

ORDINANCE NO. 2021 – _____

**AN ORDINANCE AMENDING CHAPTER 28 (ZONING REGULATIONS) OF THE
SOLANO COUNTY CODE TO REVISE AND UPDATE DEFINITIONS AND
REGULATIONS FOR CERTAIN AGRICULTURAL AND HIGHWAY COMMERCIAL
LAND USES**

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

SECTION I

The following definitions are added to or revised, or deleted from, in alphabetical order, Section 28.01 of Chapter 28 of the Solano County Code:

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 structures used for the storage, cleaning, grading, sorting, trimming, slicing, drying, or packaging of unprocessed agricultural products produced on the property and the storage of supplies and equipment used in agricultural operations. Buildings used for other purposes, such as dwellings or residential accessory structures, 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 buildings.** 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 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.~~

Agricultural processing facility. A fixed establishment ~~performing any processing or packaging of crops~~ used for changing an agricultural product from its natural state to a different form 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, juicing, or preserving fruits ~~and or~~ vegetables; tree nut hulling and shelling; and breweries, distilleries, and alcohol fuel production. Also includes buildings and structures used for the storage, cleaning, grading, sorting, trimming, slicing, drying, or packaging of agricultural products not produced on the property. ~~Any of the above~~ Does not include activities performed in the field with mobile equipment not involving permanent buildings; field-processing activities are included under "Crop Production." Includes related accessory uses such as: offices; and laboratories, tasting facilities; and retail sales of agricultural products ~~produced-processed~~ on the premises or off-site by the operator, incidental retail sales of other 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~~ 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 which contains ~~between 20,000 and~~ less than 40,000 square feet of covered and uncovered processing area and includes tasting facilities or retail sales.

Agricultural processing facility, large. An agricultural processing facility which contains more than 40,000 square feet of covered and uncovered processing area.

~~**Agricultural education.** The provision of information, knowledge and skills pertaining to agriculture conducted concurrently with the production of agricultural crops and is accessory to the primary agricultural use of the property. Examples include demonstration gardens and interactive seminars that model best practices in farm and ranch management and resource conservation.~~

~~**Agricultural education, minor facility.** An agricultural education activity or event that occurs on an existing farm and does not require the construction of new permanent buildings or facilities and does not require a building permit for a change of occupancy of any existing buildings or structures. An agricultural education, minor facility, may include the use of temporary structures, such as portable sanitation and temporary food service facilities.~~

~~**Agricultural education, major facility.** Any agricultural education activity or event that occurs on an existing farm that requires the construction of new buildings or facilities, or requires a building permit for a change of occupancy of any existing buildings or structures.~~

Agricultural research and education 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 useful to commercial agriculture. Includes facilities for the research or education 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 agricultural processing facilities used primarily for commercial production.~~

Agricultural research and education facility, open field. ~~An agricultural research and education facility that does not include any structures other than greenhouses.~~

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

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

Agricultural research and education facility, large. ~~An agricultural research and education 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.~~

~~**Agritourism event, temporary.** An agritourism facility 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 consecutive use of the same parcel for temporary agritourism events shall be regulated as an agritourism facility.~~

~~**Agritourism facility.** A permanent facility used exclusively for agritourism purposes. A commercial enterprise, not otherwise defined in this section, conducted on a working farm or ranch by the property owner that is incidental to, and compatible with, commercial agricultural operations on the property. Such activities may include the processing, packaging, and sale of agricultural products grown on the property or within the agricultural region, a bake shop using agricultural products grown on-site, a small dining facility or food stand, and sale of handicrafts.~~

~~**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.~~

~~**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 sale.** 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 “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 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.~~

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 facility offered for use by ~~third parties~~third-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 II

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 follows:

[insert Attachment B]

SECTION III

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) districts, is amended as follows:

[insert Attachment C]

SECTION IV

Table 28-41A in Section 28.41 of the Solano County Code, relating to land use permit requirements for land uses allowed in the Commercial zoning districts, is amended as follows:

[insert Attachment D]

SECTION V

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 VI

Section 28.74.10, subdivisions (B)(4) and (5), of the Solano County Code are amended as follows:

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 VII

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

SECTION VIII

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 IX

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 February 1, 2022 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)

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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	
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	
Winery with less than 25% on-site grapes	UP	UP	UP	UP	28.71.20(A) & (B)(3)
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	
Slaughterhouse					28.71.30(A) & (B)(5)
<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	AP	AP	AP	AP	28.71.40(A) & (B)(3)
Labor camp supply employee housing	AP	AP	AP	AP	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	

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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
RECREATION, EDUCATION AND PUBLIC ASSEMBLY USES					
A. RECREATION USES					
Boating or swimming facility on existing waterway	UP	UP	UP	UP	28.73.10(A)
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)
Minor facility	AP	AP	AP	AP	
Major facility	MUP	MUP	MUP	MUP	
Cultural center	---	---	UP	---	???
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 and 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	

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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	
B. OFFICE USES					
<u>Agricultural research facility</u>					28.74.20(A) & (B)(1)
<u>Small (less than 20,000 sq. ft.)</u>	AP	AP	AP	AP	
<u>Medium (between 20,000 and 40,000 sq. ft.)</u>	MUP	MUP	MUP	MUP	
<u>Large (more than 40,000 sq. ft.)</u>	UP	UP	UP	UP	
TOURIST USES					
A. AGRITOURISM					
Agricultural homestay	A	A	A	A	28.75.10(A) & (B)(1)
<u>Bakery, Café, or Restaurant</u>	UP	- - -	UP	- - -	28.23.50.50
<u>Local products store</u>	UP	- - -	UP	- - -	28.23.50.50
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	MUP	MUP	MUP	MUP	28.75.20(A) & (B)(1)
Certified farmers market					28.75.20(A) & (B)(2)
<u>Small</u>	A/ MUP	A/ MUP	A/ MUP	A/ MUP	
<u>Medium</u>	MUP	MUP	MUP	MUP	
<u>Large</u>	- - -	- - -	- - -	- - -	
Seasonal sales lot	MUP	MUP	MUP	MUP	28.75.20(A) & (B)(3)
COMMERCIAL SERVICE USES					
A. AGRICULTURAL SERVICES					
Agricultural commercial kitchen	MUP	MUP	MUP	MUP	28.76.10(A) & (B)(1)
<u>Agricultural research and education facility</u>					28.74.20(A) & (B)(1)
<u>Open field</u>	AP	AP	AP	AP	
<u>Small (less than 20,000 sq. ft.)</u>	AP	AP	AP	AP	
<u>Medium (between 20,000 and 40,000 sq. ft.)</u>	MUP	MUP	MUP	MUP	
<u>Large (more than 40,000 sq. ft.)</u>	UP	UP	UP	UP	
Agricultural trucking services and facility					28.76.10(A) & (B)(2)
<u>Small (1 to 5 trucks)</u>	AP	AP	AP	AP	

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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	
<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 Farm 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)
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)
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)

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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
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	
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	A	A	A	28.71.10(B)(1)
Agricultural employee housing	AP	---	---	28.23.50.20
HCD agricultural employee housing	AP	---	---	28.71.40(B)(3)
Agricultural processing facility				
On-site products	A	A	A	28.71.20(A) & (B)(1)
Off-site products	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

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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
RESIDENTIAL USES				
Accessory Residential accessory buildings and uses ⁽⁷⁾	A	A	A	28.72.30(B)(1)
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

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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
RECREATION, EDUCATION, AND PUBLIC ASSEMBLY USES				
Agricultural education	A	A	A	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				
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				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
<u>FOURIST-AGRITOURISM</u> USES				
Agricultural homestay	A	- - -	- - -	28.23.50.50
Agricultural homestay with special events	UP	- - -	- - -	28.23.50.50

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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
Agritourism	A	A	A	28.23.50.50
Amusement and entertainment uses, temporary	AP/MUP	AP/MUP	AP/MUP	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
Farmers Market	AP/MUP	AP/MUP	AP/MUP	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
Resort hotel	UP	UP	UP	28.23.50.50
Seasonal sales lot	AP/MUP	AP/MUP	AP/MUP	28.23.50.50
Tasting facility	AP	A	A	28.23.50.50
Temporary Agritourism				
Amusement and entertainment uses	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
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				
Agricultural research and education facility				
Open field	A³	- - -	- - -	28.73.20(A) & (B)(1)
Small	MUP⁵	A	A	
Airfield or heliport, agricultural	- - -	- - -	- - -	
Commercial agricultural Agricultural trucking service and facility	- - -	- - -	UP	28.76.10(A) & (B)(2)
Commercial custom Custom farm services, e.g. hay baling	UP	- - -	UP	28.76.10(A)

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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
<u>Farm and Ranch supply store</u>	---	<u>A</u>	<u>A</u>	<u>28.74.10(B)(5)</u>
<u>Farm equipment sales</u>	---	---	<u>A</u>	<u>28.74.10(B)(4)</u>
Commercial farm Farm equipment fabrication and repair	UP	---	A	28.76.10(A)
Commercial storage and sale of agricultural service products (fertilizer/fuel)	UP	UP	A	28.76.10(A)
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)
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.	UP	UP	UP	28.78.20(A) & (B)(9)
Wireless communication facility	UP	UP	UP	28.81

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.
- 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.

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ALLOWED USES* *See Definitions Section 28.01	Permit Requirements						Land Use Regulations**
	C-H	C-N	C-R	CRL	C-S	C-O	**See Section 28.70.10
28.73 RECREATION, EDUCATION, AND PUBLIC ASSEMBLY USES							
A. RECREATION USES							
Amusement facilities	MUP UP						
Commercial outdoor recreation							28.73.10(A)
<i>Not including enclosed structures</i>	MUP		A	A			28.73.10(A)
<i>Including enclosed structures</i>	UP		UP	UP			28.73.10(A)
Complementary commercial facilities				UP			
Marina							
<i>Boat launching facilities</i>			UP	UP			
<i>Boat and trailer storage</i>			UP	UP			
<i>Boat construction, servicing, sales, and repair</i>			UP	UP			
<i>Floating home</i>			UP				
Marsh oriented recreation				UP			
Recreational vehicle park and/or campground			UP ¹	UP ¹			28.73.10(A)
B. EDUCATION USES							
Ecological and agricultural education			UP	UP			
Business school; art, modeling, music, or dance studio							
C. PUBLIC ASSEMBLY USES							
Auditorium, exhibition hall, sports arena, drive-in theater					UP ⁴		28.73.30(A)
Church	MUP	MUP			MUP ⁴	MUP	28.73.30(A) & (B)(1)
Circus, carnival, fair, or revival	MUP				MUP ⁴		28.73.30(A)
Nursery school					MUP ⁴	MUP	28.73.30(A)
28.74 RETAIL AND OFFICE USES							
A. RETAIL USES							
Automobile parking lot		A			A ⁴	A	28.74.10(A) & (B)(2)
Automobile-Vehicle repair garage	MUP	MUP			MUP ⁴		28.74.10(A) & (B)(3)

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ALLOWED USES* *See Definitions Section 28.01	Permit Requirements						Land Use Regulations**
	C-H	C-N	C-R	CRL	C-S	C-O	**See Section 28.70.10
Automobile-Vehicle service station	A MUP	MUP			A ⁴		28.74.10(A)
Food establishment open to the outside air	MUP						28.74.10(A)
Bank						A	28.74.10(A)
Florist shop (indoor)						A	28.74.10(A)
Hotel, motel	A-UP						28.74.10(A)
Massage establishments, slenderizing establishments, and similar personal services			UP				28.74.10(A)
Merchandise showroom						A	28.74.10(A)
Neighborhood commercial uses							28.74.10(A)
<i>Less than 1,5000 square feet</i>		A			MUP ⁴		28.74.10(A)
<i>More than 1,500 square feet</i>		UP			UP ⁴		28.74.10(A)
<i>Outdoor sales and service</i>		MUP			MUP ⁴		28.74.10(A)
<i>Serving liquor within 200 feet of an R district</i>		MUP			MUP ⁴		28.74.10(A)
Pharmacy						A	28.74.10(A)
Refreshment stand	A						28.74.10(A)
Restaurant	A MUP					MUP	28.74.10(A)
<i>Serving liquor within 200 feet of an R district</i>	UP		MUP			MUP	28.74.10(A)
Retail dairies	MUP						28.74.10(A)
Roadside stand	MUP						28.74.10(A) & (B)(8)
Roadside stand for the sale of agricultural products grown on site							28.74.10(A) & (B)(8)
<i>More than 80 feet from the centerline of the street</i>	A		A				28.74.10(A) & (B)(8)
<i>Less than 80 feet from the centerline of the street</i>	MUP		MUP				28.74.10(A) & (B)(8)
Shop, store, and service for retail sales (indoor)			A				28.74.10(A)
Retail store							

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ALLOWED USES* *See Definitions Section 28.01	Permit Requirements						Land Use Regulations**
	C-H	C-N	C-R	CRL	C-S	C-O	**See Section 28.70.10
<i>Indoor</i>	UP		A				28.74.10(A)
<i>Outdoor</i>	UP						28.74.10(A)
<i>Serving liquor within 200 feet of an R district</i>			MUP				28.74.10(A)
Truck stop	UP						
B. OFFICE USES							
Business and professional office			A			A	28.74.20(A)
Component assembly of pre-manufactured items						A ^{1,2}	28.74.20(A)
Indoor general storage						A ^{1,2,3}	28.74.20(A)
Medical and dental clinic						A	28.74.20(A)
Research and development						A ^{1,2}	28.74.20(A)
28.75 TOURIST USES							
None allowed							
28.76 COMMERCIAL SERVICE USES							
Animal hospital					MUP ⁴		28.76.20(A) & (B)(1)
Automobile, mobilehome, recreational vehicle, or boat sales garage or storage					A ⁴		28.76.20(A)
Automobile, mobilehome, recreational vehicle, truck , or boat sales lot	UP				A ⁴		28.76.20(A)
Bakery, dairy creamery, laundry and dry cleaning establishment					A ¹		28.76.20(A)
Corporation yard					A ^{4,5}		28.76.20(A)
Equipment rental lot					MUP ⁴		28.76.20(A)
General service use					A ⁴		28.76.20(A)
Lumbar yard and building supplies	UP				MUP ⁴		28.76.20(A)
Medical laboratory					A ⁴	MUP	28.76.20(A)
Mortuary, funeral home						MUP	28.76.20(A)
Newspaper and commercial printing shop, blueprint shop					A ⁴		28.76.20(A)
Nursery and landscaping materials and supplies	UP				A ⁴		28.76.20(A)

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ALLOWED USES* *See Definitions Section 28.01	Permit Requirements						Land Use Regulations**
	C-H	C-N	C-R	CRL	C-S	C-O	**See Section 28.70.10
Outdoor storage					MUP ⁴		28.76.20(A)
Sales of construction and landscaping supplies and materials					MUP ⁴		28.76.20(A)
28.77 INDUSTRIAL, MANUFACTUREING, PROCESSING, AND WHOLESALE USES							
A. INDUSTRIAL, MANUFACTURING, AND PROCESSING USES							
None allowed							
B. WHOLESALE USES							
Wholesale uses, warehouse					A ⁴		28.77.20(A)
28.78 COMMUNICATION, INFRASTRUCTURE, AND SERVICE USES							
A. COMMUNICATION USES							
Wireless communication facility							
Co-location	MUP	MUP	MUP		MUP	MUP	28.78.10 & 28.81
New tower	UP	UP	UP		UP	UP	28.78.10 & 28.81
B. INFRASTRUCTURE USES							
Commercial solar energy facility	UP	UP			UP	UP	28.78.20(B)(11)
Commercial wind turbine generator	UP	UP			UP	UP	28.80
Noncommercial wind turbine							28.80
Under 100 feet	A	A	A	A	A	A	28.80
Over 100 feet	MUP	MUP	MUP		MUP	MUP	28.80
Pipeline, transmission, or distribution line, in R.O.W.	A	A	A	A	A	A	28.78.20(B)(8)
Utility facilities or infrastructure, outside of R.O.W.	UP	UP	UP	UP	UP	UP	28.78.20(B)(9)
C. TEMPORARY CONSTRUCTION AND INFRASTRUCTURE USES							
Meteorological tower, 100 feet or less in height	AP	AP	AP	AP	AP	AP	28.78.20(A) & (B)(6)
Meteorological tower, greater than 100 feet in height	MUP	MUP	MUP	MUP	MUP	MUP	28.78.20(A) & (B)(6)
D. SERVICE USES							
Hospital						A	28.78.30(A) & (B)(3)
Club, lodge, fraternal organization		MUP			MUP		28.78.30(A)
Public service facility	UP	UP	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**
	C-H	C-N	C-R	CRL	C-S	C-O	**See Section 28.70.10
28.79 RESOURCE CONSERVATION USES							
None allowed							

Notes:

1. Where uses are conducted entirely within a building and do not produce any dangerous, injurious, noxious or otherwise objectionable fire, explosive or other hazard; noise or vibration; smoke, dust, odor, or other form of air pollution; radioactivity, electrical or other disturbances; glare; liquid or solid refuse or wastes; in such amount as to adversely affect the surrounding area or adjoining premises and shall not exceed 50 percent of the net usable floor area per tenant.
2. Total square footage devoted to uses allowed shall not exceed 80 percent of the net usable floor area per tenant space and shall not generate more than one commercial delivery per day per tenant.
3. Shall not exceed 50 percent of the net usable floor area per tenant space and shall not generate more than one commercial delivery per day per tenant.
4. Incidental accessory uses, including processing and repair operations and services; provided, that such uses shall be clearly incidental to the sale or storage of products on the premises, and shall be so placed and constructed as not to be offensive or objectionable because of odor, dust, smoke, noise or vibration.
5. When enclosed by a minimum eight-foot fence, wall or vegetative screening.
6. Any development within the Suisun Marsh, as defined by Section 29114 of the Public Resources Code, shall be subject to obtaining a Marsh Development Permit pursuant to the Suisun Marsh Preservation Act of 1977, and as provided for in Section 28.104.