

ALUC-21-14 Diversity Beer Project

Conduct a Public Hearing to consider the consistency of ALUC-21-14, Diversity Beer Project, with the Travis AFB Land Use Compatibility Plan (Travis Plan).

RECOMMENDATION:

Determine that application ALUC-21-14, the Diversity Beer Project, is consistent with the Travis AFB Land Use Compatibility Plan (Travis Plan).

DISCUSSION:

INTRODUCTION

The County of Solano is considering the Diversity Beer Project (Attachments A and B) which is a zoning change application being considered by the Board of Supervisors on October 26, 2021. The Applicant is requesting a rezoning petition for Diversity Beer to rezone two parcels totaling 0.48 acres from Residential Traditional Community "R-TC-20" to Residential Traditional Community Mixed Use "R-TC-MU" to establish and operate a brewpub and taproom. The subject property has historically operated as a saloon and is considered legal non-conforming under the existing R-TC-20.

The intent of the rezoning petition is to allow upgrades to the site by bringing the property zoning into conformance with the General Plan and allowing the proposed use to be conditionally permitted with approval of a Minor Use permit.

The property at 6081 California Pacific Street contains two buildings that are attached by a hallway. The front building commonly referred to as "the Cabin" contains architecture typical of old west saloons with a wooden covered porch and a flat parapet at the roof line. The building is boarded and in disrepair. The second building is referred to as "the dance hall." Saloon operations at this facility date back to the 1920s, although the use has not been operational for the last several years.

Proposed future improvements include taking down three sides of one portion of the building and leaving the entire front façade in place. Using the same foundation, a prefabricated steel building (40-feet by 72-feet) will be constructed to house the brew operation and will contain stainless steel tanks to brew the beer. The interior of the dance hall will be remodeled to include the taproom/brewpub for retail sales.

The 6077 California Pacific Street parcel, located immediately south of the proposed brew pub, contains a single-family home that will be converted to office use to support the proposed Diversity Beer business. The existing two-bedroom one-bathroom residential structure is 936 square feet in size. Office uses are not allowed in residential districts. Therefore, the rezoning to RTC-MU would allow office uses to occur on the site so that the structure could be used to support administrative functions of the Diversity Beer operations.

The review requirements for each entitlement process are discussed below.

REQUIRED TESTS FOR CONSISTENCY FOR REZONING ACTIONS

State law, under Section 21661.5 of the Public Utilities Code, requires that any proposed zoning regulations or revisions to the local zoning ordinance be reviewed for consistency with adopted airport land use compatibility plans.

California Airport Land Use Planning Handbook

The State Department of Transportation Division of Aeronautics has published the California Airport Land Use Planning Handbook as a guide for Airport Land Use Commissions in the preparation and implementation of Land Use Compatibility Plans and Procedure Documents. Section 6.4.2 sets forth procedures for the review of local zoning ordinances and directs agencies to consider the topics listed in Table 5A, as follows:

Zoning or Other Policy Documents (from Table 5A, CalTRANS Airport Land Use Planning Handbook)

The Handbook lists the following topics for consideration when reviewing zoning or other policy documents.

- Intensity Limitations on Nonresidential Uses
- Identification of Prohibited Uses
- Open Land Requirements
- Infill Development
- Height Limitations and Other Hazards to Flight
- Buyer Awareness Measures
- Non-conforming Uses and Reconstruction

Staff has reviewed the County of Solano's Diversity Beer Project in light of the tests for a zoning change. Our analysis is presented below.

ANALYSIS

RELEVANT ISSUES FOR THE ALUC

The ALUC is concerned with those aspects of the Diversity Beer Project that have the potential to be incompatible with the Travis Plan. Diversity Beer Project is proposed on property which lies entirely within Compatibility Zone D.

Compatibility Criteria for Zone D

Compatibility Zone D of the Travis Plan requires review for structures in excess of 200' above ground level. Height review is based on the part 77 Surfaces for Travis AFB. The proposed project does not penetrate any of the Part 77 Surfaces for Travis AFB. In addition, Compatibility Zone D provides for review of the following special circumstances:

- All proposed wind turbines must meet line-of-sight criteria in Policy 3.4.4
- All new or expanded commercial-scale solar facilities must conduct an SGHAT glint and glare study for ALUC review
- All new or expanded meteorological towers > 200 feet AGL, whether temporary or permanent, require ALUC review
- For areas within the Bird Strike Hazard Zone, reviewing agencies shall prepare a WHA for discretionary projects that have the potential to attract wildlife that could cause bird strikes. Based on the findings of the WHA, all reasonably feasible mitigation measures must be incorporated into the planned land use.

- For areas outside of the Bird Strike Hazard Zone but within the Outer Perimeter, any new or expanded land use involving discretionary review that has the potential to attract the movement of wildlife that could cause bird strikes are required to prepare a WHA.

ANALYSIS OF CONSISTENCY FACTORS

Zoning Change Consistency Factors

The CalTRANS Handbook lists the following topics for consideration when reviewing zoning or other policy documents.

Each of these categories is reviewed below:

1. Intensity Limitations on Nonresidential Uses

Within Compatibility Zone D, there are no limitations on density for residential land uses or limitations on intensity for non-residential land uses so the zoning change to Residential-Traditional Community-Mixed Use (R-TC-MU) zoning district is consistent with this provision of the Travis Plan .

2. Identification of Prohibited Uses

Compatibility Zone D does not prohibit any specific uses and as such, the uses permitted in the Residential-Traditional Community-Mixed Use (R-TC-MU) zoning district are consistent with this provision of the Travis Plan.

3. Open Land Requirements

Compatibility Zone D has no open land requirements for development. Therefore the zoning change to Residential-Traditional Community-Mixed Use (R-TC-MU) zoning district is consistent with this provision of the Travis Plan.

4. Infill Development

This project area is substantially developed. The Diversity Beer Project could be considered an infill project. However, since the project has no direct conflicts with the Travis Plan, it does not require any leniency provided for infill projects. Thus, the zoning change to Residential-Traditional Community-Mixed Use (R-TC-MU) zoning district is consistent with this provision of the Travis Plan.

5. Height Limitations and Other Hazards to Flight

As previously discussed, within Compatibility Zone D, the relevant factors for consideration include height review for objects in excess of 200 feet in height, wind turbines in excess of 100 feet in height, and projects within either the Bird Strike Hazard Zone or the Outer Perimeter Area.

Height Review for Objects Greater than 200 Feet in Height and Wind Turbines in Excess of 100 Feet in Height

The Residential-Traditional Community-Mixed Use (R-TC-MU) zoning district does not permit structures taller than 50 feet, so airspace review standards in zone D are satisfied.

Projects within the Bird Strike Hazard Zone or the Outer Perimeter Area

The project lies outside of both the Bird Strike Hazard Zone and the Outer Perimeter Area. Within Compatibility Zone D, consequently it is not subject to the requirements for wildlife hazards contained within the Travis Plan.

6. Buyer Awareness Measures

The proposed project lies within Compatibility Zone D and outside of any noise contours of concern. As a result, Buyer Awareness Measures are not required by the Travis Plan.

7. Non-conforming Uses and Reconstruction

The proposed project will consist of new construction. As a result, there are no existing non-conforming uses, or any reconstruction components and the project is consistent with this provision of the Travis Plan.

Based on the discussion above, staff recommends that the Commission find that the proposal meets these tests for consistency for a zoning action.

RECOMMENDATION

Based on the analysis and discussions above, Staff recommends that the Solano County Airport Land Use Commission find as follows:

Determination: That application ALUC-2021-14 (Diversity Beer Project) is consistent with the Travis AFB Land Use Compatibility Plan (Travis Plan).

Attachments:

Attachment A: Zoning Map

Attachment B: Travis Plan Context Map

Attachment C: Resolution (To Be Distributed by Separate Cover)

Rezoning Petition Z-20-02 (Diversity Beer Company)



 Subject Parcels

0 10 20 40 Feet



LUCP Context Map

