

ORDINANCE NO. 2025-____

An ordinance amending Chapter 28 (Zoning Regulations) of the Solano County Code to revise and update sections pertaining to general development standards, agricultural accessory buildings, land uses on private roads, and farmstands (ZT-25-01)

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

Whereas, in furtherance of the above-stated goal, the proposed zone text amendment ZT-25-01 would revise and update sections of the County Zoning Regulations pertaining to general development standards, agricultural accessory buildings, land uses on private roads, and farmstands; and

Whereas, on March 20, 2025, the Solano County Planning Commission held a noticed public hearing to consider the proposed zone text amendment, and adopted a resolution recommending approval by the Board of Supervisors; and

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

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

SECTION I

Section 28.70.10(E)(3) of the Solano County Code, relating to general development standards applicable to all uses in every zoning district, is amended as follows:

28.70.10 General Development Standards Applicable to All Uses in Every Zoning District

No use of land or buildings shall be conducted except in compliance with these general development standards.

E. Other Permits. The use of lands and buildings may be subject to additional permits from the County of Solano or other public agencies. Prior to conducting any land use authorized under this Chapter, please check with the following agencies for additional permit requirements:

3. Public Works Engineering Division. The Engineering ~~Services~~ Division administers a variety of regulations which may require permits including, but not limited to, encroachment, ~~permits and~~ grading, and ~~drainage other regulatory~~ permits. The Office of the County Surveyor may review and approve any and all conveyance documents associated with, or as a condition of approval for, any land use subject to this Chapter.

SECTION II

Section 28.71.10(B)(1)(f) of the Solano County Code, relating to specific requirements for agricultural accessory buildings, is amended as follows:

28.71.10 CROP PRODUCTION AND GRAZING

B. Specific Requirements

The specific crop production and grazing uses listed below shall comply with the general performance standards (Section 28.70.10(A)) and the following specific standards:

- 1. Agricultural Accessory Buildings.** New accessory buildings, including alterations to existing buildings, shall be designed, constructed, and/or established in compliance with the development standards in the applicable zoning district and the following standards:

~~**f. Sequence of Construction.** A residential accessory building, including a dwelling space accessory building, shall not be constructed on a lot until construction of the primary dwelling has commenced.~~

SECTION III

Section 28.70.10(B) of the Solano County Code is amended to add a general development standard related to public and private roads, as follows:

28.70.10 General Development Standards Applicable to All Uses in Every Zoning District

No use of land or buildings shall be conducted except in compliance with these general development standards.

- B. Performance Standards.** Except as provided in Chapter 2.2, any use of land or buildings must meet the applicable performance standards listed below:

6. Public and Private Roads. All land uses shall comply with the Solano County Road Improvement Standards and Land Development Requirements, as they may be amended from time to time.

76. Should the Zoning Administrator determine that a proposed use in any district is likely to violate the performance standards listed above, the Zoning Administrator may impose additional performance standards as described in Section 28.95.

SECTION IV

Articles II and III of Chapter 28 of the Solano County Code is amended to remove references to a required road maintenance agreement for specific land use types, as follows:

Section of Chapter 28	Amended Text
28.23.50.10(B)(1)(b)(3) Suisun Valley	3. Roads. Shall be located on a public road or a private road <u>in compliance with the Solano County Road Improvement Standards and</u>

Agricultural Uses	Land Development Requirements, as they may be amended from time to time. if there is a recorded maintenance agreement executed by all lot owners served by the private road. 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.
28.23.50.50(B)(3) Suisun Valley Tourist Uses	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 Solano County Road Improvement Standards and Land Development Requirements, as they may be amended from time to time 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. The entrance, parking area, and walkways shall be kept free of obstructions or hazards of any type.
28.23.50.60(B)(2) Suisun Valley Commercial Service Uses	2. Roads. Commercial service uses shall be located on a public road or a private road in compliance with the Solano County Road Improvement Standards and Land Development Requirements, as they may be amended from time to time if there is a recorded maintenance agreement executed by all lot owners served by the private road. 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.
28.71.20(A)(2) Agricultural Processing Uses	2. Processing facilities may be located on a public or private road only if there is a recorded maintenance agreement executed by all lot owners served by the private road in accordance with the General Development Standards set forth in Section 28.70.10.
28.71.20 (B)(2)(a)(3) Nursery With Public Sales	(3) May be accessed from a public or private road in accordance with the General Development Standards set forth in Section 28.70.10. 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.
28.71.20(B)(3)(b)(1) Medium Winery	(1) Shall require a minor use permit if the property does not have direct access from a public road. May be accessed from a public or private road in accordance with the General Development Standards set forth in Section 28.70.10. 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.

28.71.30(A)(2) Animal Facilities and Operations	2. Processing facilities may be located on a public or private road in accordance with the General Development Standards set forth in Section 28.70.10 only if there is a recorded maintenance agreement executed by all lot owners served by the private road.
28.71.40(B)(2)(a)(3) Commercial Auctions and Agricultural Equipment Sales	(3) Roads. Shall be located on a public road or a private road in accordance with the General Development Standards set forth in Section 28.70.10 if there is a recorded maintenance agreement executed by all lot owners served by the private road. 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.
28.71.40(B)(6)(a)(2) Livestock Auction Yard	(2) Roads. Livestock auction yards shall be located on a public road or a private road in accordance with the General Development Standards set forth in Section 28.70.10 if there is a recorded maintenance agreement executed by all lot owners served by the private road. 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.
28.72.40(B)(1)(d)(4) Cottage Industries	(4) The site of the cottage industry shall have direct access to a public road or a private road in accordance with the General Development Standards set forth in Section 28.70.10 a public road or access from an adequate private road. Where access to the site is by private road, the applicant for the cottage industry permit must demonstrate either (1) active financial participation in a road maintenance association, or (2) written consent to use the private road for business purposes from all co-owners of the private road easement.
28.73.10(A)(3) Recreational Uses	3. Roads. Shall be located on a public road or a private road in accordance with the General Development Standards set forth in Section 28.70.10 if there is a recorded maintenance agreement executed by all lot owners served by the private road. 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.
28.73.20(A)(2) Education Uses	2. Roads. Shall be located on a public road or a private road in accordance with the General Development Standards set forth in Section 28.70.10 if there is a recorded maintenance agreement executed by all lot owners served by the private road. 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.
28.73.30 (A)(2) Public Assembly Uses	2. Access. Shall have ingress and egress designed so as to avoid traffic congestion and hazards. Unless required to be on a public road, a public assembly use shall have direct access from either a public or private road <u>in accordance with the General Development Standards set forth in Section 28.70.10</u> 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. Shall provide adequate truck loading area as required by the Zoning Administrator or Planning Commission, together with ingress and egress designed to avoid traffic hazard and congestion.
28.74.10 (A)(2) Retail Uses	2. Roads. Shall be located on a public road or a private road <u>in accordance with the General Development Standards set forth in Section 28.70.10</u> if there is a recorded maintenance agreement executed by all lot owners served by the private road. 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.
28.74.20(A)(2) Office Uses	2. Roads. Shall be located on a public road or a private road <u>in accordance with the General Development Standards set forth in Section 28.70.10</u> if there is a recorded maintenance agreement executed by all lot owners served by the private road. 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.
28.75.10(A)(2) Agritourism	2. Access. Shall have ingress and egress designed so as to avoid traffic congestion and hazards and shall be located on a public road or a private road <u>in accordance with the General Development Standards set forth in Section 28.70.10</u> if there is a recorded maintenance agreement executed by all lot owners served by the private road.
28.75.10(B)(2)(a) Agritourism Facility	a. Ingress/Egress. Shall be located on a public road or a private road <u>in accordance with the General Development Standards set forth in Section 28.70.10</u> if there is a recorded maintenance agreement executed by all lot owners served by the private road. 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. Must have two 20-foot minimum connections to a public road, or a release from the applicable fire protection district.

28.75.20(A)(2) Temporary Agritourism	2. Access. Shall have ingress and egress designed so as to avoid traffic congestion and hazards. Shall have direct access from a public or private road in accordance with the General Development Standards set forth in Section 28.70.10 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. 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.
28.75.20(B)(2)(f) Certified Farmers Market	f. Shall have ingress and egress designed so as to avoid traffic congestion and hazards. Shall have direct access from a public or private road in accordance with the General Development Standards set forth in Section 28.70.10 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. 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.
28.75.20(B)(4)(a) Temporary Agritourism Event	a. Ingress/Egress. Shall be located on a public road or a private road in accordance with the General Development Standards set forth in Section 28.70.10 if there is a recorded maintenance agreement executed by all lot owners served by the private road. All connections to County roads shall meet the encroachment permit requirements of the Public Works Engineering Division, which generally include, but shall not be limited to, paving of the connection within the County road right-of-way.
28.75.30(A)(13) Vacation House Rentals	13. Access. Shall have direct access from a public or private road in accordance with the General Development Standards set forth in Section 28.70.10 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. 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.
28.77.10(A)(6) Industrial, Manufacturing, and Processing Uses	6. Roads. Shall be located on a public road or a private road in accordance with the General Development Standards set forth in Section 28.70.10 if there is a recorded maintenance agreement executed by all lot owners served by the private road. 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.
28.77.20(A)(3) Wholesale Uses	3. Roads. Shall be located on a public road or a private road in accordance with the General Development Standards set forth in Section 28.70.10 if there is a recorded maintenance agreement executed by all lot owners served by the private road. 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.
28.78.20(A)(2) Infrastructure Uses	2. Roads. Shall be located on a public road or a private road in accordance with the General Development Standards set forth in Section 28.70.10 if there is a recorded maintenance agreement executed by all lot owners served by the private road. 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.
28.78.30(A)(2) Public Service Uses	2. Roads. Shall be located on a public road or a private road in accordance with the General Development Standards set forth in Section 28.70.10 if there is a recorded maintenance agreement executed by all lot owners served by the private road. 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.
28.78.40(A)(3) Temporary Public Construction and Infrastructure (construction offices, storage, stockpiling, construction yards, concrete/ asphaltic mixing plants)	3. Roads. Shall be located on a public road or a private road in accordance with the General Development Standards set forth in Section 28.70.10 if there is a recorded maintenance agreement executed by all lot owners served by the private road. 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.

SECTION V

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.
~~, that are grown primarily on the property (“on-site”). Agricultural Products that have been grown or produced off the property (“off-site”) may only be sold in conjunction with the sale of crops grown~~

~~on-site or off-site on land owned or leased by the operator within Solano County and in compliance with applicable laws or regulations governing the construction, operation and maintenance of the stand.~~ 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, ~~pollen, unprocessed bees wax, propolis, royal jelly~~, flowers, grains, nursery stock (grown in Solano County only), jams and jellies, and ~~raw sheared~~ 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 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 ~~are in harmony with~~ 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.

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 ~~are either~~ do not in harmony with promote the agricultural community character or products where the majority of its content is from outside Solano County.

SECTION VI

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 or leased by the Farm Stand operator. The remainder of Agricultural Products sold may be produced off-site. This requirement does not apply to Farm Stands greater than 2,500 square feet in size that require a minor use permit. Please note that nursery stock may only be grown and produced on land within Solano County.

SECTION VII

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 crops sold shall be grown on site or off site on land owned or leased by the operator within Solano County. The balance of the stand shall be used for the sale and inventory of crops or other products as regulated by this chapter, grown or produced on site or off site. [This requirement does not apply to Farm Stands greater than 2,500 square feet in size that require a minor use permit. Please note that nursery stock may only be grown and produced on land within Solano County.](#)

SECTION VIII

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 ~~total roof-covered~~[gross floor](#) area.

SECTION IX

- (1) **Determining the Size of a Farm Stand.** Size, as regulated in the applicable zoning district, shall be determined by measuring the ~~total roof-covered~~[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.

SECTION X

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 ~~total roof-covered~~[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.

SECTION XI

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 XII

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

SECTION XIII

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 XIV

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:
