



CITY OF VALLEJO NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Vallejo Planning Commission will hold a hearing on the project listed below:

- APPLICATION NUMBERS:** Code Text Amendment #12-0003 and Downtown Vallejo Specific Plan/Master Plan Amendment #12-0001
- LOCATION:** City-wide and Downtown Vallejo Specific Plan Arts and Entertainment District
- PROJECT DESCRIPTION:** The project involves city-initiated amendments of the Vallejo Municipal Code Zoning Ordinance and Downtown Vallejo Specific Plan/Master Plan regarding beer and wine manufacturing facilities and tasting rooms, as well as brew pubs allowing (1) city-wide tasting rooms to be located within certain zoning districts, subject to a Major Use Permit and the 1,000-foot rule, with the exception that the 1,000-foot rule not apply to the Downtown Specific Plan Arts & Entertainment District, and the total number of tasting rooms within that district not exceed six (6), and (2) brew pubs to sell alcohol for on and off-site consumption.
- PROJECT APPLICANT:** City of Vallejo
- PROPERTY OWNER:** Various
- ENVIRONMENTAL DETERMINATION:** Exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of Title 14 Public Resources. The proposed ordinance is not considered a project, as it has no potential for a significant effect on the environment.

PROPERTY OWNERS, RESIDENTS, AND/OR TENANTS SHOULD CONTACT CITY STAFF BY TELEPHONE OR COME TO CITY HALL TO REVIEW THE PROPOSAL TO DETERMINE HOW THE PROPOSED PROJECT MAY AFFECT THEM INDIVIDUALLY.

A community meeting to discuss the proposal is scheduled for Thursday, May 24, 2012. The meeting will be held in the City Council Chambers at 6:30 pm. A draft proposal will be available via the City's web site at www.ci.vallejo.ca.us on Tuesday, May 15, 2012.

A public hearing on this project will be held on June 4, 2012 in the Council Chambers, City Hall, 555 Santa Clara Street, Vallejo. If you challenge the Planning Commission's action on this project in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Secretary of the Planning Commission at or prior to the public hearing. If you have any questions regarding this project, please call **Michelle Hightower, Acting Planning Manager, at (707) 648-4506** before the above listed date. You may also submit comments or questions in writing before this date to the attention of the Michelle Hightower, City Hall, P.O. Box 3068, Vallejo, CA 94590.

Kent Peterman, Chairperson
Michelle Hightower, Acting Secretary

Date of Notice: May 11, 2012

ORDINANCE NO. 1659 N.C. (2d)

AN ORDINANCE OF THE CITY OF VALLEJO AMENDING
THE DOWNTOWN SPECIFIC PLAN/MASTER PLAN REGARDING TASTING ROOMS
WITHIN THE DOWNTOWN VALLEJO SPECIFIC PLAN
ARTS & ENTERTAINMENT DISTRICT

THE COUNCIL OF THE CITY OF VALLEJO DOES ORDAIN AS FOLLOWS:

Based on the findings herein as stated in the resolution and the staff report, the City Council hereby adopts the following amendments to the Downtown Specific Plan/Planned Development Master Plan regarding tasting rooms:

THE COUNCIL OF THE CITY OF VALLEJO DOES ORDAIN AS FOLLOWS:

New text shown in ***bold italic*** deleted text in ~~strike through~~;

SECTION 1. Table 8.2, Special Land Use Regulations, is hereby amended as follows:

	Land Use or Use Classification	Conditions, Limitations or Prohibitions
C	Liquor (Alcohol) sales	<p>Liquor (Alcohol) sales</p> <p>All Districts are subject to the restrictions and limitations of VMC Sections 16.82.060Q (On-sale liquor establishments) and 16.82.060R (Off-sale liquor establishments), with the following exceptions:</p> <p>A. Off-sale liquor establishments with a sales display area between 8,000 and 11,000 square feet are exempt from the restriction contained in VMC Section 16.82.060 R (16).</p> <p>B. Within the Downtown Specific Plan Arts & Entertainment District (See Figure 4.2), or as specified below, the following shall apply:</p> <ol style="list-style-type: none"> Uses existing as of March 9, 2011 on Virginia Street, and within District 1 East of Sonoma Boulevard, and classified as Spectator Sports and Entertainment as defined in VMC Section 16.06.480 (A), are exempt from the one thousand feet <i>foot</i> restriction contained in VMC Section 16.82.060 Q (12) of the Vallejo Municipal Code. <i>Tasting rooms are exempt from the one thousand foot restriction contained in VMC Section 16.82.060 Q (12) of the Vallejo Municipal Code, except that the number of tasting rooms shall not exceed six (6).</i>

SECTION 2. General Findings.

1. The Downtown Specific Plan is also the Planned Development Master Plan for the downtown area.
2. Planned Development Master Plans may be amended pursuant to 16.116.140 of the Vallejo Municipal Code.

SECTION 3. Master Plan Adequacy.

The City Council hereby finds that the Downtown Specific Plan/ Planned Development Master Plan regarding tasting rooms meet the requirements of Vallejo Municipal Code 16.116.060 in that:

- a.) The amended Downtown Specific Plan/Planned Development Master Plan is consistent with the goals and policies of the Vallejo General Plan.
- b.) The amended Downtown Specific Plan/Planned Development Master Plan is consistent with the stated purpose of the Planned Development District.
- c.) The amended Downtown Specific Plan/Planned Development Master Plan is in conformity with public convenience, the general welfare and good land use practice as discussed in the Planning Commission staff report relative to the Specific Plan Amendment.
- d.) The amended Downtown Specific Plan/Planned Development Master Plan will not be detrimental to the health, safety and general welfare.
- e.) The amended Downtown Specific Plan/Planned Development Master Plan will not adversely affect the orderly development or the preservation of property values.

SECTION 4. Adoption of the Amendment to the Downtown Specific Plan/Planned Development Master Plan.

Based on the findings herein and in the resolution approved concurrently with this action, the City Council hereby adopts the Downtown Specific Plan/Planned Development Master Plan regarding alcohol sales, as amended by Specific Plan Amendment #12-0001, as specified above, holding on first reading of this ordinance.

SECTION 5. Severability.

If any section, subsection, sentence, clause, phrase, or word of this Ordinance is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed and adopted this Ordinance, and each and all provisions hereof, irrespective of the fact that one or more provisions may be declared invalid.

SECTION 6. Effective Date.

This Ordinance shall take effect and be in full force and effect from and after (30) days after its final passage.

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ORDINANCE NO. _____ N.C. (2d)

AN ORDINANCE OF THE CITY OF VALLEJO AMENDING
TITLE 16 (ZONING ORDINANCE) OF THE VALLEJO
MUNICIPAL CODE REGARDING BREWPUBS AND TASTING ROOMS

THE COUNCIL OF THE CITY OF VALLEJO DOES ORDAIN AS FOLLOWS:

New text shown in ***bold italic***, deleted text in ~~strike through~~;

SECTION 1: Section 16.04 of the Vallejo Municipal Code is hereby amended to add as follows:

16.04.056 Brewpub

“Brewpub” means a small-scale beer manufacturer or micro-brewery that produces and sells beer on the premises and includes a restaurant. A brewpub is considered an on-sale liquor establishment.

16.04.571 Tasting Room

“Tasting room” means a facility licensed by the California Department of Alcohol Beverage Control to allow customers to taste or sample wine, beer, or other alcoholic beverage on the premises. A tasting room may include beer, wine or other alcoholic beverage, and related sales, marketing events, special events, public entertainment and/or food service. A tasting room is not considered a bar, nightclub, tavern, or restaurant, but is considered an on-sale liquor establishment.

SECTION 2: Section 16.06 Classifications of the Vallejo Municipal Code is hereby amended to read as follows:

16.06.340 Eating and drinking establishments.

The eating and drinking establishments use type refers to establishments or places of business primarily engaged in the sale of prepared food and beverages for on-premises consumption. Typical uses include restaurants, short order eating places or bars, ***brewpubs and tasting rooms***, but does not include adult uses as defined and regulated by Chapter 16.59.

16.06.500 Wholesaling, storage and distribution.

A. Light. Wholesaling, storage and warehousing services within enclosed structures. Typical uses include wholesale distributors, ***food and beverage processing and manufacturing plants***, storage warehouse or moving and storage firms.

SECTION 3: Section 16.34 Intensive Use District of the Vallejo Municipal Code is hereby amended to read as follows:

16.34.020 Permitted uses.

B. Commercial Use Types.

~~15. Wholesaling, storage, and distribution: light;~~

16.34.030 Uses subject to limitations.

B. Commercial Use Types.

6. Wholesaling, storage, and distribution: light (S)

SECTION 4: Section 16.57 Limitations on Permitted Uses of the Vallejo Municipal Code is hereby amended to read as follows:

16.57.020 Applicability.

S. Wholesaling, storage, and distribution: light. The storage of equipment or materials out-of-doors shall be permitted when screened from view from public streets and other dissimilar uses, as prescribed in Chapter 16.70, Screening and Landscaping. ***Beer and wine manufacturing facilities that include on-site tasting rooms shall be subject to a major conditional use permit, as prescribed in Chapter 16.82.***

SECTION 5: Section 16.82 Conditional Use Permit Procedures of the Vallejo Municipal Code is hereby amended to read as follows:

16.82.060

Q. On-sale liquor establishments shall comply with the following restrictions:

4. Shall not sell alcohol for off-site consumption, ***except for tasting rooms and brewpubs approved by the California Department of Alcoholic Beverage Control.***

SECTION 6: Severability.

If any section, subsection, sentence, clause, phrase, or word of this Ordinance is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed and adopted this Ordinance, and each and all provisions hereof, irrespective of the fact that one or more provisions may be declared invalid.

SECTION 7: Effective Date.

This Ordinance shall take effect and be in full force and effect from and after (30) days after its final passage.

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