



**SOLANO  
COUNTY**

**AGRICULTURAL ADVISORY COMMITTEE**

675 Texas Street, Fairfield, CA 94533  
(707) 784-1310

March 17, 2022

Board of Supervisors  
County of Solano  
675 Texas St  
Fairfield, CA 94533

**Re: AAC Recommendations Regarding Proposed Zoning Code Amendments for Agricultural Districts**

Dear Chair Vasquez and Honorable Members of the Board:

The Solano County Agricultural Advisory Committee (AAC) would like to recommend action on three of the proposed zoning code amendments. The purpose of the AAC is to provide support to the Board of Supervisors on activities pertaining to and affecting agriculture in Solano County. Per the direction of the Board at the February 1<sup>st</sup>, 2022 Board of Supervisors meeting, the AAC has met several times as a committee as well as several times with county staff to discuss and provide input regarding these proposed amendments.

Within a very short timeline, the AAC has had to review numerous proposed changes to the definitions, tables, and regulations. After much deliberation, coordination, and cooperation with County staff, the AAC has determined three areas of concern to present to the Board of Supervisors for consideration and action. A summary of our proposed action is listed at the end of this letter.

Below is an outline of our understanding of the changes as well as the proposed action we recommend to the Board. We see these proposed actions as the best step forward for the County and agricultural community. The agricultural community has been actively engaged in developing these recommended actions along with the AAC. We believe this is the best compromise, currently, to allow progress without large negative impacts to Solano County's agricultural land and agricultural communities.

Summary as follows:

**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:

1) Agricultural Accessory Building

- **Greenhouses are now specifically listed as a use that is "A" (Allowed by Right) in all zoning districts A-20, A-40, A-80, A-160, ASV-20, ATC, and ATC-NC**
  - This proposed change was added to the code based on the changes to the definition of agricultural uses on Williamson Act contracted lands. Due to this state law change, the County staff has taken a position that "greenhouses" are to be treated the same as "general crop production," and not regulated in any way.
  - Solano County staff has taken the position that greenhouses are allowed by right and have been permitting them as such – regardless of type or size.

- Solano County is taking a position that adding the words “greenhouse” in the proposed text amendments does not change what has been happening over the past several years.
- After further research, other counties in the state have not taken this wide-open approach. Other counties have regulated size, type of building, soil vs soilless, as well as “look and feel” of the building when it could impact the landscape/view of the agricultural area. The need for regulation is not for small “traditionally used” green houses such as small seed starters, hoop houses, etc. The need for additional regulation was focused on massive permanent structures that span a large portion of the parcel, require large amounts of power, impact local traffic, and do not need prime farmland to operate (they are mainly operating on top of a concrete slab/floor).
- ACTION NEEDED: Greenhouses, due to their nature, need to have permitting requirements based on size, at a minimum. This would be the same type of regulation used on other specialty agricultural practices such as: pastured poultry, wineries, ag processing facilities, aquaculture, and all animal facilities within Solano County. Adding regulation based on size and type of ag is a common practice in Solano County
- **AAC Recommended Action:** The AAC would like to see the Board of Supervisors wait to list greenhouses as an “allowed by right” use until proper permitting requirements are in place. This request does not change the current county situation and will ensure that when the addition of greenhouses is added, it is added with its full list of needed requirements in order to properly protect critical prime ag land and also help County staff better manage applicants’ expectations and needs. The AAC recommends the Board of Supervisors to request County staff to work closely with the agriculture community, the AAC, Farm Bureau, and other stakeholders to craft proper language for requirements regarding greenhouses. We ask this be done as soon as possible.
- **AAC Recommended Action:** The AAC recommends the Board of Supervisors direct staff to study and identify ways to optimize the use of the IAS zoning area aka “Dixon Triangle”. This zoning area of the County was specifically created for this type of industrial agricultural commercial use. In our recent research and communications with staff it appears this area may not have been used for its intended purpose due to its current set of definitions and permitting requirements. The AAC recommends studying this area, along with the AAC and ag community to determine if relaxing the definition and permitting requirements in the IAS zoning specifically will entice applicants to use the area for its intended use. Zoning text could be relaxed in the IAS to allow projects, like large greenhouses, where prime ag land is not needed, power supply is more stable, and traffic could be better mitigated.

## 2) Agricultural Processing Facilities

- **Breweries and Distilleries are now specifically listed as allowed and require “UP” Use Permit in all zoning districts A-20, A-40, A-80, A-160, ASV-20, ATC, and ATC-NC**
  - This has not been an issue for Solano County, but with the popularity of craft spirits and brews, this has potential to gain momentum.

- Unlike other agricultural processing facilities, breweries and distilleries typically come with “tasting rooms” and “special events” more like wineries. With those needs additional requirements should be added to manage these uses and to help protect of prime ag land and the safety of the public.
- **AAC Recommended Action:** Breweries and Distilleries, due to their nature need to have permitting requirements based on size, at a minimum. Additionally, should have local product use requirements. This would be the same type of regulations for wineries. AAC recommends the Board of Supervisors to request County staff to work closely with the agriculture community, the AAC, Farm Bureau, and other stakeholders to craft proper language for requirements regarding breweries and distilleries and their associated uses. We ask this be done as soon as possible.

### 3) Agricultural Research Facility

- **The proposed ordinance amendment proposes a new definition of Agricultural Research Facility that opens the door up to more commercial type uses. This definition is no longer “subordinate to the agriculture” but does get more strict where that facilities cannot be used primarily for commercial production or sales. It also must be useful or beneficial to commercial agriculture.**
- **A-20, A-40, A-80, A-160, Small, Medium, and Subordinate to Ag are allowed with “MUP” Minor Use Permit**
- **A-20, A-40, A-80, A-160, Large and OR “Non-Subordinate” to Ag is allowed with “UP” Use Permit – see regulation (Section XI. 1. a. 2. on page 11 of the redlined changes).**
- **ASV-20, ATC, and ATC-NC – Not permitted**
  - The proposed definition is generally more relaxed in nature, however, with the regulation note (**Section XI. 1. a. 2. on page 11 of the redlined changes**) it does specify that all projects (regardless of size) that are not subordinate to ag must apply under a “UP” use permit. This would allow public comment, further environmental review, and conditions be applied to projects on a case-by-case basis.
  - **AAC ACTION RECOMMENDED:** AAC does not recommend changing zoning definitions and requirements, within an agriculturally zoned property (A-20, 40, 80, 160) that allows “non ag use”. The purpose of the agriculturally zoned areas is for agriculture, and for agriculture to be the primary use of the land. Removing the language “subordinate to ag” from the proposed definitions should not be allowed. By removing these three critical words, it ultimately changes the ag zoning to commercial or industrial zoning. If projects are being requested by applicants, and the Board of Supervisors and its constituents would like to find ways to accommodate these requests, there are specific areas where changes in definitions, such as in the IAS zoned areas could be beneficial.
  - **AAC ACTION RECOMMENDED** The AAC recommends the Board of Supervisors direct staff to study and identify ways to optimize the use of the IAS zoning areas aka “Dixon Triangle”. This zoning area of the County was specifically created for this type of mixed industrial agricultural commercial use. In our recent research and communications with staff it appears this area may not have been used for its intended purpose due to its current set of definitions and permitting requirements. The AAC recommends studying this area, along with the AAC and ag community, to determine if relaxing the definition and permitting requirements in

the IAS zoning, specifically will entice applicants to use the area for its intended use. Zoning text could be relaxed in the IAS to allow projects that are not “subordinate to agriculture” but still support agriculture, like Agricultural Research Facilities, to apply via a “UP” use permit, where the zoning is more fitting.

## SUMMARY OF ACTIONS SUGGESTED BY AAC TO BOARD OF SUPERVISORS

### **The AAC would recommend taking the following five actions:**

#### **Immediate Action on the proposed text amendments:**

- 1) Delay and or strike the addition of the word “greenhouse(s)” to the proposed definition of Agricultural Accessory Building. Request county staff to work closely with the agriculture community, the AAC, Farm Bureau, and other stakeholders to craft definitions and requirements regarding greenhouses so that it may be properly added later.
- 2) Amend the proposed changes to the Agricultural Research Facility definition to be “subordinate to ag” in the following proposed agriculturally zoned areas: **A-20, A-40, A-80, A-160 under all sizes.**

#### **Action needing further study:**

- 3) Direct county staff to work with the AAC and agricultural community to craft proper language for requirements regarding breweries and distilleries and their associated uses immediately treating them similarly to wineries.
- 4) Direct county staff to work with the AAC and agricultural community to craft new definitions and requirements that could allow Agricultural Research Facilities that are “not subordinate to ag” to be permitted via a “UP” use permit in the IAS zoning area aka “Dixon Triangle.”
- 5) Direct county staff to work with the AAC and agricultural community to further study the opportunities within the IAS zoned area of Solano County to further provide mutually beneficial opportunities for industrial/agricultural/commercial/support businesses to come to Solano County. Including coordination with the Solano Economic Development Corporation to entice said opportunities.

We ask that you take these suggestions and recommend actions under serious consideration as we have spent countless hours of coordination with the agricultural community and the county staff to provide the best recommendations for all parties to move forward productively.

Sincerely,



Russ Lester  
Chair, Agricultural Advisory Committee