

**3.4.7. Field Retail Stands, Farm Stands, Produce Stands, Urban Agricultural Stands, Agricultural Markets [AMENDED 02-24-2017]****3.4.7.A. Application**

The standards for roadside crop sales that follow shall apply to Field Retail Stands, Farm Stands, Produce Stands, Urban Agricultural Stands, and Agricultural Markets, as defined in Section 7.3.

**3.4.7.B. Purpose**

Provide for sales locations (field retail stands, farm stands, produce stands, urban agricultural stands, and agricultural markets) where food products are grown and to set forth the permitting requirements and development standards to be applied to field retail stands, farm stands, produce stands, urban agricultural stands, and agricultural markets for the sale of crops.

**3.4.7.C. Allowed Use**

1. Roadside crop sales at field retail stands, farm stands, produce stands, and agricultural markets are permitted by-right in the AG, UR, IR, AR-10, AR-5, AR-2, RR, and O zoning districts, subject to compliance with the standards that follow.
2. Roadside crop sales at field retail stands may be allowed by Conditional Use Permit by the Zoning Administrator in the AR-1, RD-1, and RD-2 zoning districts, subject to compliance with the standards that follow.
3. Roadside crop sales at farm stands may be allowed by Conditional Use Permit by the Zoning Administrator in the AR-1, RD-1, RD-2, and RD-3 zoning districts, subject to compliance with the standards that follow.
4. Roadside crop sales at urban agricultural stands are permitted at private, market and community gardens subject to compliance with the standards of Section 3.4.7.G.
5. The sale of locally grown agricultural products in addition to those identified in the following standards for Field Retail Stands, Farm Stands, Produce Stands, and Agricultural Markets may be permitted subject to issuance of a Conditional Use Permit by the Zoning Administrator. The sale of products at Urban Agricultural Stands is limited to those items grown or produced on site.

**3.4.7.D. Standards for Field Retail Stands**

Field retail stands allowed under Section 3.4.7.C shall comply with the following standards:

1. Field Retail Stands shall be operated by the producer and on premises controlled by the producer.
2. Products sold shall be limited to shell eggs and crops that are grown by the producer; and agricultural and food preparation related items. Local crops not grown by the producer may be sold at events subject to a community event permit from the Environmental Management Department.
3. Agricultural and food preparation related items shall be limited to 25 percent of the total storage and sales area of the Field Retail Stand.

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4. No activities related to the sale of products from Field Retail Stands shall take place on public property right-of-way.
  5. There shall be no more than one Field Retail Stand per parcel.
  6. Field Retail Stands shall meet the setback standards of the zoning district in which they are located.
  7. No building shall have more than 1,500 square feet of indoor sales area and shall have a total enclosed area of no more than 3,000 square feet.
  8. The use, including location of merchandise and parking areas, shall comply with the visibility requirements of the Sacramento County Improvement Standards.
  9. Signs shall be allowed provided that:
    - a. There is no more than one sign at each entrance.
    - b. The sign is not over 50 square feet in area.
    - c. The sign is not more than six (6) feet above road grade.
    - d. The sign is setback at least 10 feet from the street right-of-way unless a lesser setback is approved by the Division of Planning and Environmental Review. For rights-of-way with public utility, public facility easements, the sign is setback at least 14 feet from the street right-of-way unless a lesser setback is approved by the Division of Planning and Environmental Review.
    - e. Illumination of the sign, if any, is indirect.
    - f. The sign is stationary.

#### **3.4.7.E. Standards for Farm Stands**

Farm stands allowed under Section 3.4.7.C shall comply with the following standards:

1. Farm Stands shall be operated by the producer and on premises controlled by the producer.
2. Products sold shall be limited to shell eggs and crops that are grown by the producer; and agricultural and food preparation related items. Local crops not grown by the producer may be sold at events subject to a community event permit from the Environmental Management Department.
3. Non-potentially hazardous prepackaged food products, including bottled water and soft drinks, from an approved source that have not been grown or produced in close proximity to the Farm Stand shall be limited to a five (5) square foot storage and sales area.
4. Agricultural and food preparation related items shall be limited to 25 percent of the total storage and sales area of the Farm Stand.
5. No activities related to the sale of products from Farm Stands shall take place on public property right-of-way.
6. There shall be no more than one farm stand per parcel.
7. Farm Stands shall meet the setback standards of the zoning district in which they are located.

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8. No building shall have more than 1,500 square feet of indoor sales area and shall have a total enclosed area of no more than 3,000 square feet.
  9. No part of this use, including merchandise or parking area, shall be located within the triangular clear visibility area defined in this Code.
  10. Signs shall be allowed provided that:
    - a. There is no more than one sign at each entrance.
    - b. The sign is not over 50 square feet in area.
    - c. The sign is not more than six (6) feet above road grade.
    - d. The sign is setback at least 10 feet from the street right-of-way unless a lesser setback is approved by the Division of Planning and Environmental Review. For rights-of-way with public utility, public facility easements, the sign is setback at least 14 feet from the street right-of-way unless a lesser setback is approved by the Division of Planning and Environmental Review.
    - e. Illumination of the sign, if any, is indirect.
    - f. The sign is stationary.

#### **3.4.7.F. Standards for Produce Stands**

Produce stands allowed under Section 3.4.7.C shall comply with the following standards:

1. Produce stands shall be operated by the property owner or lessee of the agricultural property.
2. Products sold shall be limited to shell eggs and crops that are locally grown; and agricultural and food preparation related items.
3. Agricultural and food preparation related items shall be limited to 25 percent of the total storage and sales area of the Produce Stand.
4. Produce Stands shall be located within fully enclosed structures with potable hot and cold running water, and shall have septic systems or be hooked up to the sewer system.
5. No activities related to the sale of products from Produce Stands shall take place on public property right-of-way.
6. There shall be no more than one Produce Stand per parcel.
7. Produce Stands shall meet the setback standards of the zoning district in which they are located.
8. No building shall have more than 1,500 square feet of indoor sales area and shall have a total enclosed area of no more than 3,000 square feet, including storage area.
9. No part of this use, including merchandise or parking area, shall be located within the triangular clear visibility area defined in this Code.
10. Signs shall be allowed provided that:
  - a. There is no more than one sign at each entrance.

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- b. The sign is not over 50 square feet in area.
  - c. The sign is not more than six (6) feet above road grade.
  - d. The sign is setback at least 10 feet from the street right-of-way unless a lesser setback is approved by the Division of Planning and Environmental Review. For rights-of-way with public utility, public facility easements, the sign is setback at least 14 feet from the street right-of-way unless a lesser setback is approved by the Division of Planning and Environmental Review.
  - e. Illumination of the sign, if any, is indirect.
  - f. The sign is stationary.

### **3.4.7.G. Standards for Urban Agricultural Stands**

Urban agricultural stands allowed under Section 3.4.7.C. shall comply with the following standards:

1. Urban agricultural stands shall be operated by the property owner or lessee on which a private, market or community is established.
2. Products sold at urban agricultural stands shall be limited to produce, eggs, and honey grown on site or cottage foods when processed and sold consistent with a cottage food permit and any other applicable permits and/or requirements.
3. Cottage foods sold shall be limited to the approved cottage foods list maintained by the California Department of Public Health.
4. Marijuana or products containing marijuana shall not be sold.
5. Products sold are subject to all quarantine laws and regulations in place at the time of sale.
6. The sale of produce must meet the requirements for labeling, record keeping, signage and best management practices as listed in the California Retail Food Code Section 114376.
7. There shall be no more than one urban agricultural stand per parcel.
8. No activities related to the sale of products from urban agricultural stands shall take place within the public right-of-way, or block pedestrian or vehicle mobility on the parcel.
9. One sign shall be allowed provided that:
  - a. The sign shall be a portable sign, and may be an A frame.
  - b. The sign, including supports, shall fit into an area of not more than four (4) feet in height, three (3) feet in width, and three (3) feet in depth.
  - c. The sign is not located within the public right-of-way and does not block pedestrian or vehicle mobility.
  - d. The sign is removed and stored out of public view during non-operation hours.
10. An urban agricultural stand may operate only between sunrise and sunset.
11. Urban agricultural stands shall consist of removable "pop up" canopy tents or similar temporary, removable shade structure no more than 12 feet in height and

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removable tables.

12. Urban agricultural stands shall be dismantled, removed or stored out of public view during non-operation hours.
13. Urban agricultural stands with 120 square feet of tented space or less are allowed with a Temporary Use Permit subject to these standards and the temporary use standards specific to urban agricultural stands of Section 3.10.3.I.
14. Urban Agricultural Stands with greater than 120 square feet of tented space shall be subject to a Conditional Use Permit from the Zoning Administrator. Failure to comply with the standards of this section or any conditions of the Conditional Use Permit may result in the revocation of the use permit pursuant to Section 6.4.1.G.

#### **3.4.7.H. Standards for Agricultural Markets**

Agricultural markets allowed under Section 3.4.7.C. shall comply with the following standards:

1. Agricultural Markets shall be operated by the property owner or lessee of the agricultural property.
2. Products sold shall be limited to shell eggs and crops that are locally grown; non-potentially hazardous prepackaged food products from an approved source that were grown or produced in close proximity to the agricultural market; non-potentially hazardous prepackaged food products from an approved source, including bottled water and soft drinks, that have not been grown or produced in close proximity to the agricultural market; and agricultural and food preparation related items.
3. Non-potentially hazardous prepackaged food products that have not been grown or produced in close proximity to the agricultural market shall be limited to 25 percent of the total storage and sales area of the Agricultural Market.
4. Agricultural and food preparation related items shall be limited to 25 percent of the total storage and sales area of the Agricultural Market.
5. Agricultural Markets shall be located within fully enclosed structures with potable hot and cold running water, and shall have septic systems or be hooked up to the sewer system.
6. No activities related to the sale of products from Agricultural Markets shall take place on public property right-of-way.
7. There shall be no more than one Agricultural Market per parcel.
8. Agricultural Markets shall meet the setback standards of the zoning district in which they are located.
9. No building shall have more than 1,500 square feet of indoor sales area and shall have a total enclosed area of no more than 3,000 square feet, including storage area.
10. No part of this use, including merchandise or parking area, shall be located within the triangular clear visibility area defined in this Code.
11. Signs shall be allowed provided that:

- a. There is no more than one sign at each entrance.
- b. The sign is not over 50 square feet in area.
- c. The sign is not more than six (6) feet above road grade.
- d. The sign is setback at least 10 feet from the street right-of-way unless a lesser setback is approved by the Division of Planning and Environmental Review. For rights-of-way with public utility, public facility easements, the sign setback is at least 14 feet from the street right-of-way, unless a lesser setback is approved.
- e. Illumination of the sign, if any, is indirect.
- f. The sign is stationary.

### 3.4.7.I. Events at Field Retail Stands, Farm Stands, Produce Stands, and Agricultural Markets

Events shall be allowed at Field Retail Stands, Farm Stands, Produce Stands, and Agricultural Markets pursuant to Table 3.4. Larger events may be allowed pursuant to issuance of a Conditional Use Permit from the Zoning Administrator.

<b>TABLE 3.4</b>	
<b>Total Parcel Size (Acres)</b>	<b>Maximum Number of Attendees (Peak) [1],[2],[3]</b>
1.0-2.5	50 people
2.51-5.0	100 people
5.01-10.0	200 people
10.01-20.0	300 people
Over 20.0	350 people
1. Permitted as an accessory use; the primary use of the parcel must be agricultural 2. Outdoor activities are limited to Sunday through Thursday 8:00 a.m. to 7:00 p.m.; and Friday, Saturday, and holidays 8:00 a.m. to 11:00 p.m. Indoor activities are permitted without restrictions as to day and time. 3. All events are subject to the Sacramento County Noise Ordinance.	

### 3.4.7.J. Parking Requirements for Field Retail Stands, Farm Stands, Produce Stands, Urban Agricultural Stands, and Agricultural Markets

1. Field Retail Stands, Farm Stands, Produce Stands, Urban Agricultural Stands, and Agricultural Markets shall not be subject to the development standards for off-street parking outlined in this Code.
2. An off-street parking ratio of one space per 400 square feet of gross floor area dedicated to sales shall be required for Field Retail Stands, Farm Stands, Produce Stands, and Agricultural Markets.
3. All access roads must meet the standards of the Fire Marshall. All parking areas for Field Retail Stands, Farm Stands, Produce Stands, and Agricultural Markets must have an active dust control program.
4. Parking lot lighting as defined in the zoning code will be required if the Field Retail Stand, Farm Stand, Produce Stand, or Agricultural Market is open to the public after sunset.
5. Parking for two cars for Urban Agricultural Stands shall be provided either on-street or

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in an off-street parking facility accessed by an approved driveway.

### **3.4.7.K. Advisory for Other Permitting Requirements**

1. All waste, both solid and liquid, shall be managed in accordance with local, state, and federal rules, regulations, and ordinances pertaining to such waste.
2. Environmental Management Department approval/permit for a water system is required for Field Retail Stands, Farm Stands, Produce Stands, and Agricultural Markets unless documentation that the regulations are not applicable is provided.
3. Environmental Management Department approval is required for Farm Stands, Produce Stands, Community Stands and Agricultural Markets (Environmental Management Department regulations for Agricultural Markets are similar to those for convenience stores).
4. Environmental Management Department approval/permit is required for events at Field Retail Stands, Farm Stands, Produce Stands and Agricultural Markets. Community event permits from Environmental Management Department that allow the sale of locally grown crops not grown on premises controlled by the producer at Field Retail Stands and Farm Stands must adhere to the definition of community event in the California Retail Food Code 113755.
5. The sale of cottage foods are allowed at Urban Agricultural Stands when processed and sold consistent with a cottage food permit and any other applicable permits and/or requirements.
6. Should any cultural resources, such as structural features, unusual amounts of bone or shell, artifacts, human remains, or architectural remains be encountered during any development activities, associated with Field Retail Stands, Farm Stands, Produce Stands, and Agricultural Markets, work shall be suspended and the Division of Planning and Environmental Review shall be immediately notified.

At that time, the Division of Planning and Environmental Review will coordinate any necessary investigation of the find with appropriate specialists as needed. The project proponent shall be required to implement any mitigation deemed necessary for the protection of the cultural resources. In addition, pursuant to Section 5097.97 of the State Public Resources Code and Section 7050.5 of the State Health and Safety Code, in the event of the discovery of human remains, all work is to stop and the County Coroner shall be immediately notified. If the remains are determined to be Native American, guidelines of the Native American Heritage Commission shall be adhered to in the treatment and disposition of the remains.

7. In order to mitigate impacts to potentially historic buildings associated with Field Retail Stands, Farm Stands, Produce Stands, and Agricultural Markets (buildings 100 years old and older), perform one of the following:
  - a. Structures that have not been subject to a previous architectural evaluation and are at least 100 years or older and are subject to renovation shall have a historical architectural study performed by a qualified, professional architectural historian. A significance determination shall be prepared for review by the staff of the Division of Planning and Environmental Review. If the structure is deemed a significant historic resource, the applicant shall comply with Section 3.4.7.J.7.; or,

- b. Property owners proposing to renovate an existing structure shall submit photographs of the structure to the Division of Planning and Environmental Review. Planning and Environmental Review staff shall determine whether a historical evaluation is warranted. If Planning and Environmental Review staff determines that a historical evaluation is warranted, the applicant shall have a historical architectural study performed by a qualified, professional architectural historian for review by Planning and Environmental Review staff. If the structure is deemed a significant historic resource, the applicant shall comply with Section 3.4.7.J.7.; or,
  - c. Comply with Section 3.4.7.J.7. and forgo the need to submit photographs or a historical architectural evaluation.
8. Structures deemed to be significant historical architectural resources shall be preserved in situ with all proposed modifications carried out to the Secretary of Interior’s Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings.
  9. Summary of Field Retail Stands, Farm Stands, Produce Stands, Urban Agricultural Stands, and Agricultural Markets.

TABLE 3.5	Sells Shell Eggs and Crops Grown on Premises controlled by Producer	Sells Locally Grown Crops not Grown on the Premises	Sells Non-Potentially Hazardous Pre-packaged Food	Sells Agricultural and Food Preparation Related Items	Holds Events	Maximum Size: 1,500 s.f. of indoor sales area and 3,000 s.f. of total enclosed area	Sells food prepared with a cottage food permit	Requires EMD Approval
Field Retail Stand	X	1 per parcel		X	X	X		
Farm Stand	X	1 per parcel	X	X	X	X	X	X
Produce Stand	X	X		X	X	X		X
Community Stand	X	X	X	X		X		X
Urban Agricultural Stand	X						X	
Agricultural Market	X	X	X	X	X	X		X

**3.4.8. Small Winery/Specialty and Craft Breweries**

**3.4.8.A. Application**

The provisions of this Section shall apply to small wineries and breweries, specialty and craft as defined by Section 7.3.

**3.4.8.B. Purpose**

The purpose of this Section is to provide for the orderly development of wineries and specialty and craft breweries and associated activities within Agricultural, Commercial, Mixed Use, and Industrial zoning districts to promote economic development opportunities for the agricultural industry and to preserve agricultural lands within Sacramento County.

**3.4.8.C. Allowed Uses**

1. Growing and harvesting grapes and other fruit products suitable for wine and beer, and processing and bottling of grapes, fruit, and other fruit products produced on the premises.