	AP	AP	AP	
Greater than 2,500 sq. ft. in size	MUP	MUP	MUP	MUP	

Table 28.23A Table of Allowed Uses

A = Allowed by right, AP = Administrative Permit, MUP = Minor Use Permit, UP = Use Permit, E = Exempt, --- = Prohibited				
ALLOWED USES* *See Definitions Section 28.01	Permit Requirements			Land Use Regulations** **See Section 28.70.10
	A-SV-20	ATC	ATC-NC	
RETAIL TRADE USES				
Farm Stand				
1,000 square feet or less in size	A	A	A	28.23.50.40
Between 1,000 and 2,500 square feet	AP	A	A	
Greater than 2,500 square feet	MUP	A	A	

Table 28.31A Table of Allowed Uses

A = Allowed by right, AP = Administrative Permit, MUP = Minor Use Permit, UP = Use Permit, E = Exempt, --- = Prohibited				
ALLOWED USES* *See Definitions Section 28.01	Permitted Uses			Land Use Regulations** **See Section 28.70.10
	RR-2.5	RR-5	RR-10	
28.74 RETAIL AND OFFICE USES				
A. RETAIL USES				
Farm Stand				
1,000 square feet or less in size	A	A	A	28.74.10(A) & (B)(8)
Between 1,000 and 2,500 square feet	AP	AP	AP	
Greater than 2,500 square feet	---	---	---	

Table 28.41A Table of Allowed Uses

A = Allowed by right, AP = Administrative Permit, MUP = Minor Use Permit, UP = Use Permit, E = Exempt, --- = Prohibited							
ALLOWED USES* *See Definitions Section 28.01	Permit Requirements						Land Use Regulations** **See Section 28.70.10
	C-H	C-N	C-R	C-R-L ⁽⁶⁾	C-S	C-O	
RETAIL AND OFFICE USES							
A. RETAIL USES							
Farm Stand							
1,000 sq. ft. or less in size	A	A	A	---	---	---	28.74.10(A) & (B)(8)
Between 1,000 sq. ft. and 2,500 sq. ft.	AP	AP	AP	---	---	---	
Greater than 2,500 sq. ft.	MUP	MUP	MUP	---	---	---	

Table 28.43A Table of Allowed Uses – IAS District

A = Allowed by right, AP = Administrative Permit, MUP = Minor Use Permit, UP = Use Permit, E = Exempt, - - - = Prohibited		
ALLOWED USES* *See Definitions Section 28-01	Permit Requirements	Land Use Regulations
I-AS		
28.74 RETAIL AND OFFICE USES		
A. RETAIL USES		
Farm Stand		
1,000 square feet or less in size	A	28.74.10(A) & (B)(8)
Between 1,000 and 2,500 square feet in size	AP	
Greater than 2,500 square feet in size	MUP	
Certified Farmers Market		
Small Certified Farmers Market	A	28.75.20(A) & (B)(2)
Medium Certified Farmers Market	AP	
Large Certified Farmers Market	MUP	

Table 28.61A Table of Allowed Uses

A = Allowed by right, AP = Administrative Permit, MUP = Minor Use Permit, UP = Use Permit, E = Exempt, - - - = Prohibited		
ALLOWED USES* *See Definitions Section 28-01	Permit Requirements	Land Use Regulations** **See Section 28-70.10
P District		
28.74 RETAIL AND OFFICE USES		
A. RETAIL USES		
Farm Stand for the sale of agricultural products grown on-site		
1,000 square feet or less in size	A	28.74.10(A) & (B)(8)
Between 1,000 and 2,500 square feet in size	AP	
Greater than 2,500 square feet in size	MUP	

SECTION V

Solano County Code, Article II, Section 28.74.10(B)(8), relating to land use regulations for Roadside Stands is amended as follows:

28.74.10 RETAIL USES

B. Specific Requirements

8. Farm Stand

General. Farm Stands, food establishments open to the outside air, and retail dairies shall have ingress and egress designed so as to avoid traffic congestion and hazards; shall provide adequate controls or measures to prevent dust, odor or light; shall provide adequate off-street parking; shall obtain Environmental Health Division approval prior to issuance of the use permit, and shall be determined to be in harmony with the committed character of the subject locality.

a. Farm Stands within the (R) Districts:

A Farm Stand incidental to a dwelling as permitted in an R District, must meet the following specific development standards:

- (1) **Maximum Size.** Shall not be greater than 2,500 square feet in size, as determined by measuring the total roof-covered area.
- (2) **Product Sales Requirement.** The following table lists product sales requirements for a Farm Stand, subject to the restrictions set forth in Sections 28.74.20(B)(8)(a)(3) and (4):

Product Type	Maximum Square Footage of Total Stand Size
Agricultural Products	Up to 100% of total square footage.
Agricultural-Related Products	Up to 50% of total square footage.
Nonagricultural Products	Up to 10% of total square footage.

- (3) **Pre-Packaged Food Sales.** A maximum area of 50 square feet may be used for the sale and inventory of pre-packaged food, provided that such food sales and inventory comply with the requirements of the Department of Resource Management, Environmental Health Services Division. Such food sales and inventory must be from an “approved source” and not a “potentially hazardous food” as defined by the California Health and Safety Code.

Any pre-packaged food sales that do not meet these criteria, including the square footage requirement, are not allowed.

- (4) **On-Site Growing Requirement.** At least 50% of agricultural products sold shall be grown or produced on-site or off-site on land within Solano County owned or leased by the Farm Stand operator. The remainder of agricultural products sold shall be produced in Solano County.
- (5) **Setbacks.** Minimum setback from an adjacent paved street, measured from the nearest edge of the pavement to the property, shall be the same as required for the main building.
- (6) **Ingress and Egress.** Shall have ingress and egress designed so as to avoid traffic congestion and hazards. All connections to County roads shall meet the encroachment permit requirements of the Director of Transportation, which generally include, but shall not be limited to, paving of the connection within the County road right-of-way.
- (7) **Operational Controls.** Shall provide adequate controls or measures to prevent dust, odor or light.

- (8) **Off-Street Parking Requirements.** Shall provide off-street parking in accordance with Section 28-55 in addition to paved parking spaces, aisles and pathways for the disabled in accordance with Building Code.
- (9) **Environmental Health Approval.** If required, shall obtain Department of Resource Management, Environmental Health Services Division approval prior to operation.
- (10) **Compatibility with Community.** Shall be determined to be in harmony with the community character of the subject locality.
- (11) **Farm Stand Signs.** A maximum on one awning, freestanding, or wall sign is allowed reflecting the Farm Stand business on the property, with a maximum sign area of 16 square feet, notwithstanding and in addition to the signs contemplated by Section 28.96.60 (Zoning District Sign Standards). In addition, one sandwich board (i.e. A-frame) sign is allowed reflecting the Farm Stand business on the property, with a maximum sign area of 9 square feet. All other applicable provisions of Section 28.96 (Sign Regulations) remain in effect.

b. Farm Stand within the (A), (C), (IAS), and (P) Districts:

A Farm Stand, as permitted in any (A), (C), (IAS), and (P) District, must meet the applicable development standards delineated in the applicable zoning district, as well as the following specific development standards:

- (1) **Determining the Size of a Farm Stand.** Size, as regulated in the applicable zoning district, shall be determined by measuring the total roof covered area. Where a farm stand is operated within a portion of a larger building, the farm stand shall be functionally separated from the remainder of the building by either temporary or permanent walls and size shall be determined by measuring the gross floor area of the enclosed space plus any outdoor display area.
- (2) **Product Sales Requirement.** The following table lists product sales requirements for a Farm Stand, subject to the restrictions set forth in Sections 28.74.20(B)(8)(b)(3) and (4):

Product Type	Maximum Square Footage of Total Stand Size
Agricultural Products	Up to 100% of total square footage.
Agricultural-Related Products	Up to 50% of total square footage.
Nonagricultural Products	Up to 10% of total square footage.

- (3) **Pre-Packaged Food Sales.** A maximum area of 50 square feet may be used for the sale and inventory of pre-packaged food, provided that such food sales and inventory complies with the requirements of the Department

of Resource Management, Environmental Health Services Division. Such food sales and inventory must be from an “approved source” and not a “potentially hazardous food” as defined by the California Health and Safety Code.

Any pre-packaged food sales that do not meet these criteria, including the square footage requirement, is not allowed.

- (4) **On-Site Growing Requirement.** At least 50% of agricultural products and value-added agricultural products sold shall be grown or produced on-site or off-site on land within Solano County owned or leased by the Farm Stand operator. The remainder of agricultural products sold shall be produced in Solano County.
- (5) **Setbacks.** Minimum setback from an adjacent street shall be the same as required for the main building.
- (6) **Ingress and Egress.** Shall have ingress and egress designed so as to avoid traffic congestion and hazards. All connections to County roads shall meet the encroachment permit requirements of the Director of Transportation, which generally include, but shall not be limited to, paving of the connection within the County road right-of-way.
- (7) **Operational Controls.** Shall provide adequate controls or measures to prevent dust, odor or artificial light and glare.
- (8) **Off-Street Parking Requirements.** Shall provide off-street parking in accordance with Section 28-94 in addition to paved parking spaces, aisles and pathways for the disabled in accordance with Building Code.
- (9) **Environmental Health Approval.** If required, shall obtain Department of Resource Management, Environmental Health Services Division approval prior to operation.
- (10) **Compatibility with Community.** Shall be determined to be in harmony with the community character of the subject locality.
- (11) **Farm Stand Signs.** A maximum of one awning, freestanding, projecting or wall sign is allowed reflecting the Farm Stand business on the property, with a maximum sign area of 32 square feet, notwithstanding and in addition to the signs contemplated by Section 28.96.60 (Zoning District Sign Standards). In addition, one sandwich board (i.e. A-frame) sign is allowed reflecting the Farm Stand business on the property, with a maximum sign area of 9 square feet. All other applicable provisions of Section 28.96 (Sign Regulations) remain in effect.

SECTION VI

Solano County Code, Article II, Section 28.23.50.40(B)(2) (Special Uses Regulations, Retail Trade Uses) relating to Farm Stands in the Suisun Valley zoning districts (A-SV-20, ATC, ATC-NC), is amended as follows:

**28.23.50 Special Uses Regulations:
28.23.50.40 Retail Trade Uses**

2. Farm Stand.

a. Standards. A Farm Stand, as permitted in Table 28.23A, must meet the applicable development standards delineated in Tables 28.23B and 28.23C and comply with the following:

- (1) **Stand Operator.** Shall be operated by the property owner or occupant.
- (2) **Stand Size Calculation.** Size, as regulated in Table 28.23A, shall be determined by measuring the total roof-covered area. Where a Farm Stand is operated within a portion of a larger building, the Farm Stand shall be functionally separated from the remainder of the building by either temporary or permanent walls and size shall be determined by measuring the gross floor area of the enclosed space plus any outdoor display area.
- (3) **Produce Sales Requirement.** The following table lists product sales requirements for a Farm Stand, subject to the restrictions set forth in Sections 28.23.50.40(B)(2)(a)(4):

Product Type	Maximum Square Footage of Total Stand Size
Agricultural Products	Up to 100% of total square footage.
Agricultural-Related Products	Up to 50% of total square footage.
Nonagricultural Products	Up to 10% of total square footage.

- (4) At least 25 percent of the crops sold shall be grown on site or off site on land owned or leased by the operator within Solano County. The balance of the stand shall be used for the sale and inventory of crops or other products as regulated by this chapter, grown or produced on site or off site.
- (5) **Pre-Packaged Food Sales.** A maximum area of 50 square feet may be used for the sale and inventory of prepackaged food, provided, that such food sales and inventory complies with the requirements of the Department of Resource Management, Environmental Health Services Division. Such food sales and inventory must be from an “approved source” and not a “potentially hazardous food” as defined by the California Health and Safety Code.

Any pre-packaged food sales that do not meet these criteria, including the square footage requirement, are not allowed.

- (6) **Setbacks.** Minimum setback from an adjacent street shall be the same as required for the main building.
- (7) **Ingress and Egress.** Shall have ingress and egress designed so as to avoid traffic congestion and hazards. All connections to County roads shall meet the Encroachment Permit requirements of the Director of Resource Management, which generally include, but shall not be limited to, paving of the connection within the County road right-of-way.
- (8) **Operational Controls.** Shall provide adequate controls or measures to prevent dust, odor or light.
- (9) **Off-Street Parking Requirements.** Shall provide off-street parking in accordance with Section 28.94 in addition to paved parking spaces, aisles and pathways for the disabled in accordance with the Building Code.
- (10) **Environmental Health Approval.** Shall obtain Department of Resource Management, Environmental Health Services Division approval, if required, prior to operation.
- (11) **Farm Stand Signs.** A maximum of one awning, freestanding, projecting or wall sign is allowed reflecting the Farm Stand business on the property, with a maximum sign area of 32 square feet, notwithstanding and in addition to the signs contemplated by Section 28.96.60 (Zoning District Sign Standards). In addition, one sandwich board (i.e. A-frame) sign is allowed reflecting the Farm Stand business on the property, with a maximum sign area of 9 square feet. All other applicable provisions of Section 28.96 (Sign Regulations) remain in effect.
- (12) **Compatibility with Community.** Shall be determined to be in harmony with the community character of the subject locality.

SECTION V

This Ordinance is exempt from the California Environmental Quality Act (Public Resources Code §21000, et seq.) (CEQA) pursuant to CEQA Guidelines (Cal. Code Regs., tit. 14, §15000 et seq.) Section 15061(b)(3) (Common Sense Exemption) because the proposed project has no potential to cause a significant effect on the environment. The proposed project entails a set of minor amendments to the text of Chapter 28 of the Solano County Code to eliminate ambiguities, correct typographical errors, and promote practicality and internal consistency. The proposed project will not alter prior regulations for intensity or location of development or otherwise compel any physical disturbance to the existing physical environment.

SECTION VI

This Ordinance will be effective thirty (30) days after its adoption.

SECTION VII

If any provision of this Ordinance or the application thereof to any persons or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this ordinance with case be given effect without the invalid provision or application, and to this end the provisions of this ordinance are hereby declared to be severable.

SECTION VIII

A summary of this ordinance will be published within 15 days of its adoption in the Fairfield Daily Republic, a newspaper of general circulation in Solano County.

Passed and adopted by the Solano County Board of Supervisors at its regular meeting on _____, by the following vote:

AYES: SUPERVISORS

NOES: SUPERVISORS

EXCUSED: SUPERVISORS

MITCH H. MASHBURN, Chair
Solano County Board of Supervisors

ATTEST:
BILL EMLLEN, Clerk
Solano County Board of Supervisors

By: _____
Alicia Draves, Chief Deputy Clerk

Introduced:
Adopted:
Effective:
Operative:

ORDINANCE NO. 2024-___

An ordinance amending Chapter 28 (Zoning Regulations) of the Solano County Code to revise and update sections pertaining to interpretation of the chapter, minimum architectural standards for dwellings, Residential-Traditional Community District-4 (R-TC-D-4) development standards, and roadside stands (ZT-24-02)

Whereas, Chapter 28 of the Solano County Code (Zoning Regulations) is occasionally amended by the Board of Supervisors with the goal of modernizing certain regulations to eliminate ambiguities, correct typographical errors, and promote practicality and internal consistency; and

Whereas, in furtherance of the above-stated goal, the proposed zone text amendment ZT-24-02 would revise and update sections of the County Zoning Regulations pertaining to interpretation of the chapter, minimum architectural standards for dwellings, Residential-Traditional Community District-4 (R-TC-D-4) development standards, and roadside stand regulations; and

Whereas, on December 5, 2024, the Solano County Planning Commission held a noticed public hearing to consider the proposed zone text amendment, and adopted a resolution recommending approval by the Board of Supervisors; and

Whereas, based on the staff report, recommendation of the Planning Commission, and all other relevant evidence presented to the Board of Supervisors, and after considering all public testimony and due deliberation, the Board of Supervisors determines that the proposed zone text amendment is appropriate and desirable, and is consistent with the Solano County General Plan.

Therefore, the Solano County Board of Supervisors ordains as follows:

SECTION I

Section 28.03 of the Solano County Code, relating to interpretation of Chapter 28, is amended as follows:

28.03 Interpretation of Chapter

A. General Rules. The following general rules apply to the interpretation and application of the Zoning Ordinance.

1. In their interpretation and application, provisions of this chapter shall be held to be minimum requirements, except where they are expressly stated to be maximum requirements.
2. The words “shall,” “will,” “is to,” and “are to” are mandatory. “Should” means a regulation that is not mandatory but must be either fulfilled or the applicant must demonstrate an alternative that fulfills the intent of the regulation. “May” is permissive.

~~A.~~ Unlisted Land Uses.

- B. If an owner proposes a type of land use which is not described or identified in this chapter, the Zoning Administrator may determine that the proposed use is substantially similar to another type of land use which is described or identified in this chapter, and the permit

application shall be accepted and processed for proposed use as if it were functionally equivalent to the substantially similar land use. If a Use Permit or other discretionary approval of the Planning Commission is required by this chapter for the substantially similar land use, the Planning Commission is not bound by the Zoning Administrator’s determination.

C. Aliquot Divisions of an Irregular Section of Land. Land divisions consistent with the requirements of the State Subdivision Map Act and Chapter 26 (Subdivisions) of this Code, shall have a minimum parcel size as indicated by the zoning district pursuant to Article II of this chapter (Districts and Allowable Uses) (e.g., A-20, A-40, A-80, A-160, R-R-10, R-R-5, etc.).

However, for the purpose of complying with the minimum lot area as required by the zoning district, surveyed sections of land as established under the Public Land Survey System containing less than the equivalent of a full aliquot part of a standard six hundred forty (640) acre section of land shall be deemed equivalent to a full aliquot part, provided the subject parcel’s legal description describes the area in terms of the aliquot part and the deviation is less than ten (10) percent. Under this provision, the resultant parcels of the Land Division shall be of equal size.

The following table lists aliquot parts of a section of land:

Aliquot Parts of a Section under the Public Land Survey System	Total Area of Aliquot Part
Full section	640 acres
One-half (1/2) section	320 acres
One-quarter (1/4) section	160 acres
One-eighth or quarter-quarter (1/8) section	80 acres
One-sixteenth (1/16) section	40 acres
One-thirty-second (1/32) section	20 acres
One-sixty-fourth (1/64) section	10 acres
One-one-hundred twenty-eighth section (1/128)	5 acres

SECTION II

Section 28.72.10(A)(2)(c) of the Solano County Code, relating to Minimum Architectural Standards for Dwellings, is amended as follows:

- c. Roofing material shall be limited to materials commonly found on conventionally built residential structures. Roofing material with a shiny, metallic appearance is not allowed. ~~The minimum pitch of the roof shall be three inches vertical to 12 inches horizontal.~~

SECTION III

Table 28.32C within Section 28.32.30 of the Solano County Code, relating to Residential-Traditional Community District Development Standards, is amended as follows:

Table 28.32C Development Standards for Main Building (1) and Accessory Dwelling Unit											
Development Feature	Requirement by Zoning District										
	R-TC-1AC	R-TC-20	R-TC-15	R-TC-10	R-TC-6	R-TC-5	R-TC-4	R-TC-D-4	R-TC-D-6	R-TC-MF	R-TC-MU
Minimum Lot Area (2)	<i>Minimum area required for new lots</i>										
	1 acre	20,000 s.f.	15,000 s.f.	10,000 s.f.	6,000 s.f.	5,000 s.f.	4,000 s.f. ⁽³⁾	<u>4,000 s.f.⁽³⁾</u>	6,000 s.f. ⁽³⁾	5,000 s.f.	4,000 s.f.
Dwelling Size	<i>Minimum or maximum gross floor area for new dwellings</i>										
Primary Dwelling	1,000 square feet minimum										
Accessory Dwelling Unit	See subsection 28.72.10(B)(2)										
Setbacks	<i>Minimum setbacks required. See Section 28.50(e) for setback requirement, allowed projections into setbacks, and exceptions.</i>										
Front	20 feet ⁽⁵⁾				20 feet ⁽⁶⁾	0 feet ⁽⁶⁾	20 feet ⁽⁶⁾			30 feet ⁽⁶⁾	0 feet ⁽⁶⁾
Sides (each)	10 feet					5 feet			10 feet	5 feet	
Sides (combined)	N/A				15 feet	10 feet			20 feet	5 feet	
Rear	25 feet				20% of lot depth, not exceeding 25 feet, and not less than 15 feet	0 feet	20% of lot depth, not exceeding 25 feet, and no less than 15 feet			15 feet	0 feet
Between Structures ⁽⁷⁾	10 feet						10 feet between single family dwelling on the same lot when placed side-by-side and 20 feet between such buildings placed in any other manner.			10 feet	10 feet between single family dwelling on the same lot when placed side-by-side and 20 feet between such building placed in any other manner
Height Limit	<i>Maximum allowed height of structures. See Section 28.93 (height exceptions) and Section 28.99 (Airport flight obstruction Areas)</i>										
	35 feet									50 feet	35 feet
Parking	<i>As required by Section 28.94 (Parking Requirements) and Section 28-102 (Architectural Approval)</i>										

SECTION IV

Section 28.01 of the Solano County Code is amended to add and amend definitions as follows:

Agricultural Products: For purposes of this chapter, fresh or processed products produced in California, including fruits, nuts, vegetables, herbs, mushrooms, dairy, shell eggs, honey, pollen, unprocessed bees wax, propolis, royal jelly, flowers, grains, nursery stock, raw

[sheared wool, livestock meats, poultry meats, rabbit meats, and fish, including shellfish that is produced under controlled conditions in waters located in California.](#)

Nonagricultural Products: [For purposes of this chapter, products that are characterized as services, arts, crafts, bakery, candies, soaps, balms, perfumes, cosmetics, pottery, clothing, fabrics, pastas, compost, fertilizers, candles, ceramics, foraged foods, types of wares and other similar products.](#)

Agricultural-Related Products: [For purposes of this chapter, Nonagricultural Products made on-site or off-site within Solano County that are in harmony with the agricultural community character, such as handcrafted items \(pottery, knitted goods, homemade jewelry, and similar\), specialty candies and chocolates made with local ingredients, homemade soaps and lotions, and local artwork and photography.](#)

Farm Stand~~Roadside Stand~~: An area of an agricultural property set aside for the sale of processed and unprocessed crops, that are grown primarily on the property (“on-site”). Crops that have been grown or produced off the property (“off-site”) may only be sold in conjunction with the sale of crops grown on-site or off-site on land owned or leased by the operator within Solano County and in compliance with applicable laws or regulations governing the construction, operation and maintenance of the stand. [Agricultural-Related Products and](#) Nonagricultural products may also be sold, but only in conjunction with the sale of crops, as regulated by the applicable zoning district. A ~~roadside stand~~ **Farm Stand** shall not include the sale of nursery stock or winery products, or any processing of agricultural products or “food preparation” unless conducted in compliance with the California Health and Safety Code and approved by the Department of Resource Management, Environmental Health Services Division.

SECTION IV

Article II of Chapter 28 of the Solano County Code (Zoning Regulations, Districts and Allowable Uses) is amended to update the Tables of Allowed Uses in the A-20, A-40, A-80, A-160, A-SV-20, ATC, ATC-NC, RR-2.5, RR-5, RR-10, C-H, C-R, IAS, and P Zoning Districts with respect to [Farm Stands](#), as follows:

Table 28.21A Table of Allowed Uses

A = Allowed by right, AP = Administrative Permit, MUP = Minor Use Permit, UP = Use Permit, E = Exempt, - - - = Prohibited					
ALLOWED USES* *See Definitions Section 28.01	Permit Requirements				Land Use Regulations** **See Section 28.70.10
	A-40	A-80	A-20	A-160	
RETAIL AND OFFICE USES					
A. RETAIL USES					
Roadside Farm Stand					28.74.10(A), (B)(8)
1,000 sq. ft or less in size	A	A	A	A	
Between 1,000 and 2,500 sq. ft. in size	AP	AP	AP	AP	
Greater than 2,500 sq. ft. in size	MUP	MUP	MUP	MUP	

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Table 28.23A Table of Allowed Uses

A = Allowed by right, AP = Administrative Permit, MUP = Minor Use Permit, UP = Use Permit, --- = Prohibited				
ALLOWED USES* *See Definitions Section 28.01	Permit Requirements			Land Use Regulations** **See Section 28.70.10
	A-SV-20	ATC	ATC-NC	
RETAIL TRADE USES				
Roadside stand <u>Farm Stand</u>				28.23.50.40
<i>1,000 square feet or less in size</i>	A	A	A	
<i>Between 1,000 and 2,500 square feet</i>	AP	A	A	
<i>Greater than 2,500 square feet or with nonagricultural product sales greater than 10%</i>	MUP	A	A	

Table 28.31A Table of Allowed Uses

A = Allowed by right, AP = Administrative Permit, MUP = Minor Use Permit, UP = Use Permit, --- = Prohibited				
ALLOWED USES* *See Definitions Section 28.01	Permitted Uses			Land Use Regulations** **See Section 28.70.10
	RR-2.5	RR-5	RR-10	
28.74 RETAIL AND OFFICE USES				
A. RETAIL USES				
Roadside stand <u>Farm Stand</u> for sales of agricultural crop products grown or produced on the premises	A	A	A	28.74.10(A) & (B)(8)
<i>1,000 square feet or less in size</i>	A	A	A	28.74.10(A) & (B)(8)
<i>Between 1,000 and 2,500 square feet</i>	AP	AP	AP	
<i>Greater than 2,500 square feet</i>	---	---	---	

Table 28.41A Table of Allowed Uses

A = Allowed by right, AP = Administrative Permit, MUP = Minor Use Permit, PUD = Planned Unit Development, UP = Use Permit, E = Exempt, --- = Prohibited							
ALLOWED USES* *See Definitions Section 28.01	Permit Requirements						Land Use Regulations** **See Section 28.70.10
	C-H	C-N	C-R	C-R-L ⁽⁶⁾	C-S	C-O	
RETAIL AND OFFICE USES							
A. RETAIL USES							
Roadside stand <u>Farm Stand</u>							
<i>1,000 sq. ft. or less in size</i>	A	--- A	A	---	---	---	
<i>Between 1,000 sq. ft. and 2,500 sq. ft.</i>	AP	--- AP	AP	---	---	---	

Greater than 2,500 sq. ft.	MUP	--- MUP	MUP	---	---	---	28.74.10(A) & (B)(8)
--	-----	-----------------------	-----	-----	-----	-----	----------------------

Table 28.43A Table of Allowed Uses – IAS District

A = Allowed by right, AP = Administrative Permit, MUP = Minor Use Permit, ~~PUD = Planned Unit Development,~~
UP = Use Permit, E = Exempt, --- = Prohibited

ALLOWED USES*	Permit Requirements	Land Use Regulations
*See Definitions Section 28-0110	Uses	
	IAS	
28.74 RETAIL AND OFFICE USES		
A. RETAIL USES		
Roadside stand Farm Stand		
<i>1,000 square feet or less in size</i>	A	28.74.10(A) & (B)(8)
<i>Between 1,000 and 2,500 square feet in size</i>	AP	
<i>Greater than 2,500 square feet in size</i>	MUP	
Any of the above with a Certified Farmers Market		28.74.10(A) & (B)(8); 28.75.20(A) & (B)(2)
<i>Small Certified Farmers Market</i>	A	
<i>Medium Certified Farmers Market</i>	AP	
<i>Large Certified Farmers Market</i>	MUP	

Table 28.61A Table of Allowed Uses

A = Allowed by right, AP = Administrative Permit, MUP = Minor Use Permit, UP = Use Permit, E = Exempt, --- = Prohibited

ALLOWED USES*	Permit Requirements	Land Use Regulations**
*See Definitions Section 28-0110	Uses	**See Section 28-70.10
	P District	
28.74 RETAIL AND OFFICE USES		
A. RETAIL USES		
Roadside stand Farm Stand for the sale of agricultural products grown on-site		
<i>1,000 square feet or less in size</i>	A	28.74.10(A) & (B)(8)
<i>Between 1,000 and 2,500 square feet in size</i>	AP	
<i>Greater than 2,500 square feet in size</i>	MUP	

SECTION V

Solano County Code, Article II, Section 28.74.10(B)(8), relating to land use regulations for Roadside Stands is amended as follows:

28.74.10 RETAIL USES

B. Specific Requirements

8. ~~Roadside Stand~~ [Farm Stand](#) (A, CR, P and R Districts)

General. ~~Roadside Farm Stands~~stands, food establishments open to the outside air, and retail dairies shall have ingress and egress designed so as to avoid traffic congestion and hazards; shall provide adequate controls or measures to prevent dust, odor or light; shall provide adequate off-street parking; shall obtain Environmental Health Division approval prior to issuance of the use permit, and shall be determined to be in harmony with the committed character of the subject locality.

a. ~~Roadside Farm Stands~~ Stands within the (R) Districts:

A ~~roadside stand~~Farm Stand incidental to a dwelling as permitted in an R District, must meet the following specific development standards:

Maximum Size. Shall not be greater than ~~500~~2,500 square feet in size, as determined by measuring the total roof-covered area.

(1)

~~Non-agricultural Product Sales. Sales of non-agricultural products including pre-packaged food shall not be allowed.~~

(2) Product Sales Requirement. The following table lists product sales requirements for a Farm Stand, subject to the restrictions set forth in Sections 28.74.20(B)(8)(a)(3) and (4):

<u>Product Type</u>	<u>Maximum Square Footage of Total Stand Size</u>
<u>Agricultural Products</u>	<u>Up to 100% of total square footage.</u>
<u>Agricultural-Related Products</u>	<u>Up to 50% of total square footage.</u>
<u>Nonagricultural Products</u>	<u>Up to 10% of total square footage.</u>

(3) Pre-Packaged Food Sales. A maximum area of 50 square feet may be used for the sale and inventory of pre-packaged food, provided that such food sales and inventory comply with the requirements of the Department of Resource Management, Environmental Health Services Division. Such food sales and inventory must be from an “approved source” and not a “potentially hazardous food” as defined by the California Health and Safety Code.

Any pre-packaged food sales that do not meet these criteria, including the square footage requirement, are not allowed.

(4) On-Site Growing Requirement. At least 50% of agricultural products sold shall be grown or produced on-site or off-site on land within Solano County owned or leased by the Farm Stand operator. The remainder of agricultural products sold shall be produced in Solano County.

~~(1)~~(5) **Setbacks.** Minimum setback from an adjacent paved street, measured from the nearest edge of the pavement to the property, shall be the same as required for the main building.

~~(2)~~(6) **Ingress and Egress.** Shall have ingress and egress designed so as to avoid traffic congestion and hazards. All connections to County roads shall meet the encroachment permit requirements of the Director of Transportation, which generally include, but shall not be limited to, paving of the connection within the County road right-of-way.

~~(3)~~(7) **Operational Controls.** Shall provide adequate controls or measures to prevent dust, odor or light.

~~(4)~~(8) **Off-Street Parking Requirements.** Shall provide off-street parking in accordance with Section 28-55 in addition to paved parking spaces, aisles and pathways for the disabled in accordance with Building Code.

~~(5)~~(9) **Environmental Health Approval.** If required, sShall obtain Department of Resource Management, Environmental Health Services Division approval, ~~if required,~~ prior to operation.

~~(6)~~(10) **Compatibility with Community.** Shall be determined to be in harmony with the community character of the subject locality.

~~(7)~~(11) **Farm Stand Signs.** A maximum on one awning, freestanding, or wall sign is allowed reflecting the Farm Stand business on the property, with a maximum sign area of 16 square feet, notwithstanding and in addition to the signs contemplated by Section 28.96.60 (Zoning District Sign Standards). In addition, one sandwich board (i.e. A-frame) sign is allowed reflecting the Farm Stand business on the property, with a maximum sign area of 9 square feet. All other applicable provisions of Section 28.96 (Sign Regulations) remain in effect.

b. ~~Farm Stand Roadside Stands~~ within the (A), (C), (IAS), and (P) and ~~(CR)~~ Districts:

A ~~Farm Stand roadside stand~~, as permitted in any (A), (C), (IAS), and (P) District, must meet the applicable development standards delineated in the applicable zoning district, as well as the following specific development standards:

— **Determining the Size of a ~~Farm Stand Roadside Stand~~.** Size, as regulated in the applicable zoning district, shall be determined by measuring the total roof covered area. Where a farm stand is operated within a portion of a larger building, the farm stand shall be functionally separated from the remainder of

the building by either temporary or permanent walls and size shall be determined by measuring the gross floor area of the enclosed space plus any outdoor display area.

~~(1)~~
(1)

~~(2)~~ **Product Sales Requirement.** The following table lists product sales requirements for a Farm Stand, subject to the restrictions set forth in Sections 28.74.20(B)(8)(b)(3) and (4): **On-site growing requirement.** ~~At least fifty percent (50%) of the crops sold shall be grown on-site or off-site on land owned or leased by the operator within Solano County. The balance of the stand shall be used for the sale and inventory of crops or other agricultural products, including non-agricultural products as regulated by this Chapter, grown or produced on-site or off-site.~~

(2)

<u>Product Type</u>	<u>Maximum Square Footage of Total Stand Size</u>
<u>Agricultural Products</u>	<u>Up to 100% of total square footage.</u>
<u>Agricultural-Related Products</u>	<u>Up to 50% of total square footage.</u>
<u>Nonagricultural Products</u>	<u>Up to 10% of total square footage.</u>

(3) **Pre-Packaged Food Sales.** A ~~maximum~~ area ~~not exceeding~~ 50 square feet may be used for the sale and inventory of pre-packaged food, provided that such food sales and inventory complies with the requirements of the Department of Resource Management, Environmental Health Services Division. Such food sales and inventory must be, ~~and is~~ from an “approved source” and ~~is~~ not a “potentially hazardous food” as defined by the California Health and Safety Code.

Any pre-packaged food sales that do not meet these criteria, including the square footage requirement, is not allowed.

~~(3)~~(4) **On-Site Growing Requirement.** At least 50% of agricultural products and value-added agricultural products sold shall be grown or produced on-site or off-site on land within Solano County owned or leased by the Farm Stand operator. The remainder of agricultural products sold shall be produced in Solano County.

~~(4)~~ **Non-agricultural Other Product Sales.** ~~Sales of any product that does not qualify as an agricultural, value-added agricultural, or agricultural-related product is limited to no more than 10% of total product sales. Non-agricultural~~

~~product sales shall mean the on-site sales of non-agricultural products produced on and off the property, where the total inventory and sales area for such products is limited to fifty (50) square feet, except that sales and inventory of pre-packaged food shall be further subject to the requirements of (4) above.~~

- (5) **Setbacks.** Minimum setback from an adjacent street shall be the same as required for the main building.
- (6) **Ingress and Egress.** Shall have ingress and egress designed so as to avoid traffic congestion and hazards. All connections to County roads shall meet the encroachment permit requirements of the Director of Transportation, which generally include, but shall not be limited to, paving of the connection within the County road right-of-way.
- (7) **Operational Controls.** Shall provide adequate controls or measures to prevent dust, odor or artificial light and glare.
- (8) **Off-Street Parking Requirements.** Shall provide off-street parking in accordance with Section 28-94 in addition to paved parking spaces, aisles and pathways for the disabled in accordance with Building Code.
- (9) **Environmental Health Approval.** ~~if required,~~ shall obtain Department of Resource Management, Environmental Health Services Division approval, ~~if required,~~ prior to operation.
- (10) **Compatibility with Community.** Shall be determined to be in harmony with the community character of the subject locality.
- (11) **Farm Stand Signs.** A maximum of one awning, freestanding, projecting or wall sign is allowed reflecting the Farm Stand business on the property, with a maximum sign area of 32 square feet, notwithstanding and in addition to the signs contemplated by Section 28.96.60 (Zoning District Sign Standards). In addition, one sandwich board (i.e. A-frame) sign is allowed reflecting the Farm Stand business on the property, with a maximum sign area of 9 square feet. All other applicable provisions of Section 28.96 (Sign Regulations) remain in effect.

SECTION VI

Solano County Code, Article II, Section 28.23.50.40(B)(2) (Special Uses Regulations, Retail Trade Uses) relating to ~~Roadside Farm~~ Stands in the Suisun Valley zoning districts (A-SV-20, ATC, ATC-NC), is amended as follows:

28.23.50 Special Uses Regulations:
28.23.50.40 Retail Trade Uses

2. ~~Farm Stand~~ ~~Roadside Stand~~.

a. **Standards.** A ~~Farm Stand~~ ~~roadside stand~~, as permitted in Table 28.23A, must meet the applicable development standards delineated in Tables 28.23B and 28.23C and comply with the following:

- (1) **Stand Operator.** Shall be operated by the property owner or occupant.
- (2) **Stand Size Calculation.** Size, as regulated in Table 28.23A, shall be determined by measuring the total roof-covered area. Where a ~~Farm Stand~~ ~~roadside stand~~ is operated within a portion of a larger building, the ~~Farm Stand~~ ~~roadside stand~~ shall be functionally separated from the remainder of the building by either temporary or permanent walls and size shall be determined by measuring the gross floor area of the enclosed space plus any outdoor display area.
- (3) **Produce Sales Requirement.** The following table lists product sales requirements for a Farm Stand, subject to the restrictions set forth in Sections 28.23.50.40(B)(2)(a)(4):

<u>Product Type</u>	<u>Maximum Square Footage of Total Stand Size</u>
<u>Agricultural Products</u>	<u>Up to 100% of total square footage.</u>
<u>Agricultural-Related Products</u>	<u>Up to 50% of total square footage.</u>
<u>Nonagricultural Products</u>	<u>Up to 10% of total square footage.</u>

(4) At least 25 percent of the crops sold shall be grown on site or off site on land owned or leased by the operator within Solano County. The balance of the stand shall be used for the sale and inventory of crops or other ~~agricultural products, including nonagricultural~~ products as regulated by this chapter, grown or produced on site or off site.

(54) **Pre-Packaged Food Sales.** A ~~maximum area of~~ ~~n area not exceeding~~ 50 square feet may be used for the sale and inventory of prepackaged food, ~~;~~ provided, that such food sales and inventory complies with the requirements of the Department of Resource Management, Environmental Health Services Division. Such food sales and inventory must be, ~~and is~~ from an “approved source” and ~~is~~ not a “potentially hazardous food” as defined by the California Health and Safety Code.

Any pre-packaged food sales that do not meet these criteria, including the square footage requirement, are not allowed.

~~(5) Nonagricultural Agricultural-related product sales shall mean the on-site sales of nonagricultural products produced on and off the property, where the total inventory and sales area for such products is limited to a maximum percentage of the size of the total sales at the stand, as specified in Table 28.23A. Sales of any product that does not qualify as an agricultural, value-added agricultural, or agricultural-related product is limited to no more than 10% of total product sales.~~

- (6) **Setbacks.** Minimum setback from an adjacent street shall be the same as required for the main building.
- (7) **Ingress and Egress.** Shall have ingress and egress designed so as to avoid traffic congestion and hazards. All connections to County roads shall meet the Encroachment Permit requirements of the Director of Resource Management, which generally include, but shall not be limited to, paving of the connection within the County road right-of-way.
- (8) **Operational Controls.** Shall provide adequate controls or measures to prevent dust, odor or light.
- (9) **Off-Street Parking Requirements.** Shall provide off-street parking in accordance with Section 28.94 in addition to paved parking spaces, aisles and pathways for the disabled in accordance with the Building Code.
- (10) **Environmental Health Approval.** Shall obtain Department of Resource Management, Environmental Health Services Division approval, if required, prior to operation.
- (11) **Farm Stand Signs.** A maximum of one awning, freestanding, projecting or wall sign is allowed reflecting the Farm Stand business on the property, with a maximum sign area of 32 square feet, notwithstanding and in addition to the signs contemplated by Section 28.96.60 (Zoning District Sign Standards). In addition, one sandwich board (i.e. A-frame) sign is allowed reflecting the Farm Stand business on the property, with a maximum sign area of 9 square feet. All other applicable provisions of Section 28.96 (Sign Regulations) remain in effect.
- (12) **Compatibility with Community.** Shall be determined to be in harmony with the community character of the subject locality.

SECTION V

This Ordinance is exempt from the California Environmental Quality Act (Public Resources Code §21000, et seq.) (CEQA) pursuant to CEQA Guidelines (Cal. Code Regs., tit. 14, §15000 et seq.) Section 15061(b)(3) (Common Sense Exemption) because the proposed project has no potential to cause a significant effect on the environment. The proposed project entails a set of minor amendments to the text of Chapter 28 of the Solano County Code to eliminate ambiguities, correct typographical errors, and promote practicality and internal consistency. The proposed project will

not alter prior regulations for intensity or location of development or otherwise compel any physical disturbance to the existing physical environment.

SECTION VI

This Ordinance will be effective thirty (30) days after its adoption.

SECTION VII

If any provision of this Ordinance or the application thereof to any persons or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this ordinance with case be given effect without the invalid provision or application, and to this end the provisions of this ordinance are hereby declared to be severable.

SECTION VIII

A summary of this ordinance will be published within 15 days of its adoption in the Fairfield Daily Republic, a newspaper of general circulation in Solano County.

Passed and adopted by the Solano County Board of Supervisors at its regular meeting on _____, by the following vote:

AYES: SUPERVISORS _____

NOES: SUPERVISORS _____

EXCUSED: SUPERVISORS _____

MITCH H. MASHBURN, Chair
Solano County Board of Supervisors

ATTEST:
BILL EMLLEN, Clerk
Solano County Board of Supervisors

By: _____
Alicia Draves, Chief Deputy Clerk

Introduced:
Adopted:
Effective:
Operative:

DEPARTMENT OF RESOURCE MANAGEMENT



**SOLANO
COUNTY**

Planning Services Division

**NOTICE OF PUBLIC HEARING
(Planning Commission)**

NOTICE IS HEREBY GIVEN that the Solano County Planning Commission will hold a PUBLIC HEARING to consider zone text amendment ZT-24-02, which would amend Chapter 28 (Zoning Regulations) of the Solano County Code to revise and update sections pertaining to interpretation of the chapter, minimum architectural standards for dwellings, Residential-Traditional Community District-4 (R-TC-D-4) development standards, and roadside stand regulations in the unincorporated Solano County. The project has been determined not to have a significant effect on the environment and is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to the General Rule Section 15061(b)(3). (Project Planner: Allan Calder, 707-784-6765)

The hearing will be held on **Thursday, December 5th at 7:00 p.m.** in the Board of Supervisors Chambers, County Administration Center, 1st Floor, 675 Texas Street, Fairfield, California. Staff reports and associated materials will be available to the public approximately one week prior to the meeting at www.solanocounty.com under Departments; Resource Management; Boards, Commissions & Special Districts; Solano County Planning Commission.

The County of Solano does not discriminate against persons with disabilities. If you wish to participate in this meeting and you will require assistance in order to do so, please contact the Department of Resource Management at 707-784-6765 at least 24 hours in advance of the event to make reasonable arrangements to ensure accessibility to this meeting.

PUBLIC COMMENTS:

In-Person: You may attend the public hearing at the time and location listed above and provide comments during the public speaking period. Email/Mail: Written comments can be emailed to PlanningCommission@SolanoCounty.com or mailed to Resource Management, Planning Commission, 675 Texas Street, Suite 5500, Fairfield, CA 94533 and must be received by 10:00 a.m. the day of the meeting. Copies of written comments received will be provided to the Planning Commission and will become a part of the official record but will not be read aloud at the meeting.

If you challenge the proposed consideration in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing.

**Daily Republic – DISPLAY AD/one time in NEWS SECTION – Wednesday,
November 20, 2024**