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Public Hearing to consider Rezoning Petition No. Z-20-02 by Jeremy Mason on behalf of Diversity Beer to rezone two parcels totaling .48 acres from Residential Traditional Community "R-TC-20" to Residential Traditional Community Mixed Use "R-TC-MU" to be consistent with the Solano County General Plan and allow for future neighborhood commercial uses, APNs 0142-061-040 and 210.

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Published Notice Required? Yes  X  No  \_\_\_   
Public Hearing Required? Yes  X  No  \_\_\_

**RECOMMENDATION:**

The Department of Resource Management recommends that the Planning Commission:

1. Conduct a public hearing to consider Rezoning Petition No. Z-20-02 (Diversity Beer Company) to rezone 0.48 acres from the Residential Traditional Community (R-TC-20) Districts to R-TC-MU (Mixed Use).
2. Recommend that the Board of Supervisors approve Rezoning Petition Z-20-02.

**EXECUTIVE SUMMARY:**

The Applicant is requesting a rezoning petition for Diversity Beer to rezone two parcels totaling .48 acres from Residential Traditional Community "R-TC-20" to Residential Traditional Community Mixed Use "R-TC-MU" and a Minor Use Permit application MU-20-08 to establish and operate a Neighborhood Commercial 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 rezone would allow the existing residential structure to be used as an office and with approval of a Minor Use Permit would allow the Applicant to operate the brewpub as a Neighborhood Commercial use.

**ENVIRONMENTAL ANALYSIS:**

The site has been historically utilized for commercial (saloon) uses. Solano County staff review of the proposal has determined that the Project qualifies for a categorical exemption pursuant to CEQA Guidelines Section 15302 (b) Replacement/Reconstruction & Section 15311 Accessory Structures (parking lot).

**PROPERTY INFORMATION:**

**A. Applicant:**  
Jeremy Mason  
Diversity Beer  
P.O. Box 1798  
Vacaville, CA 95696

**Owner:**  
Billy Merritt  
7446 N Meridian Road  
Vacaville, CA 95688

**B. Surrounding General Plan, Zoning and Land Uses:**

	General Plan	Zoning	Land Use
North	Traditional Community Mixed Use TC-M	Residential Traditional Community RTC-20	Residential
South	Traditional Community Mixed Use TC-M	Residential Traditional Community RTC-20	Residential
East	Traditional Community Mixed Use TC-M	Residential Traditional Community RTC-20	Undeveloped/ Rail Road Tracks
West	Traditional Community Mixed Use TC-M	Residential Traditional Community RTC-20	Residential

**ANALYSIS:**

**A. Environmental Setting**

The subject site is located in the community of Elmira, east of the City of Vacaville, on California Pacific Road, northeast of the intersection with Elmira Road and Water Street. The site is bound by rural residential homes to the north, south and west. To the east across the street is undeveloped with railroad tracks.

The site is flat with shrubs and trees in the rear portion of the site, and the topography gently slopes toward the street. Utilities include Solano Irrigation District water and wastewater disposal provided by the City of Vacaville.

**B. Project Description**

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.

APNs	Current Zoning	Current General Plan	Proposed Zoning	Acres
0142-061-040	Rural Residential (RR 2.5) Neighborhood Commercial (CN)	Residential Traditional Community RTC-20	Residential Traditional Community RTC-MU	0.26
0142-061-210	Exclusive Agriculture (A-20) Neighborhood Commercial (CN)	Residential Traditional Community RTC-20	Residential Traditional Community RTC-MU	0.22

### **Rezoning**

The proposal would rezone .48 acres from Residential Traditional Community RTC-20 to Residential Traditional Community Mixed Use (R-TC-MU). The R-TC-MU zoning district is intended for certain medium-density residential and retail commercial and business areas that are appropriate for residential and commercial uses, and that can be served by community services. The regulations for this district are designed to stabilize and protect the essential residential characteristics of the district, to promote and encourage a suitable environment for family life and to provide for the integration of retail shops and businesses into the neighborhood that support economic development.

The existing use of the property as “The Cabin” was an Existing Non-Conforming use per Section 28.114 of the Solano County Code but has been terminated due to closure for more than 6 months.

### **Minor Use Permit**

Approval of this rezoning request would allow similar uses to be reestablished with approval of a Minor Use permit, including the taproom and brewery proposed by the applicant. The proposed project includes replacement of the main building with a 40x72 foot metal building used as a brewery, and conversion of the existing “dance hall” into a retail taproom and brewpub.

### **Parking**

As required by Section [28-94](#) of the Solano County Code (Parking Requirements), one space

per two hundred square feet of gross floor area is required for the retail/commercial use (tap room) area and one space per 800 square feet for commercial services area (brewery).

The retail sales area of the brewpub area is 1,430 square feet in size which would require 7.15 parking spaces, and the brewery area is 2,880 square feet which would require 3.6 parking spaces for a total of 11 required spaces. The Applicant is proposing to provide 18 spaces which includes one handicapped parking space which exceeds the County's parking requirements.

### **C. General Plan and Zoning Consistency**

The General Plan Land Use Diagram designates the subject site as TC-M Traditional Community Mixed Use. The Residential -Traditional Community Mixed Use (R-TC-MU) zoning district is intended for certain medium-density residential and retail commercial and business areas that are appropriate for residential and commercial uses, and that can be served by community services. The regulations for this district are designed to stabilize and protect the essential residential characteristics of the district, to promote and encourage a suitable environment for family life and to provide for the integration of retail shops and businesses into the neighborhood. The R-TC-MU zoning district is consistent with and implements the vision for the Elmira area.

It is the intent to preserve and enhance the character and quality of these communities and promote future infill residential and mixed-use development but not to expand the area of these communities, so the proposed zoning change would be consistent with the General Plan designation and would match the General Plan designation of mixed use. Therefore, the proposed Project including the rezoning is consistent with the General Plan.

### **Environmental Analysis**

The site has been historically utilized for commercial (saloon) uses. Solano County staff has reviewed the proposal and determined that the Project qualifies for a categorical exemption pursuant to CEQA Guidelines Section 15302 (b) Replacement/Reconstruction & Section 15311 Accessory Structures (parking lot).

### **Recommended Findings for Rezoning**

- 1. The proposed zone change is in conformity with the Solano County General Plan with respect to land use, population densities and distribution, traffic circulation and other aspects of the General Plan considered by the Board of Supervisors to be permanent.**

As listed in Table LU-7 of the Solano County General Plan, the proposed Residential Traditional Community Mixed Use (R-TC-MU) rezoning is consistent with the Traditional Community Mixed Use TC-M General Plan designation for the property. The intent of the mixed-use General Plan land use is to promote and encourage a suitable environment for family life and to provide for the integration of retail shops and businesses into the neighborhood. The Project will provide for improvements to a structure in disrepair and bring retail services to the neighborhood consistent with the General Plan.

2. **The development or land use complies with the terms and conditions of any applicable permit and/or subdivision map that was previously approved for such development.**

The Project will be required to apply for, and comply with, the conditions of a Minor Use Permit for the operation of the Project. The development or land use complies with the terms and conditions of any applicable permit and/or subdivision map that was previously approved for such development.

**ATTACHMENTS:**

- A – Draft Resolution
- B – General Plan Map
- C – Zoning Maps - Before
- D – Zoning Maps – After

# SOLANO COUNTY PLANNING COMMISSION

## RESOLUTION NO. xxxx

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**WHEREAS**, the Solano County Planning Commission has considered Rezoning Petition No. Z-20-02 by **Jeremy Mason** on behalf of **Diversity Beer Company** to rezone two parcels totaling .48 acres from Residential Traditional Community "R-TC-20" to Residential Traditional Community Mixed Use "R-TC-MU" to be consistent with the Solano County General Plan and allow for future neighborhood commercial uses, APNs 0142-061-040 and 210; and

**WHEREAS**, the Commission has reviewed the report of the Department of Resource Management and heard testimony relative to the subject application at the duly noticed public hearing held on September 2, 2021, and

**WHEREAS**, after due consideration, the Planning Commission has made the following findings in regard to said proposal:

1. **The proposed zone change is in conformity with the Solano County General Plan with respect to land use, population densities and distribution, traffic circulation and other aspects of the General Plan considered by the Board of Supervisors to be permanent.**

As listed in Table LU-7 of the Solano County General Plan, the proposed Residential Traditional Community Mixed Use (R-TC-MU) rezoning is consistent with the Traditional Community Mixed Use TC-M General Plan designation for the property. The intent of the mixed-use General Plan land use is to promote and encourage a suitable environment for family life and to provide for the integration of retail shops and businesses into the neighborhood. The Project will provide for improvements to a structure in disrepair and bring retail services to the neighborhood consistent with the General Plan.

2. **The development or land use complies with the terms and conditions of any applicable permit and/or subdivision map that was previously approved for such development.**

The Project will be required to apply for, and comply with, the conditions of a Minor Use Permit for the operation of the Project. The development or land use complies with the terms and conditions of any applicable permit and/or subdivision map that was previously approved for such development.

**RESOLVED**, that the Solano County Planning Commission does hereby make a recommendation of approval to the Board of Supervisors on Rezoning Petition No. Z-20-02 by Jeremy Mason on behalf of Diversity Beer to rezone two parcels totaling .48 acres from Residential Traditional Community "R-TC-20" to Residential Traditional Community Mixed Use "R-TC-MU" to be consistent with the Solano County General Plan and allow for future neighborhood commercial uses, APNs 0142-061-040 and 210.

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I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Planning Commission on September 2, 2021, by the following vote:

AYES: Commissioners \_\_\_\_\_

NOES: Commissioners \_\_\_\_\_

EXCUSED: Commissioners \_\_\_\_\_

\_\_\_\_\_  
Paula Bauer, Chairperson  
Solano County Planning Commission

By: \_\_\_\_\_  
Terry Schmidtbauer, Secretary

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


General Plan  
Designation: Traditional  
Community - Mixed Use

Vaca Station Rd

Calif Pacific Rd

Elmira Rd

Calif Pacific Rd  
Water St

 Subject Parcels





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



Existing  
Zoning:  
RTC-20

Existing  
Zoning:  
MG-3

Subject Parcels

0 10 20 40 Feet

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



Proposed Zoning:  
Residential Traditional  
Community RTC-20

Vaca Station Rd

Calif Pacific Rd

Elmira Rd

Calif Pacific Rd  
Water St

Subject Parcels

0 10 20 40 Feet

