

Permitting a farm stand in Solano County

An overview of county permits that may be needed before opening a farm stand in unincorporated Solano County

This resource was written by UC Cooperative Extension Regional Food Systems Area Advisor Olivia Henry in consultation with Solano County Resource Management Agency staff and was published July 2024. Please check with county staff to verify the information is current. This resource does not address the full range of regulatory requirements for farms or farm stands in operation.

Step 1: Find your zoning

Schedule an appointment with the Planning Services Division of confirm the project you want to pursue is allowable in your zone. You can also check yourself using the [Solano County Parcel Viewer](#): Select the “Solano Unincorporated Zoning” layer in the list to see your zone, then consult Table 1 to see if a farm stand is allowable.

Step 2: Determine what planning permits are required in your zone

The planning division may require your farm stand to acquire a permit for operation. Tables 1, 2 and 3 are a guide to determine what permits are required based on your zoning, farm stand size and what percentage of items for sale are non-agricultural products (see the FAQ section for more details). Where the stand is “allowed by right,” a planning permit is not required. Administrative permits (AP), minor use permits (MUP), and use permits (UP) require planning approval. Learning more about [planning application instructions and fees](#) for each permit type.

Please note that only one planning permit is required per farm stand. Evaluate your farm stand for each category below, and complete the planning permit application for the most intensive permit required. For example, if you live in an exclusively agricultural zone and want to run a 2,000 square foot farm stand with 30 percent non-ag sales, you would need to apply for a minor use permit.

The Planning Services Division also requires a permit for signs. A sign permit can be filed at any point during the permitting process before you begin operations. Table 4 includes details about allowable sign types in various zones.

Summary of Farm Stand Permit Process



Find your zoning



Determine what **planning permits** are required in your zone



Confirm **buildings, paths and entrances** are up to code



Determine if you need an **environmental health** permit

Table 1: Planning permit requirements for roadside stand size

Zone	Roadside stand size		
	1,000 sf or less	1,000 - 2,500 sf in size	Stand > 2,500 sf
A-20, A-40, A-80 and A-160 (Exclusive agricultural)	By right	AP	MUP
A-SV-20	By right	AP	UP
ATC	By right	By right	By right
ATC-NC	By right	By right	By right
RR-2.5, RR-5, RR-10	By right (Must be less than 500 sf)	Not allowed	Not allowed
I-AS District	By right	AP	MUP
Park District	By right	By right	By right
C-H, CR	Consult Solano County Planning Division: planning@solanocounty.com		
Key: AP = Administrative Permit, MUP = Minor Use Permit, UP = Use Permit			
Source: Solano County Code, Chapter 28: Zoning Regulations, Article II: Districts and Allowable Uses			

Table 2: Planning permit requirements based on zoning and percent non-ag sales

Zone	Percent non-agricultural sales at stand			
	0% (100% ag sales only)	1-10%	10-25%	> 25%
A-20, A-40, A-80 and A-160 (Exclusive agricultural)	By right	By right	MUP	UP
A-SV-20	By right	By right	UP	UP
ATC	By right	By right	By right	By right
ATC-NC	By right	By right	By right	By right
RR-2.5, RR-5, RR-10	By right	Not allowed	Not allowed	Not allowed
I-AS District	By right	By right	AP	MUP
Park District	By right, only products grown on site allowed	Not allowed	Not allowed	Not allowed
C-H, CR	Consult Solano County Planning Division, planning@solanocounty.com			
Key: AP = Administrative Permit, MUP = Minor Use Permit, UP = Use Permit				
Source: Solano County Code, Chapter 28: Zoning Regulations, Article II: Districts and Allowable Uses				

Table 3: Planning permit requirements based on zoning and distance from street centerline

Zone	More than 80 feet from the centerline of the street	Less than 80 feet from the centerline of the street
C-H	By right	MUP
C-R	By right	MUP
Park District	By right	UP

Key: AP = Administrative Permit, MUP = Minor Use Permit, UP = Use Permit

Source: [Solano County Code, Chapter 28: Zoning Regulations, Article II: Districts and Allowable Uses](#)

Table 4: Zoning requirements of farm stand features

Farm stand feature	Zoning: RR	Zoning: A	Zoning: CR
Size	< 500 feet, incidental to a dwelling	Unlimited	Unlimited
Sale of non-ag products	Not allowed	Limited to 50 sq feet	Limited to 50 sq feet
On-site growing requirement	No requirement	At least 50% grown on-site or on land leased by a farmer within Solano County.	
Pre-packaged food sales	Not allowed	From an “approved source” and is not a “potentially hazardous food,” limited to 50 square feet	
Signs			
<i>Allowed sign types</i>	Only wall signs allowed	Awning, freestanding, projecting, wall	Awning, freestanding, projecting, wall
<i>Max. # of signs</i>	1	3	3
<i>Max. area (SF)</i>	2	60 sq. ft.	200 sq. ft.
<i>Max. height</i>	Eave height	6’ or at eave height	6’ or at eave height
<i>Lighting</i>	None allowed	Indirect	Indirect
Source: Solano County Code, Chapter 28: Zoning Regulations, Article IV: Site Development and Other Standards, Section 28.96.60			
Ingress/Egress	Avoid traffic congestion and hazards. Meets encroachment permit requirements.		

Setbacks	Minimum setback same as main building
Operational controls	Controls or measures to prevent dust, odor, and light
Off-street parking	One space per two hundred square feet of gross floor area, in accordance with Section 28-94 , “in addition to paved parking spaces, aisles and pathways for the disabled in accordance with Building Code.”
Community compatibility	Sign must match community character of its surroundings.
Samples	Allowed but must follow the health and sanitation rules for certified farmers’ markets (Source: Section 114371).
Restrooms	Handwashing and toilet facilities are required for operators and employees within 200 feet of the farm stand. The restroom can be in the operator’s house if they are the only employee, otherwise at least a portable toilet is required. (Source: 114375)
Source: Solano County Code, Chapter 28: Zoning Regulations, Article III: Land Use Regulations	

Step 3: Confirm that your building, pathways and entrances are up to code

Building permit

You need a building permit to construct a new structure or convert an existing structure to a farm stand. A temporary structure – one that’s designed to stand for 180 days or less – does not require a building permit but is still must meet accessibility requirements (see below). Any electrical, plumbing or remodeling work also requires a building permit. The cost of a permit is highly variable depending on the property, structure and plan. If you are using a tent as a non-permanent structure, any tent with a canopy of more than 400 square feet is required to apply for a Tent Permit from the fire department serving your area.

Encroachment permit

A building permit package typically requires that you show evidence of an [encroachment permit](#) with the

The Building Division recommends that you consider consulting with a Certified Access Specialist to review your site prior to building permit submission.

Public Works Division if you are installing a driveway or doing certain kinds of work that affects a county road.

Parking and accessible pathways

You will likely submit a site plan to either the Planning Services Division or the Building Division as part of your permit process. One parking space is required for every two hundred square feet of gross floor area of the roadside stand. Code requires that those parking areas – as well as pathways leading to the facility – are paved.

The roadside stand’s pathways, aisles and parking spaces must comply with accessibility standards in state building code, specifically [Chapter 11B: Accessibility to Public Buildings, Public Accommodations, Commercial Buildings and Public Housing](#). Drawings prepared by a California licensed architect or professional engineer are required to demonstrate that the parking space(s), access aisle, service counters, etc. comply with the accessibility provisions of the latest edition of the California Building Code.

Step 4: Determine if you need an environmental health permit

If your farm stand is less than 500 square feet and selling only whole produce that you have grown, you do not need an environmental health permit. Any larger facility – or one that’s selling processed or valued-added food items – should apply for a [Farm Stand Permit](#) from the Environmental Health Division. The division asks that applicants have handwashing and toilet facilities for operators and/or employees within 200 feet of the farm stand; this could be a portable toilet or restroom inside a home.

Apart from whole produce grown on site or nearby, farm stands may sell a limited amount of processed food items or value-added goods. The food items must be from an approved source such as a cottage food operator or food producer working out of a commercial kitchen.

Frequently Asked Questions

What is the average cost of permitting up a farm stand?

Each project is different and many of the costs of starting up a farm stand are associated with the particulars of the property, buildings and the cost of any county staff time. Table 5 is a rough estimate of permit costs for a hypothetical, medium-scale project: Let’s assume you live in an exclusively agricultural district and you are converting a barn into a farm stand that will be 1,500 square feet, and you want to sell some value-added products. You also need to build a new driveway to the county road and erect a sign directing people to the store. Here is a sample of some necessary permits associated with this project *not including a Building Permit*. Please contact building@solanocounty.com for a building permit fee estimate which is based on the location, size, scope and valuation for your proposed project.

Table 5: Sample permit fees for a mid-size, start-up farm stand in Solano County, not including a building permit

Permit type	FY24-25 Fees
(Planning Services Division) Administrative Permit*	\$1,358
(Planning Services Division) Building Permit Review; Conversion of Accessory Structure	\$484
(Planning Services Division) Sign Permit	\$874
(Building & Safety Services Division) Building Permit	\$___
(Engineering and Public Works) Standard Encroachment Permit	\$455
(Environmental Health) Farm Stand Permit*	\$158
<i>Total</i>	\$3,329
*Indicates an annual fee. In general, fees are subject to change July 1 each fiscal year.	

What counts as a non-agricultural product?

Non-agricultural sales are allowed in roadside stands in agricultural and commercially zoned properties, and are limited to 50 square feet of area in the farm stand. This area can be non-contiguous across the stand. As defined by The California Food & Agriculture code:

“Agricultural product” means a fresh or processed product produced in California, including fruits, nuts, vegetables, herbs, mushrooms, dairy, shell eggs, honey, pollen, unprocessed bees wax, propolis, royal jelly, flowers, grains, nursery stock, raw sheared wool, livestock meats, poultry meats, rabbit meats, and fish, including shellfish that is produced under controlled conditions in waters located in California.

Products that are characterized as services, arts, crafts, bakery, candies, soaps, balms, perfumes, cosmetics, pottery, clothing, fabrics, pastas, compost, fertilizers, candles, ceramics, foraged foods, and types of wares are not agricultural products for purposes of this chapter. A product that combines an agricultural product with a nonagricultural product or service in a manner that materially increases the purchase price of the product shall disqualify the product from being sold as an agricultural product for purposes of this chapter.

What value-added products can I sell at my farm stand?

You can sell up to 50 sq. ft. of pre-packaged, non-potentially hazardous food items from an approved source. Examples include shelf stable items such as bottled water, soda and chips. They could also include bread, dried fruit, nuts or soup mixes that you or your neighbor have produced under a cottage food license. Items may be refrigerated to protect them from temperature extremes (e.g. to keep bottled water cool), but they must be shelf-stable and non-potentially hazardous. That means – at least under a farm stand permit – you can't sell items like meat or dairy products from that facility.

The California Food Retail Code defines potentially hazardous as:

1. *“Potentially hazardous food” means a food that requires time or temperature control to limit pathogenic micro-organism growth or toxin formation.*
2. *“Potentially hazardous food” includes a food of animal origin that is raw or heat-treated, a food of plant origin that is heat-treated or consists of raw seed sprouts, cut melons, cut tomatoes or mixtures of cut tomatoes that are not modified to render them unable to support pathogenic micro-organism growth or toxin formation, and garlic-in-oil mixtures that are not acidified or otherwise modified at a food processing plant in a way that results in mixtures that do not support growth or toxin formation as specified under subdivision (a).*
3. *“Potentially hazardous food” does not include any of the following:*
 - *A food with an aw value of 0.85 or less.*
 - *A food with a pH level of 4.6 or below when measured at 75°F*
 - *An air-cooled, hard-boiled egg with shell intact, or an egg with shell intact that is not hard-boiled, but has been pasteurized to destroy all viable salmonellae.*
 - *A food in an unopened, hermetically sealed container that is commercially processed to achieve and maintain commercial sterility under conditions of nonrefrigerated storage and distribution.*
 - *A food that has been shown by appropriate microbial challenge studies approved by the enforcement agency not to support the rapid and progressive growth of infectious or toxigenic micro-organisms that may cause food infections or food intoxications, or the growth and toxin production of Clostridium botulinum, such as a food that has an aw and a pH that are above the levels specified under*

paragraphs (1) and (2) and that may contain a preservative, other barrier to the growth of micro-organisms, or a combination of barriers that inhibit the growth of micro-organisms.

- *A food that does not support the rapid and progressive growth of infectious or toxigenic micro-organisms, even though the food may contain an infectious or toxigenic micro-organism or chemical or physical contaminant at a level sufficient to cause illness.”*

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