

# ***Small-Scale Farm Retail Sales Facility***

PJR-115

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## **PURPOSE:**

To help encourage and increase opportunities for access to healthy foods, support continued use of agricultural lands for agricultural production, improve the economic viability of farming enterprises, the County's Zoning Code (Chapter 26 of the County Code) establishes an administrative zoning permit approval processes for Small-Scale Farm Retail Sales Facilities which do not exceed 500 square feet on parcels of two or more acres in the LIA, LEA, DA, and RRD Zoning Districts. A Farm Retail Sales Facility is defined by the Code as

"... a small-scale retail facility for year-round sales of agricultural products grown or raised on the site or other properties owned or leased by the farm operator, and pre-packaged goods processed from onsite agricultural production, excluding alcoholic products. Examples include dairy and meat products that require refrigeration...."

To help assure that the rural character of agricultural areas is maintained, and the potential for land use conflicts and environmental impacts minimized the Code sets forth approval criteria and performance standards (see attached) which must be met initially and on an ongoing basis.

Agricultural Onsite sales operation that do not meet the requirements for Farm Retail Sales Facilities on an ongoing basis or which are not otherwise allowed as a Farmstand, Community Supported Agriculture, or Cottage Food sales, may be considered with a Conditional Use Permit (CUP) application where allowed by the parcel's base zoning district.

The applicant/operator would be is responsible for complying with all requirements of Federal, State and local law which apply to the type of retail sales. These may include: food safety laws, buildings codes, and accessibility requirements.

Applicants are encouraged to consult with PRMD staff regarding other requirements of the County Code. The County's Agricultural Ombudsman at the University of California Cooperative Extension can also lend assistance in determining what other permits may be required or providing agency contacts.

## **PROCEDURE:**

The applicant submits a complete zoning permit application to the Permit and Resource Management Department (PRMD) in person at the zoning cubicle (mail in applications are not allowed). PRMD will assign a project planner to review the application and verify that the application is complete and confirm that the proposed small-scale agricultural processing facility conforms to the applicable standards and requirements (see Sonoma County Code Section 26-88-215). The applicant must submit verification that the requirements of other applicable regulatory agencies and divisions will be complied with upon approval of the zoning permit prior to commencement. Once compliance is verified, PRMD will issue a zoning permit approval letter pursuant to County Zoning code. Commencement of the operation will be authorized upon compliance with all other applicable regulatory requirements.

## REQUIRED APPLICATION MATERIALS FOR A FARM RETAIL SALES FACILITY:

A complete application is required and must include all of the following:

1. Zoning permit application (PRMD Form: PJR-004) signed by all property owners.
2. A signed indemnification form (See PRMD Form: PJR-011 attached).
3. A signed and recorded "Right-to- Farm Declaration" (See PRMD Form: PJR-015 attached).
4. An 8 ½" x 11" site plan, drawn to scale, that clearly identifies all structures on the property, the structure where Farm Retail Sales will be conducted as well as the proposed water supply, restroom facilities, parking areas, public road access, property lines, and adjacent residences in the proximity of the facility.
6. An 8 ½" x 11" floor plan, drawn to scale, of the proposed Small-scale Farm Retail Sales facility, including any areas intended for incidental sales. Proposed facilities may be repurposed from existing structures or newly built under the appropriate building permits. Square footage calculations for the total facility as well as the incidental sales area shall be provided.
7. A written proposal that describes the proposed sales of the Farm Retail Sales facility. The proposal should address each of the approval and performance criteria and provide adequate explanation, data or supplemental documentation to stating how the proposed facility complies with each provision.
8. Submit copies of any other applications required by other regulatory agencies to PRMD, including the Sonoma County Health Services Department, the County Agricultural Commissioner's Office, and the PRMD Building Code Division.
9. Graphic details indicating the size, location, and text of proposed signage.
10. Filing fee for a Level-1 Zoning Permit and a "Technology Enhancement Fee" as indicated on the PRMD Project Review Fee Schedule.

## FARM RETAIL SALES FACILITY PERFORMANCE STANDARDS:

Small-scale Farm Retail Sales Facilities shall comply with the following standards in addition to the requirements of the base zone and other applicable combining zones.

- (1) **Minimum parcel size.** A facility must be located on a parcel of at least two (2) acres.
- (2) **Maximum Size:** The maximum retail area shall not exceed 500 square feet. For purposes of this standard, outdoor growing areas of U-pick and U-cut operations shall not apply to the facility size calculation.
- (3) **Building Permit.** Facilities shall comply with all applicable building codes and permit requirements including requirements for accessibility, restrooms, and washing facilities.
- (4) **Hours of operation:** Hours of operation for retail sales facility shall be limited to 10:00 am to 6:00 pm seven days per week.

- (5) **Onsite sales:** Onsite retail sales shall be limited to whole produce, eggs, honey or value-added prepackaged foods or non-food products processed from crops grown on site or other lands owned or leased by the farm operator.
- (6) **Incidental Sales:** Not more than ten percent of the floor area, up to a maximum of 50 square feet may be devoted to the sale of incidental goods and promotional items not produced by the owner or operator of the agricultural enterprise.
- (7) **Food Safety:** All food storage, handling, labeling and retailing shall comply with the California Retail Food Code and other applicable federal, state and local laws and food safety regulations and permitting requirements.
- (8) **Food Sampling:** Food sampling shall be limited to fresh produce and prepackaged processed foods grown on site in compliance with a retail food facility permit. No other food service is allowed.
- (9) **Signage:** Signs up to 16 square feet are allowed plus an additional portable sandwich board sign up to nine square feet per side provided it is removed when the facility is closed. Sign text shall be limited to the name of the agricultural enterprise, the address, and the general type of produce sold. Banners, flags, balloons, cost advertisements and offsite signs are not allowed.
- (10) **Incidental Agricultural Promotional Activities:** Educational tours for promotion of agricultural products are allowed. Participation in farm trails and similar promotional activities is allowed.
- (11) **Setbacks:** Facilities shall meet the setbacks of the base zone and any combining zones.
- (12) **Access and Off-street parking:** Farm retail sales facilities shall be located on parcels having direct access to a publicly maintained road. All customer and employee parking shall be provided onsite with a minimum of three spaces.
- (13) **Noise:** Noise generation shall not exceed General Plan noise standards.
- (14) **Weights and measures:** All scales used for retail sales shall be approved for commercial use and sealed by the Sonoma County Agricultural Commissioner's Office of Weights and Measures.
- (15) **Right to Farm:** The owner/operator of the retail sales facility in the DA, LIA, or LEA zone shall file and record a Right to Farm Declaration (see attached) and provide a confirmed copy to PRMD prior to commencement.