

ORDINANCE NO. 2022 – _____

AN ORDINANCE AMENDING CHAPTER 28 (ZONING REGULATIONS) OF THE SOLANO COUNTY CODE TO REVISE AND UPDATE DEFINITIONS AND REGULATIONS FOR LAND USES IN AGRICULTURAL ZONING DISTRICTS (ZT-21-03)

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

SECTION I

Section 28.01 of Chapter 28 of the Solano County Code is amended to delete the following definitions:

~~**Agricultural accessory structure.** A building or structure that is utilized in conjunction with the agricultural use of the property, including the storage of agricultural products and supplies and equipment used in agricultural operations. Stables, dairies and agricultural processing facilities are not accessory agricultural structures.~~

~~**Commercial farm equipment – sale, fabrication and repair.** A retail business engaged in selling, fabrication and/or repairing equipment, implements, vehicles and machinery used exclusively for agricultural planting, cultivation, maintenance and harvesting, other than passenger vehicles or pick-up trucks rated at one ton or less hauling capacity.~~

~~**Labor camps.** Any living quarters, dwelling, boarding house, tent, bunkhouse, maintenance of way, car, trailer coach, or other housing accommodations maintained in connection with any work or place where work is being performed and the premises upon which they are situated or the area set aside and provided for camping of five or more employees by a labor contractor. Labor camp shall also mean a labor supply camp.~~

SECTION II

Section 28.01 of Chapter 28 of the Solano County Code is amended to add or revise the following definitions, in alphabetical order:

Accessory building. A subordinate building or structure located on the same lot, the use of which is customarily incidental to that of the main building or to the principal use of the land.

~~**Accessory building, agricultural.**~~ **Agricultural accessory building.** A building, greenhouse, or other structure that is utilized in conjunction with the use of the property for commercial crop production or grazing, including the storage of agricultural products and supplies and equipment used in agricultural operations. Buildings used for other purposes, such as dwellings or residential accessory buildings, employee housing, stables, dairies or other confined animal facilities, and agricultural processing facilities, ~~residential accessory buildings, and secondary dwellings~~ are not agricultural accessory buildings.

~~Accessory building, dwelling space~~**Dwelling space accessory building.** A detached residential accessory building that contains habitable space and is used, or capable of use, as additional living area for an existing dwelling but does not include cooking facilities and is not used or intended as independent living facilities. Examples include an art or music studio, an exercise or recreation room, an office for a licensed home occupation, or a pool house.

~~Accessory building, residential~~**Residential accessory building.** A detached building accessory to a single-family dwelling. Examples include a detached garage, a storage shed, or a dwelling space accessory building. In any R district, an accessory building other than a greenhouse on a lot that has a dwelling is classified as a residential accessory building even if the accessory building is used in conjunction with the use of the property for commercial crop production or grazing. A residential accessory building does not include a secondary dwelling or accessory dwelling unit.

Agricultural processing facility. A fixed establishment performing any processing or packaging of crops after harvest, whether or not value is added, to prepare them for market on-site or for further processing and packaging elsewhere, including but not limited to: alfalfa and hay cubing; corn shelling; drying of corn, rice, hay, fruits or vegetables; pre-cooling and packaging of fresh or farm-dried fruits and vegetables; grain cleaning and custom grinding; custom grist mills; custom milling of flour, feed and grain; sorting, grading and packing of fruits and vegetables; canning, freezing, slicing, juicing, or preserving fruits and vegetables; tree nut hulling and shelling; and breweries, distilleries, and alcohol fuel production. ~~Any of the above~~Does not include activities performed in the field with mobile equipment not involving permanent buildings; such field-processing activities are included under "Crop Production." Includes related accessory uses such as: offices, and laboratories, tasting facilities, with retail sales of agricultural products ~~produced~~processed on the premises or off-site by the operator, and retail sales of agriculture-related promotional and/or educational items, and facility tours. Does not include "wineries," slaughterhouses, or other agricultural processing operations separately defined and regulated in this chapter. Does not include ~~or~~ sorting and packing activities conducted within a permitted roadside stand.

Agricultural processing facility, small. An agricultural processing facility which contains less than 20,000 square feet of covered and uncovered processing area and which does not include tasting facilities or retail sales.

Agricultural processing facility, medium. An agricultural processing facility, other than a small agricultural processing facility, which contains ~~between 20,000 and~~less than 40,000 square feet of covered and uncovered processing area.

Agricultural processing facility, large. An agricultural processing facility which contains more than 40,000 square feet of covered and uncovered processing area, or a brewery or distillery of any size.

~~**Agricultural research facility.** An industrial or scientific use subordinate to, and in support of agriculture, and includes product processing and agriculturally based laboratories or facilities for the production or research of food, fiber, animal husbandry or medicine, and may include administrative office space in support of the operation. An~~

establishment engaged in the study, testing, design, analysis, experimental development, demonstration, teaching, or training of products, processes, equipment, techniques, or services related to commercial agriculture. Includes facilities for the research or demonstration of agricultural processing equipment, methods, and operations used to convert raw agricultural products into food, fiber, medicine, or other commercial products, but does not include facilities used primarily for commercial production.

Agricultural research facility, small. An agricultural research facility that ~~is~~ has less than 20,000 square feet of buildings or other structures.

Agricultural research facility, medium. An agricultural research facility that is has between 20,000 and 40,000 square feet of buildings or other structures.

Agricultural research facility, large. An agricultural research facility that is more than 40,000 square feet of buildings or other structures.

Agricultural trucking services and facilities. A trucking or hauling operation that receives more than 50% of its total gross income in a 12-month period from hauling unfinished agricultural products for processing purposes.

Agricultural trucking services and facilities, small. An agricultural trucking facility that operates 5 or fewer trucks, and where the operator resides on the property.

Agricultural trucking services and facilities, medium. An agricultural trucking facility that operates between 6 and 10 trucks, and where the operator resides on the property.

Agricultural trucking services and facilities, large. An agricultural trucking facility which operates more than 11 trucks, or which operates any number of trucks and where the operator does not reside on the property.

Agritourism: ~~The provision of facilities, amusement activities, commercial services, guides, or instructional content to encourage visitors to any agricultural, horticultural or agribusiness operation, either temporarily or on a permanent basis, for the purpose of enjoyment, education, or active involvement in the activities of the farm or operation other than as a contractor or employee of the operation. Agritourism includes agriculturally related indoor and outdoor amusement and recreation activities such as farm tours, hayrides, sleigh rides, corn mazes, picnic and party facilities and other similar uses as determined by the zoning administrator. Agritourism does not include commercial amusement and entertainment uses, such as dance halls, electronic game arcades, studios, theatrical productions, musical entertainment, bowling alleys, billiard and pool establishment, commercial sports such as arenas, rings, racetracks, public golf courses, miniature golf course, amusement parks, membership sports and recreation clubs, game parlors, gun clubs, circus and carnival operations, water parks, amusement parks, fairgrounds, expositions, amphitheater or theater entertainment facilities for the performance of concerts or other entertainment events.~~ Commercial activities conducted at a working farm or ranch by the property owner, or on other agriculturally zoned property as permitted by this chapter, for the enjoyment of visitors to the agricultural region in which

the property is located, such as outdoor recreation, educational experiences or tours, direct agricultural sales, lodging and accommodations, or entertainment. Does not include an amusement facility as defined in this section.

Agritourism event, ~~temporary~~. An agritourism ~~facility~~ activity operated only as a temporary use, open to the public for not more than one season, and which does not involve the construction of new permanent structures. ~~The~~ Any consecutive or recurrent use of the same parcel for ~~temporary~~ agritourism events shall be regulated as an agritourism facility or other use specifically listed in the table of allowed agritourism uses for the agricultural zoning district in which the property is located.

Agritourism facility. ~~A permanent facility used exclusively for agritourism purposes. A agritourism enterprise, not otherwise defined in this sectionspecifically listed in the table of allowed agritourism uses for the agricultural zoning district in which the property is located, conducted on a working farm or ranch by the property owner that is incidental to, and compatible with, commercial agricultural operations on the property and in the vicinity.~~

Crop production. ~~Agricultural uses including~~ The commercial production of grains, field crops, vegetables, melons, fruits, grapes, tree nuts, flower fields and seed production, ornamental crops, tree and sod farms, together with associated crop preparation services and harvesting activities including but not limited to mechanical soil preparation, irrigation system construction, spraying, crop processing and sales in the field not involving a permanent structure.

Farm equipment sales. A retail business engaged in selling new or used equipment, implements, vehicles and machinery used exclusively for agricultural planting, cultivation, maintenance, and harvesting, other than passenger vehicles or pick-up trucks rated at one ton or less hauling capacity.

Farm equipment fabrication and repair. A retail business engaged in fabricating and/or repairing equipment, implements, vehicles and machinery used exclusively for agricultural planting, cultivation, maintenance, and harvesting, other than passenger vehicles or pick-up trucks rated at one ton or less hauling capacity.

Farm and ranch supply store. A retail business selling supplies for use in soil preparation and maintenance, the planting and harvesting of crops, the keeping and raising of farm animals, and other operations and processes pertaining to farming and ranching. Does not include the sale, rental, or repair of farm machinery and equipment, which is instead included in the definition of Farm Equipment Sales or “Commercial Farm Equipment Fabrication and Repair.”

Greenhouse. A structure or thermally isolated area of a building that is covered with transparent or translucent materials for the purpose of admitting natural light and controlling the atmosphere for growing plants, including floricultural, ornamental, or other nursery and agricultural products.

Labor supply ~~camp~~ **employee housing**. Any place, area, or piece of land where ~~a person engages in the business of providing sleeping places or camping grounds~~ housing is provided, or an area to accommodate portable housing is provided, for five or more employees or prospective employees of another. Includes labor supply employee housing

as defined and regulated by the Employee Housing Act (Health and Safety Code, section 17000 et seq.).

Special events facility. ~~A-An event venue or~~ facility offered for use by ~~third-partiesthird-~~ party individuals or non-profit entities ~~for hire~~ for the conduct of non-commercial events, such as weddings, parties, or other similar private social gatherings, or for charitable or political fundraisers or similar types of noncommercial events. A special events facility may include food preparation facilities and limited overnight lodging facilities for event attendees. A special events facility may be either a single-purpose facility or a secondary use of another type of facility that does not typically include an assembly group occupancy, such as an agricultural processing facility or a winery. Marketing or promotional events conducted by the business operator to promote the goods or services offered by the business, such as wine club events at a winery, are not special events for purposes of this definition but are subject to regulations applicable to the business operation.

SECTION III

Table 28.21A in Section 28.21 of the Solano County Code, relating to land use permit requirements for land uses allowed in the Exclusive Agricultural (A) districts, is amended as shown on Exhibit A, attached hereto and incorporated herein by reference.

SECTION IV

Table 28-23A in Section 28.23 of the Solano County Code, relating to land use permit requirements for land uses allowed in the Suisun Valley Agricultural (A-SV-20, ATC, and ATC-NC) districts, is amended as shown on Exhibit B, attached hereto and incorporated herein by reference.

SECTION V

Section 28.23.20 of the Solano County Code, relating to definitions applicable only in the Suisun Valley zoning districts, is amended as follows:

28.23.20 Definitions Applicable only to the A-SV-20, ATC and ATC-NC DISTRICTS

Hotel.

~~Any building, portion of a building, or group of buildings containing six or more guest rooms designed, or intended to be used, let or hired out for transient accommodations. A hotel may include accessory uses, including commercial kitchens and dining facilities open to the public.~~

Retail Stores and Services:

Retail stores and services, businesses, and professional offices providing convenience goods and services to serve a ~~residential neighborhood or rural community~~ and tourists to an agricultural area, conducted ~~either~~ entirely within a building or buildings on a single ownership ~~or~~, where permitted, within a building and outdoors such building(s) or uses ~~does not exceed one thousand five hundred square feet of floor area, unless referred to the Planning Commission by the Director of Resource Management for determination of consistency with the intent of the Agricultural Tourist Center (A-T-C and A-T-C-NC) districts.~~

~~Seasonal Sales Lots:~~

~~Seasonal sales lots, including pumpkin patches, Christmas tree lots and other similar sales events, where the sale of agriculturally related products is seasonal and/or tied to an annual holiday event.~~

~~**Winery:** An agricultural processing facility used for the commercial purpose of processing grapes, berries, or other fruit products, to produce wine or similar wine products. Processing includes wholesale sales, crushing, fermentation and refermentation, blending, bottling, packaging, storage, aging, handling, shipping, and receiving of such products. Includes related accessory uses such as: office, laboratory, wine tasting facilities, retail sales of wine and other agricultural products produced on the premises or off-site by the winery operator, retail sales of wine and agricultural related promotional and/or educational items, and winery tours.~~

~~**Winery-small:** A winery with annual production less than 20,000 gallons per year, in bulk and bottles combined.~~

~~**Winery-medium:** A winery with annual production between 20,000 and 100,000 gallons per year, in bulk and bottles combined.~~

~~**Winery-large:** A winery with annual production greater than 100,000 gallons per year, in bulk and bottles combined.~~

SECTION VI

Section 28.23.50.40, subdivision (B)(1)(c), of the Solano County Code, relating to retail trade uses in the Suisun Valley zoning districts, is amended as follows:

- c. **Conditional Uses.** Conditional uses, provided the conditions for a use permit and requirements set forth in Section 28-106 are fulfilled:

(1) **Retail stores and services,** ~~businesses and professional offices providing convenience goods and services to serve a residential neighborhood or rural community~~ Allowed by right if conducted entirely within a building or buildings on a single ownership where such building(s) ~~or use exceeds~~ do not exceed one thousand five hundred square feet of floor area, ~~or and subject to a use permit where the building(s) exceeds one thousand five hundred square feet of floor area~~ or where any outdoor or yard area is utilized for the provision of goods and services, regardless of the size of the building(s). A use permit shall not be

approved unless the nature of the business is consistent with the intent of the Agricultural Tourist Center (ATC and ATC-NC) zoning districts.

~~(2) Automobile service station and repair garage.~~

SECTION VII

Section 28.23.50.50, subdivisions (B) and (C), of the Solano County Code, relating to general standards for tourist uses and standards for specific non-temporary agritourism uses in the Suisun Valley zoning districts, is amended as follows:

B. General Standards. Tourist uses must meet the applicable development standards delineated in Tables 28-23B and 28-23C and comply with the following:

1. Within the A-SV-20 District, tourist uses shall be operated by the property owner or occupant, subject to possession of a valid Solano County business license, and shall be incidental to the principal agricultural use of the property.
2. Minimum setback from an adjacent street shall be the same as required for the main building.
3. Shall have ingress and egress designed so as to avoid traffic congestion and hazards. Shall have direct access from a public or private road that complies with county road standards. If access is from a private road, there shall be a recorded road maintenance agreement in effect for all properties served by the private road and the road shall comply with county road standards. 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.
4. 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.
5. Shall obtain necessary approvals for sale of prepared food, including Department of Resource Management (if required) and Environmental Health Services Division approval prior to operation.
6. Shall obtain all necessary approvals with other County departments, if required, prior to operation.
7. ~~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.~~

8. The specific ~~retail trade and~~ tourists uses listed below may be conducted subject to the ~~specific regulations contained~~permitting requirements specified in Table 28.23A, the development standards contained in Tables 28.23B and 28.23C, the general requirements of (e)(1) through (76) above, ~~and conditions of Section 28.76.20(B)(2),~~ and comply with the following general requirements:

C. Standards for Specific Agritourism Uses.

1. **Bakeries, Cafes and Restaurants.** A bakery, cafe, or restaurant as permitted in Table-28.23A. Such uses must meet the applicable development standards contained in Tables 28.23B and 28.23C.; ~~conditions of Section 28.76.20(B)(2), and comply with the following specific requirements:~~
 - a. ~~Shall be incidental to the principal agricultural use on the property in the Agriculture-Suisun Valley (A-SV) District.~~
2. **Galleries.** Such use must meet the applicable development standards delineated in Tables 28.23B and 28.23C. ~~and comply with the following specific requirements:~~
 - a. ~~Shall be incidental to the principal agricultural use on the property in the Agriculture-Suisun Valley (A-SV) District.~~
3. **Resort Hotel.** Resort Hotels may be permitted by conditional use permit. Such uses must meet the applicable development standards delineated in Tables 28.23B and 28.23C and all standards specified in the use permit.
4. **Special Events Facilities.** Special events facilities may be permitted by conditional use permit, incidental to the principal agricultural use on the property, except as specified for small and medium wineries above. Such use must meet the applicable development standards delineated in Tables 28.23B and 28.23C.
5. **Marketing Events.** Marketing events are allowed by right, incidental to the principal agricultural use on the property. Such use must meet the applicable development standards delineated in Tables 28.23B and 28.23C.
6. **Bed and Breakfast Inn.** Bed and Breakfast Inns ~~are allowed by right, incidental to the principal agricultural use on the property. Such use~~ must meet the applicable development standards delineated in Tables 28-23B and 28-23C and within the A-SV-20 district, comply with the following:
 - a. Signage shall be limited to one (1) non-illuminated wall-mounted sign not to exceed four (4) square feet in area.
 - b. ~~Shall have no more than 10 guest rooms.~~

7. **Tasting Facilities.** Tasting facilities are allowed by right, incidental to a principal agricultural processing use or winery on the property. Such use must meet the applicable development standards delineated in Tables 28-23B and 28-23C and comply with the following:
 - a. Tasting facilities must be no larger than 2,000 square feet or 30 percent of the size of the processing facility, whichever is greater. Size shall be determined by measuring the total roof covered area.
 - b. Products tasted and sold must be produced on-site or off-site on land owned or leased by the operator within Solano County.

8. **Local Products Store.** Local Products Stores ~~are provided by right, subject to compliance with~~must meet the applicable development standards delineated in Table 28.23B.

9. **Hotels.** Hotels ~~are permitted by right. Such use~~ must meet the applicable development standards delineated in Table 28-23B, ~~and~~ all standards specified in the use permit, and comply with the following:
 - a. Shall have no more than 30 guest rooms.

10. **Agricultural Homestay.** An agricultural homestay is subject to compliance with the applicable development standards delineated in Table 28.23B and ~~the standards specified in this section (b) above and listed below~~comply with the following:
 - a. Shall be restricted to one single family dwelling. No accessory structure shall be allowed for use as transient occupancy.
 - b. Shall be operated, maintained, and occupied by the property owner.

SECTION VIII

Section 28.23.50.50, subdivision (D)(2)(a), of the Solano County Code, relating to standards for temporary agritourism uses in the Suisun Valley zoning districts, is amended as follows:

- a. ~~Amusement and Entertainment Uses~~Agritourism Events
 - (1) ~~Amusement activities~~Agritourism events may be conducted as permitted in Table 28.23A, subject to the standards below:
 - (a) ~~Shall provide a minimum six foot solid board fence or masonry wall separating parking areas from abutting residential property; and,~~
 - ~~(b)~~ No ~~amusement agritourism~~ event where liquor is served shall be ~~established~~conducted on a lot closer than two hundred feet to any

boundary of any residential district unless a use permit is first secured in each case.

SECTION IX

Section 28.71.40, subdivision (B)(4), of the Solano County Code is amended as follows:

4. Labor ~~Camps~~Supply Employee Housing

Labor ~~camps~~ supply employee housing in an A district shall be located on a public road and where sanitary facilities are available.

SECTION X

Section 28.74.10, subdivisions (B)(4) and (5), of the Solano County Code, relating to retail uses, are amended as follows and renumbered as subdivisions (B)(4) and (5) of Section 28.76.10, relating to commercial service uses:

4. Farm Equipment Sales

Farm equipment sales stores, ~~incidental to the principal agricultural use on the property,~~ as permitted in the applicable zoning district, must meet the applicable development standards delineated in the applicable zoning district, as well as the following specific development standards:

a. Shall be operated, maintained, and occupied by the property owner or occupant.

5. Farm and Ranch Supply Store

A farm or ranch supply store, ~~incidental to the principal agricultural use on the property,~~ as permitted in the applicable zoning district, must meet the applicable development standards delineated in the applicable zoning district, as well as the following specific development standards:

a. Shall be operated, maintained, and occupied by the property owner or occupant.

SECTION XI

Section 28.74.20, subdivisions (B)(1), of the Solano County Code, relating to agricultural research facilities, is amended as follows:

1. Agricultural Research Facilities

Agricultural research facilities, ~~conducted as an incidental activity to the production and/or processing of crops and other agricultural products,~~ shall be permitted, subject to the standards below:

a. Standards.

(1) Public Road Access. Shall be located on a public road.

(2) In the A-40, A-80, A-20, and A-160 zoning districts, if an agricultural research facility that has 40,000 square feet or less of buildings or other structures is not an incidental activity to the production and/or processing of crops or other agricultural products, the facility shall be regulated as a large agricultural processing facility.

SECTION XII

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

SECTION XIII

If any provision of this ordinance or the application of it to any persons or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of the interim ordinance are declared to be severable.

SECTION XIV

A summary of this ordinance will be published once within fifteen (15) days after its adoption in the Fairfield Daily Republic, a newspaper of general circulation.

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 _____

JOHN VASQUEZ, Chair
Solano County Board of Supervisors

ATTEST:
BIRGITTA E. CORSELLO, Clerk
Board of Supervisors

By: _____
Alicia Draves, Chief Deputy Clerk

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**
	A-40	A-80	A-20	A-160	**See Section 28.70.10
AGRICULTURAL USES					
A. CROP PRODUCTION AND GRAZING					
Agricultural accessory structures <u>building</u>	A	A	A	A	28.71.10(B)(1)
Cultivated and irrigated farming <u>Crop production</u>	A	A	A	A	28.71.10
Nonirrigated and noncultivated farming, grazing	A	A	A	A	28.71.10
Grazing or pastured livestock	A	A	A	A	28.71.10
Pastured poultry					28.71.30(A) & (B)(4)
<i>Not adjacent to an R district</i>	A	A	A	A	
<i>Adjacent to an R district</i>	MUP	MUP	MUP	MUP	
<i>With an agricultural commercial kitchen</i>	MUP	MUP	MUP	MUP	
<i>With sales</i>	MUP	MUP	MUP	MUP	
<i>With more than 4 crowing fowl</i>	UP	UP	UP	UP	
B. AGRICULTURAL PROCESSING USES					
Agricultural processing facility					28.71.20(A) & (B)(1)
<i>Small agricultural processing facility</i>	AP	AP	AP	AP	
<i>Medium agricultural processing facility</i>	MUP	MUP	MUP	MUP	
<i>Large agricultural processing facility</i>	UP	UP	UP	UP	
Aquaculture					28.71.20(A)
<i>Small aquaculture facility</i>	AP	AP	AP	AP	
<i>Medium aquaculture facility</i>	MUP	MUP	MUP	MUP	
<i>Large aquaculture facility</i>	UP	UP	UP	UP	
Nursery with public sales	A/ MUP	A/ MUP	A/ MUP	A/ MUP	28.71.20(A) & (B)(2)

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**
	A-40	A-80	A-20	A-160	**See Section 28.70.10
Winery – 25% or greater on-site grapes					28.71.20(A) & (B)(3)
<i>Small</i>	A	A	A	A	
<i>Medium</i>	A/ MUP	A/ MUP	A/ MUP	A/ MUP	
<i>Large</i>	UP	UP	UP	UP	28.71.20(A) & (B)(3)
Winery with less than 25% on-site grapes	UP	UP	UP	UP	
C. ANIMAL FACILITIES AND OPERATIONS					
Confined animal facility, including dairy					28.71.30(A) & (B)(1)
<i>Small</i>	MUP	MUP	MUP	MUP	
<i>Medium and large</i>	UP	UP	UP	UP	
Fowl and poultry ranch					28.71.30(A) & (B)(2)
<i>Small (100 – 1,000 birds)</i>	MUP	MUP	MUP	MUP	
<i>Large (1,001 birds or more)</i>	UP	UP	UP	UP	
Hog ranch					28.71.30(A) & (B)(3)
<i>Small (20 – 100 hogs)</i>	AP	AP	AP	AP	
<i>Medium (101 – 750 hogs)</i>	MUP	MUP	MUP	MUP	
<i>Large (751 hogs or more)</i>	UP	UP	UP	UP	28.71.30(A) & (B)(5)
Slaughterhouse					
<i>Small slaughterhouse (1,000 head per year or less)</i>	MUP	MUP	MUP	MUP	
<i>Large slaughterhouse (more than 1,000 head per year)</i>	UP	UP	UP	UP	
D. OTHER AGRICULTURAL OPERATIONS					
Agricultural employee housing	AP	AP	AP	AP	28.71.40(A) & (B)(1)
Commercial auction and agricultural equipment sales, temporary	MUP	MUP	MUP	MUP	28.71.40(A) & (B)(2)
HCD agricultural employee housing	AAP	AAP	AAP	AAP	28.71.40(A) & (B)(3)
Labor camp supply employee housing	AAP	AAP	AAP	AAP	28.71.40(A) & (B)(4)
Temporary commercial coach	AP	AP	AP	AP	28.71.40(A) & (B)(5)

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ALLOWED USES* *See Definitions Section 28.01	Permit Requirements				Land Use Regulations**
	A-40	A-80	A-20	A-160	**See Section 28.70.10
RESIDENTIAL USES					
A. DWELLINGS					
Primary dwelling	A	A	A	A	28.72.10(A)
Secondary dwelling	A	A	A	A	28.72.10(A) & (B)(3)
Second Kitchen	AP	AP	AP	AP	28.72.30(B)(2)
Cannabis Cultivation – Adult Use (Recreational)					28.82
<i>Personal Indoor</i>	A	A	A	A	
<i>Personal Outdoor</i>	- - -	- - -	- - -	- - -	
Cannabis Cultivation – Medicinal					28.82
<i>Caregiver Indoor</i>	AP	AP	AP	AP	
<i>Caregiver Outdoor</i>	- - -	- - -	- - -	- - -	
<i>Personal Indoor</i>	A	A	A	A	
<i>Personal Outdoor</i>	- - -	- - -	- - -	- - -	Unless Exception Request Granted per 28.82
B. TEMPORARY RESIDENTIAL USES					
Security quarters for a construction site (commercial coach, manufactured home or recreational vehicle)	AP	AP	AP	AP	28.72.20(A) & (B)(1)
Temporary Manufactured Home Storage	AP	AP	AP	AP	28.72.20(A) & (B)(4)
Temporary single-family home	AP	AP	AP	AP	28.72.20(A) & (B)(6)
C. AGRICULTURAL AND ANIMAL FACILITIES INCIDENTAL TO A RESIDENCE					
Small Kennel or Cattery	AP	AP	AP	AP	28.72.30(B)(3)
Stable, private	A	A	A	A	28.72.30(B)(3)
D. OTHER RESIDENTIAL USES					
Cottage industry					28.72.40(A) & (B)(1)
<i>Type I</i>	MUP	MUP	MUP	MUP	
<i>Type II</i>	UP	UP	UP	UP	
Home occupation					28.72.40(A) & (B)(2)
<i>Type I</i>	A	A	A	A	
<i>Type II</i>	AP	AP	AP	AP	
RECREATION, EDUCATION AND PUBLIC ASSEMBLY USES					
A. RECREATION USES					
Boating or swimming facility on existing waterway	UP	UP	UP	UP	28.73.10(A)

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**
	A-40	A-80	A-20	A-160	**See Section 28.70.10
Hunting or fishing club	UP	UP	UP	UP	28.73.10(A) & (B)(1)
Public open space area	- - -	- - -	A	A	28.73.10(A)
Stable, public without horse shows	UP	UP	UP	UP	28.73.10(A) & (B)(3)
B. EDUCATION USES					
Agricultural education					28.73.20(A) & (B)(1)
<i>Minor facility</i>	AP	AP	AP	AP	
<i>Major facility</i>	MUP	MUP	MUP	MUP	
C. PUBLIC ASSEMBLY USES					
Public stable with horse shows	UP	UP	UP	UP	28.73.30(A) & (B)(5)
Special events facility					28.73.30(A) & (B)(6)
<i>Small</i>	A MUP	A MUP	A MUP	A MUP	
<i>Medium</i>	MUP	MUP	MUP	MUP	
<i>Large</i>	UP	UP	UP	UP	
RETAIL AND OFFICE USES					
A. RETAIL USES					
Farm/ranch supply store	MUP	MUP	MUP	MUP	28.74.10(A) & (B)(5)
Roadside stand					28.74.10(A) & (B)(8)
<i>1,000 square feet or less in size</i>	A	A	A	A	
<i>Between 1,000 and 2,500 square feet</i>	AP	AP	AP	AP	
<i>Greater than 2,500 square feet in size</i>	MUP	MUP	MUP	MUP	
<i>Nonagricultural product sales, less than 10%</i>	A	A	A	A	
<i>Nonagricultural product sales, between 10% and 25%</i>	MUP	MUP	MUP	MUP	
<i>Nonagricultural product sales, greater than 25%</i>	UP	UP	UP	UP	
B. OFFICE USES					
Agricultural research facility					28.74.20(A) & (B)(1)
<i>Small (less than 20,000 sq. ft.)</i>	AP MUP	AP MUP	AP MUP	AP MUP	
<i>Medium (between 20,000 and 40,000 sq. ft.)</i>	MUP	MUP	MUP	MUP	
<i>Large (more than 40,000 sq. ft.)</i>	UP	UP	UP	UP	
TOURIST USES					
A. AGRITOURISM					

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**
	A-40	A-80	A-20	A-160	**See Section 28.70.10
Agricultural homestay	A	A	A	A	28.75.10(A) & (B)(1)
Vacation house rental, hosted	---	---	A/ MUP	---	28.75.30(A) & (B)(1)
Vacation house rental, unhosted	---	---	MUP	---	28.75.30(A)
B. TEMPORARY AGRITOURISM					
Amusement and entertainment uses <u>Agritourism event</u>	MUP	MUP	MUP	MUP	28.75.20(A) & (B)(1)
Certified farmers market					28.75.20(A) & (B)(2)
<i>Small</i>	A/ MUP	A/ MUP	A/ MUP	A/ MUP	
<i>Medium</i>	MUP	MUP	MUP	MUP	
<i>Large</i>	---	---	---	---	
Seasonal sales lot	MUP	MUP	MUP	MUP	28.75.20(A) & (B)(3)
C. VACATION HOUSE RENTALS					
<u>Vacation house rental, hosted</u>	---	---	<u>A/ MUP</u>	---	<u>28.75.30(A) & (B)(1)</u>
<u>Vacation house rental, unhosted</u>	---	---	<u>MUP</u>	---	<u>28.75.30(A)</u>
COMMERCIAL SERVICE USES					
A. AGRICULTURAL SERVICES					
Agricultural commercial kitchen	MUP	MUP	MUP	MUP	28.76.10(A) & (B)(1)
Agricultural trucking services and facility					28.76.10(A) & (B)(2)
<i>Small (1 to 5 trucks)</i>	AP	AP	AP	AP	
<i>Medium (between 6 and 10 trucks)</i>	MUP	MUP	MUP	MUP	
<i>Large (11 or more trucks)</i>	UP	UP	UP	UP	
Airfield or heliport, agricultural	MUP	MUP	MUP	MUP	28.76.10(A)
Commercial farm <u>Farm</u> equipment fabrication and repair	MUP	MUP	MUP	MUP	28.76.10(A)
Custom farm services, e.g., hay baling	MUP	MUP	MUP	MUP	28.76.10(A)
<u>Farm and ranch supply store</u>	<u>MUP</u>	<u>MUP</u>	<u>MUP</u>	<u>MUP</u>	<u>28.76.10(A) & (B)(5)</u>
Storage and sale of agricultural service products (fertilizer/fuel)	UP	UP	UP	UP	28.76.10(A)
B. COMMERCIAL SERVICES					
Large animal hospital or veterinary clinic	MUP	MUP	MUP	MUP	28.76.20(A) & (B)(1)
Kennel or cattery, large	MUP	MUP	MUP	MUP	28.76.20(A) & (B)(2)

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ALLOWED USES* *See Definitions Section 28.01	Permit Requirements				Land Use Regulations**
	A-40	A-80	A-20	A-160	**See Section 28.70.10
Transitional commercial	MUP	- - -	- - -	- - -	28.76.20(A) & (B)(3)
INDUSTRIAL, MANUFACTURING, PROCESSING, AND WHOLESALE USES					
A. Industrial, Manufacturing, and Processing Uses					
Transitional industrial	MUP	- - -	- - -	- - -	28.77.10(A) & (B)(4)
B. Wholesale Uses					
COMMUNICATION AND INFRASTRUCTURE USES					
A. COMMUNICATION USES					
Wireless communication facilities					28.78.10(A) & 28.81
<i>Co-locations</i>	MUP	MUP	MUP	MUP	
<i>New towers</i>	UP	UP	UP	UP	
B. INFRASTRUCTURE USES					
Commercial solar energy facility	- - -	- - -	- - -	- - -	
Commercial wind turbine generator	UP	UP	UP	UP	28.80
Injection well	UP	UP	UP	UP	28.78.20(A) & (B)(4)
Noncommercial wind turbine					28.80
<i>100 feet or less in height</i>	A	A	A	A	
<i>Over 100 feet in height</i>	MUP	MUP	MUP	MUP	
Oil or gas well	AP	AP	AP	AP	28.78.20(A) & (B)(7)
Pipeline, transmission or distribution line, in R.O.W.	A	A	A	A	28.78.20(A) & (B)(8)
Refuse, disposal, incineration, recycling or composting ⁽⁺⁾	UP	UP	UP	UP	28.78.20(B)(3)
Surface mining operation	UP	UP	UP	UP	28.78.20(A)
Utility facility or infrastructure, outside of R.O.W.	UP	UP	UP	UP	28.78.20(A) & (B)(9)
C. PUBLIC SERVICE USES					
Public service facility	UP	UP	UP	UP	28.78.30(A) & (B)(4)
D. TEMPORARY CONSTRUCTION AND INFRASTRUCTURE					
Concrete/asphaltic concrete mixing plant	MUP	MUP	MUP	MUP	28.78.40(A) & (B)(2)
Construction storage yard	MUP	MUP	MUP	MUP	28.78.40(A) & (B)(2)
Construction office, storage, stockpiling, or construction yard for public infrastructure project	MUP	MUP	MUP	MUP	28.78.40(A) & (B)(3)
Meteorological tower					28.78.20(A) & (B)(6)
<i>100 feet or less in height</i>	AP	AP	AP	AP	
<i>Greater than 100 feet in height</i>	MUP	MUP	MUP	MUP	

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ALLOWED USES* *See Definitions Section 28.01	Permit Requirements				Land Use Regulations**
	A-40	A-80	A-20	A-160	**See Section 28.70.10
RESOURCE PROTECTION USES					
A. RESOURCE PROTECTION USES					
Conservation and mitigation bank	UP	UP	UP	UP	28.79.10(A)

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**
	A-SV-20	ATC	ATC-NC	**See Section 28.70.10
AGRICULTURAL USES				
Crop production, including orchards and vineyards	A	A	A	
Agricultural accessory structures <u>building</u>	A	A	A	28.71.10(B)(1)
<u>Agricultural employee housing</u>	<u>AP</u>	<u>- - -</u>	<u>- - -</u>	28.23.50.20
<u>HCD agricultural employee housing</u>	<u>AP</u>	<u>- - -</u>	<u>- - -</u>	28.71.40(B)(3)
Agricultural processing facility				
On-site products ¹	A	A	A	28.71.20(A) & (B)(1)
Off-site products ²	UP	UP	UP	28.71.20(A) & (B)(1)
With special events	UP			28.71.20(A) & (B)(1) & 28-23.50(A)(B)(C4)
Wineries				
Winery, small	A/UP ³	A	A	28.23.50.10(B)(5)
Winery, medium	A/UP ³	AP	AP	28.23.50.10(B)(5)
Winery, large	UP ⁵	UP	UP	28.23.50.10(B)(5)
Animal facilities and operations				
Confined animal facility, including dairy	- - -	- - -	- - -	
Fowl and poultry ranch	- - -	- - -	- - -	
Pastured poultry and livestock	A/MUP	- - -	- - -	28.23.50.10
Grazing	A	- - -	- - -	
Slaughterhouse	- - -	- - -	- - -	
Aquaculture	UP	- - -	- - -	
Auctions, agricultural equipment sales, temporary	AP/MUP	AP/MUP	AP/MUP	28.23.50.10
Conservation bank	UP	- - -	- - -	28.79.10(A)
Nursery with public sales	AP	- - -	- - -	28.71.20(A) & (B)(2)
Temporary agricultural office	AP	AP	AP	28.23.50.10
Wind turbine, non-commercial under 100 feet	A	A	A	28.80
Wind turbine, non-commercial over 100 feet	MUP	MUP	MUP	28.80
RESIDENTIAL USES				
Accessory-Residential accessory buildings and uses ⁽⁷⁾	A	A	A	28.72.30(B)(1)

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ALLOWED USES* *See Definitions Section 28.01	Permit Requirements			Land Use Regulations**
	A-SV-20	ATC	ATC-NC	**See Section 28.70.10
Agricultural employee housing	AP	---	---	28.23.50.20
HCD agricultural employee housing	AP	---	---	
Cottage industry	UP	UP	- - -	28.72.40(A) & (B)(1)
Home occupation	A/AP	A/AP	- - -	28.72.40(A) & (B)(2)
Primary dwelling	A	AP	AP	28.72.10(A)
Secondary dwelling	A	- - -	- - -	28.23.50.20
Small kennel or cattery	AP	- - -	- - -	28.72.30(B)(3)
Stable, private (9 horses or less)	A	A	- - -	28.72.30(B)(3)
Storage, manufactured home (one per parcel)	A	A	- - -	28.23.70.40
Temporary accommodations				
Security quarters for a business operation (commercial coach, manufactured home or recreational vehicle)	AP	AP	AP	28.23.50.20
Temporary single-family home	UP	UP	UP	28.23.70.30
Temporary storage of a mobile home	AP	AP	AP	28.23.50.20
Cannabis cultivation – Adult Use (Recreational)				
Personal indoor	A	A	A	28.82
Personal outdoor	- - -	- - -	- - -	28.82
Cannabis cultivation – Medicinal				
Caregiver indoor	AP	AP	AP	28.82
Caregiver outdoor	- - -	- - -	- - -	28.82
Personal indoor	A	A	A	28.82
Personal outdoor	- - -	- - -	- - -	Unless Exception Request Granted per 28.82
RECREATION, EDUCATION, AND PUBLIC ASSEMBLY USES				
Agricultural education	A	A	A	28.73.20(A) & (B)(1)
Minor facility	A	A	A	28.73.20(A) & (B)(1)
Major facility	MUP	MUP	MUP	28.73.20(A) & (B)(1)
Boating and swimming facility on existing waterways	- - -	UP	UP	28.73.10(A)
Hunting or fishing club	- - -	- - -	- - -	28.73.10(A) & (B)(1)
Museum or Library	- - -	- - -	- - -	28.73.30(A)
Special Events Facility				

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ALLOWED USES* *See Definitions Section 28.01	Permit Requirements			Land Use Regulations** **See Section 28.70.10
	A-SV-20	ATC	ATC-NC	
Small	MUP	MUP	MUP	28.23.50.30(B); 28.23.50.50(B) & (C)(4); 28.73.30(A) & (B)(6)
Medium	MUP	MUP	MUP	
Large	UP	UP	UP	
Stable, public and horse show	- - -	- - -	- - -	
RETAIL TRADE USES				
Farm/Ranch supply store	—	A	A	28.23.50.40
Farm supplies and farm equipment sales	—	—	A	28.23.50.40
Neighborhood commercial use Retail stores and services				28.23.50.40
1,500 square feet or less	- - -	A	A	28.23.50.40
Greater than 1,500 square feet	- - -	MUP	MUP	28.23.50.40
Roadside 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	28.23.50.40
Greater than 2,500 square feet <u>or with non-agricultural product sales greater than 10%</u>	UP	A	A	28.23.50.40
Non agriculture product sales, less than 10%	A	A	A	28.23.50.40
Non agricultural product sales, greater than 10%	UP	A	A	28.23.50.40
TOURIST USES				
<u>A. AGRITOURISM</u>				
Agricultural homestay	A	- - -	- - -	28.23.50.50
Agricultural homestay with special events	UP	- - -	- - -	28.23.50.50
Agritourism <u>facility</u>	<u>AUP</u>	<u>AUP</u>	<u>AUP</u>	28.23.50.50
Bakery/café/restaurant				
1,000 square feet or less in size	A	A	A	28.23.50.50
1,001 to 5,000 square feet	AP	A	A	28.23.50.50
5,001 or more square feet in size	UP	MUP	MUP	28.23.50.50
Bed and breakfast inn	AP	A	A	28.23.50.50
Gallery	AP	A	A	28.23.50.50
Hotel	—	A	A	28.23.50.50
Local products store	- - -	A	A	28.23.50.50
<u>Hotel or</u> Resort hotel	<u>UP - -</u>	UP	UP	28.23.50.50

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E = Exempt, - - - = Prohibited

ALLOWED USES* *See Definitions Section 28.01	Permit Requirements			Land Use Regulations**
	A-SV-20	ATC	ATC-NC	**See Section 28.70.10
<u>Special Events Facility</u>				
<u>Small</u>	<u>MUP</u>	<u>MUP</u>	<u>MUP</u>	<u>28.23.50.30(B);</u> <u>28.23.50.50(B) & (C)(4);</u> <u>28.73.30(A) & (B)(6)</u>
<u>Medium</u>	<u>MUP</u>	<u>MUP</u>	<u>MUP</u>	
<u>Large</u>	<u>UP</u>	<u>UP</u>	<u>UP</u>	
Tasting facility	AP	A	A	28.23.50.50
Temporary Agritourism B. TEMPORARY AGRITOURISM				
Amusement and entertainment uses <u>Agritourism event</u>	AP/MUP	AP/MUP	AP/MUP	28.23.50.50
Farmers Market	AP/MUP	AP/MUP	AP/MUP	28.23.50.50
Seasonal sales lot	AP/MUP	AP/MUP	AP/MUP	28.23.50.50
C. VACATION HOUSE RENTALS				
Vacation house rental, hosted	AP/MUP	AP/MUP	- - -	28.75.30(A) & (B)(1)
Vacation house rental, unhosted	MUP	MUP	- - -	28.75.30(A)
COMMERCIAL SERVICE USES				
Airfield or heliport, agricultural	- - -	- - -	- - -	
Commercial agricultural <u>Agricultural</u> trucking service and facility	- - -	- - -	UP	28.76.10(A) & (B)(2)
Commercial custom <u>Custom</u> farm services, e.g. hay baling	UP	- - -	UP	28.76.10(A)
<u>Farm and Ranch supply store</u>	<u>UP</u>	<u>A</u>	<u>A</u>	<u>28.76.10(B)(5)</u>
<u>Farm equipment sales</u>	<u>- - -</u>	<u>- - -</u>	<u>A</u>	<u>28.76.10(B)(4)</u>
Commercial farm <u>Farm</u> equipment fabrication and repair	UP	- - -	A	28.76.10(A)
Commercial storage and sale of agricultural service products (fertilizer/fuel)	<u>UP</u>	<u>UP</u>	<u>A</u>	<u>28.76.10(A)</u>
Lage kennel or cattery	MUP	- - -	- - -	28.76.20(A) & (B)(2)
Veterinary facility	UP	UP	UP	28.76.20(A) & (B)(1)
COMMUNICATION AND INFRASTRUCTURE USES				
Commercial solar energy facility	- - -	- - -	- - -	
Pipeline, transmission, or distribution line in R.O.W.	A	A	A	28.76.20(A) & (B)(1)
<u>Utility facilities or infrastructure, outside of R.O.W.</u>	<u>UP</u>	<u>UP</u>	<u>UP</u>	<u>28.78.20(A) & (B)(9)</u>
Public service facility	UP	UP	UP	28.78.30(A) & (B)(4)

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ALLOWED USES* *See Definitions Section 28.01	Permit Requirements			Land Use Regulations**
	A-SV-20	ATC	ATC-NC	**See Section 28.70.10
Refuse dumping, disposal, processing, composting (10)	UP	- - -	- - -	28.78.20(A) & (B)(3)
Surface mining operation	UP	UP	UP	28.78.20(A)
Wind turbine generator, commercial	- - -	- - -	- - -	28.80
<u>Wireless communication facility</u>	<u>UP</u>	<u>UP</u>	<u>UP</u>	<u>28.81</u>
TEMPORARY CONSTRUCTION AND INFRASTRUCTURE USES				
Construction office, storage, and construction yard	AP	AP	AP	28.23.50.70
Utility facilities or infrastructure, outside of R.O.W.	<u>UP</u>	<u>UP</u>	<u>UP</u>	<u>28.78.20(A) & (B)(9)</u>
Wireless communication facility	<u>UP</u>	<u>UP</u>	<u>UP</u>	<u>28.81</u>

Notes:

- 1) Products originating on-site or off-site on land owned or leased by the operator within Solano County.
- 2) Products originating on land not owned or leased by the operator within Solano County. In all cases, breweries and distilleries are classified as processing off-site products regardless of source, except for distillation conducted at a winery as part of wine production.
- 3) At least twenty-five percent (25%) of the grapes or other fruit used in production, averaged over 5 consecutive years, must be grown on-site or off-site on land owned or leased by the operator within Solano County. If less than twenty-five percent (25%) of the grapes are sourced in this way, then a conditional use permit is required.
- 4) Repealed.
- 5) Special events as permitted with a large winery use permit.
- 6) Repealed.
- 7) Does not include a guest house.