

ORDINANCE NO. 2025-__

An ordinance amending Chapter 28 (Zoning Regulations) of the Solano County Code to revise and update sections pertaining to farmstands (ZT-25-01u)

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, on March 20, 2025, the Solano County Planning Commission held a noticed public hearing to consider a proposed zone text amendment ZT-25-01, pertaining to general development standards, agricultural accessory buildings, land uses on private roads, and farmstands, and adopted a resolution recommending approval by the Board of Supervisors; and

Whereas, on April 22, 2025, the Solano County Board of Supervisors held a noticed public hearing to consider the proposed ZT-25-01 and approved the ordinance except for Section IV through X pertaining to Farm Stands, and directed staff to bring back further minor revisions to those sections for consideration by the Board; and

Whereas, County staff has returned to the Board with further minor revisions to the proposed regulations related to farm stands; and

Whereas, based on the staff report, recommendation of the Planning Commission on ZT-25-01, 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 amendments pertaining to farm stands are appropriate and desirable, and consistent with the Solano County General Plan.

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

SECTION I

Section 28.01 of the Solano County Code is amended as follows:

Farm Stand: An area of a property set aside for the sale of Agricultural Products, as defined below. Local and Other Products may also be sold, but only in conjunction with the sale of Agricultural Products, as regulated by the applicable zoning district. A Farm Stand shall not include the sale of alcoholic beverages, 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. For purposes of Farm Stands, the following definitions apply:

Agricultural Products: Fresh or processed products including, but not limited to, fruits, nuts, vegetables, herbs, mushrooms, shell eggs, honey and other bee products, flowers, grains, nursery stock (grown in Solano County only), jams and jellies, and wool.

Nursery stock sold at Farm Stands must be produced within Solano County to minimize the risk of invasive pest movement. This restriction applies specifically to the resale of nursery stock at Farm Stands. All nursery stock production and sales, including those at Farm Stands, are subject to

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regulation by the California Department of Food and Agriculture and the Solano County Agricultural Commissioner.

Local Products: Products made on-site or off-site within Solano County that promote the agricultural community character, such as handcrafted items (pottery, knitted goods, homemade clothing, jewelry, and similar), specialty candies, jams and jellies, and chocolates made with local ingredients, homemade soaps and lotions, and local artwork and photography.

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Other Products: Other products include 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 that either do not promote the agricultural community character or products where the majority of its content is from outside Solano County.

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SECTION II

Solano County Code, Article II, Section 28.74.10(B)(8)(b)(4), relating to land use regulations for Roadside Stands is amended as follows:

- (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 by or pursuant to a documented contractual agreement with the Farm Stand operator. The remainder of Agricultural Products sold may be produced off-site. Please note that nursery stock may only be grown and produced on land within Solano County.

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SECTION III

Solano County Code, Article II, Section 28.23.50.40(B)(2)(a)(4) (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:

- (4) At least 25 percent of the Agricultural Products sold shall be grown or produced on site, or off site on land within Solano County owned by or pursuant to a documented contractual agreement with the Farm Stand operator. 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. Please note that nursery stock may only be grown and produced on land within Solano County.

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Deleted: This requirement does not apply to Farm Stands greater than 2,500 square feet in size that require a minor use permit.

SECTION IV

Solano County Code, Article II, Section 28.74.10(B)(8)(a)(1), relating to land use regulations for Roadside Stands is amended as follows:

- (1) **Maximum Size.** Shall not be greater than 2,500 square feet in size, as determined by measuring the gross floor area.

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SECTION V

(1) **Determining the Size of a Farm Stand.** Size, as regulated in the applicable zoning district, shall be determined by measuring the gross floor 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.

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SECTION VI

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

(2) **Stand Size Calculation.** Size, as regulated in Table 28.23A, shall be determined by measuring the gross floor 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.

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SECTION VII

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 VIII

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

SECTION IX

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 X

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: