

ORDINANCE NO. \_\_\_\_\_ N.C. (2d)

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF VALLEJO  
AMENDING THE NORTHGATE SPECIFIC PLAN/MASTER PLAN  
REGARDING ALCOHOL SALES, SERVICE  
AND PRODUCTION ESTABLISHMENTS**

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

Based on the findings herein and as stated in the resolution and the staff report, the City Council hereby adopts the following amendments to the Northgate Specific Plan/Planned Development Master Plan regarding alcohol sales, service and production establishments:

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

SECTION 1. The rows concerning eating and drinking establishments and food and beverage retail sales within the “Northgate Mixed Use Development, Permitted Uses” Table, which is contained in Section 5.1 “Commercial” within Section 5.0 “The Commercial Land Use Area” of the Northgate Specific Plan/Master Plan, are hereby amended as follows:

**NORTHGATE MIXED USE DEVELOPMENT  
Permitted Uses**

LAND USE (1)	COMMERCIAL (Section 5.1)	NEIGHBORHOOD SHOPPING & SERVICES (Section 4)	MIXED USE (Section 3)
Eating and drinking establishments: <del>(See below) w/o alcohol.</del> Subject to provisions and definitions of the Vallejo Municipal Code	<del>P (5)</del>	P	P
<b><i>Bar, Nightclub, Lounge, Tavern, Taproom</i></b>	<b><i>AP</i></b>	<b><i>MJUP</i></b>	<b><i>AP</i></b>
<b><i>With Late Night Alcohol Sales or Service</i></b>	<b><i>MJUP</i></b>	<b><i>MJUP</i></b>	<b><i>UP</i></b>
<b><i>With Live Entertainment and/or Dancing</i></b>	<b><i>MJUP</i></b>	<b><i>MJUP</i></b>	<b><i>MJUP</i></b>
<b><i>Restaurant</i></b>			
<b><i>Full Service</i></b>	<b><i>P</i></b>	<b><i>P</i></b>	<b><i>P</i></b>
<b><i>Limited Service (Take Out Restaurant)</i></b>	<b><i>P</i></b>	<b><i>P</i></b>	<b><i>P</i></b>
<b><i>Brewpub</i></b>	<b><i>P</i></b>	<b><i>P</i></b>	<b><i>P</i></b>
<b><i>With Drive-Through</i></b>	<b><i>MJUP</i></b>	<b><i>MJUP</i></b>	<b><i>MJUP</i></b>
<b><i>With Beer and Wine Service</i></b>	<b><i>P</i></b>	<b><i>P</i></b>	<b><i>P</i></b>
<b><i>With Full Bar Service</i></b>	<b><i>P</i></b>	<b><i>P</i></b>	<b><i>P</i></b>
<b><i>With Late Night Alcohol Sales or Service</i></b>	<b><i>MJUP</i></b>	<b><i>MJUP</i></b>	<b><i>MJUP</i></b>
<b><i>With Live Entertainment and/or Dancing</i></b>	<b><i>MJUP</i></b>	<b><i>UP</i></b>	<b><i>UP</i></b>
<b><i>With Ancillary Banquet Facilities</i></b>	<b><i>P</i></b>	<b><i>P</i></b>	<b><i>P</i></b>
<b><i>Banquet Facility (stand-alone)</i></b>	<b><i>MJUP</i></b>	<b><i>MJUP</i></b>	<b><i>MJUP</i></b>
<b><i>Micro-brewery/micro-distillery</i></b>	<b><i>AP</i></b>	<b><i>AP</i></b>	<b><i>AP</i></b>
<b><i>With Tasting room – accessory use</i></b>	<b><i>P</i></b>	<b><i>P</i></b>	<b><i>P</i></b>
<b><i>With Ancillary Banquet facilities</i></b>	<b><i>P</i></b>	<b><i>P</i></b>	<b><i>P</i></b>
<b><i>Tasting room – primary use</i></b>	<b><i>P</i></b>	<b><i>P</i></b>	<b><i>P</i></b>
Eating and drinking establishments, with on and/or off site sale of alcoholic beverages. Drive thru not permitted.	MNUP	MNUP	MNUP

Food and beverage retail sales: <del>(See below) w/o alcohol. Drive thru not permitted. Subject to provisions and definitions of the Vallejo Municipal Code</del>	<del>P</del>	<del>P</del>	<del>P</del>
Food and beverage retail sales, with on and/or off site sales of alcoholic beverages. Drive thru not permitted.	MNUP	MNUP	MNUP
<b>Large Format Liquor Store</b>	<b>P</b>	<b>P</b>	<b>P</b>
<b>Grocery Store</b>	<b>P</b>	<b>P</b>	<b>P</b>
<b>Wine Shop</b>	<b>P</b>	<b>P</b>	<b>P</b>
<b>Convenience Store</b>	<b>MJUP</b>	<b>MJUP</b>	<b>MJUP</b>
<b>Mini Market Associated with Fuel Sales</b>	<b>MJUP</b>	<b>MJUP</b>	<b>MJUP</b>
<b>Any Retail Use Above that includes Late Night Alcohol Sales or Service</b>	<b>MJUP</b>	<b>MJUP</b>	<b>MJUP</b>

SECTION 2. The legend to the “Northgate Mixed Use Development, Permitted Uses” Table, which is contained in Section 5.1 “Commercial” within Section 5.0 “The Commercial Land Use Area” of the Northgate Specific Plan/Master Plan, is hereby amended as follows:

<b>LEGEND</b>
P = Permitted
<b>AP = Administrative Permit</b>
MJUP = Major Use Permit Required
MNUP= Minor Use Permit Required
— = Use Not Permitted

SECTION 3. Footnote (5) to the “Northgate Mixed Use Development, Permitted Uses” Table, which is contained in Section 5.1 “Commercial” within Section 5.0 “The Commercial Land Use Area” of the Northgate Specific Plan/Master Plan, is hereby deleted as follows:

~~(5) Eating and drinking establishments w/o alcohol: Limited to one business on the southwest corner of Admiral Callaghan Lane and Columbus Parkway; drive thru is permitted subject to a Major Use Permit.~~

SECTION 2. Section 5.2 “Commercial Center” contained in Section 5.0 “The Commercial Land Use Areas” of the Northgate Specific Plan is hereby amended as follows:

## **5.2 Commercial Center**

The Commercial Center site of 62.3 acres is located north of Turner Parkway and next to Vallejo Corners Shopping Center.

It is hoped that the uses within the commercial area include well-known retailers, a department store, and provide goods and services not currently ~~not~~ available in Vallejo. It is also hoped that neighborhood services be kept to an acceptable minimum in order to encourage the regional nature of the site Neighborhood services should be limited.

The FAR will not exceed .25 for the gross acreage, with a total buildout not to exceed approximately 678,000 square feet of commercial/retail space.

Primary access for the site will be from the proposed extension of Plaza Drive. The Center will be designed to minimize the access along Turner Parkway in order to reduce the impacts on the adjacent residential neighborhoods. All perimeter streets will be adequately landscaped in order to maintain a quality streetscape as well as compliment the landscapes of adjacent properties.

The uses that will be allowed in the Commercial Center with an approved Planned Development Unit Plan:

- Administrative and professional services;
- Animal sales and services (indoor);
- Building maintenance service;
- Building supplies;
- Business equipment sales and services;
- Business support services;
- Communications services;
- Convenience sales and personal services;
- Cultural exhibits;
- Eating and drinking establishments, *as provided in the Northgate Mixed Use Development Permitted Uses Table* ~~if not described below;~~
- Fast food restaurants in attached buildings;
- Finance, insurance and real estate services;
- Food and beverage retail sales, *as provided in the Northgate Mixed Use Development Permitted Uses Table* ~~if not described below;~~
- Garden supplies;
- Laundry services;
- Lodging;
- Participant sports and recreation (indoor);
- Personal services, functional community training for the developmentally disabled;
- Personal services, general;
- Postal services;
- Repair services, consumer;
- Retail sales, Wholesale sales when associated with retail sales;
- Day care facilities;
- Essential services.

The uses that will be allowed in the Commercial Center with an approved Major Use Permit:

- Eating and drinking establishments, *as provided in the Northgate Mixed Use Development Permitted Uses Table*, ~~with on or off site sale of alcoholic beverages;~~
- Food and beverage retail sales, *as provided in the Northgate Mixed Use Development Permitted Uses Table*, ~~with on or off site sale of alcoholic beverages;~~
- Participant sports and recreation (outdoor);
- Major impact utilities and services.

Fast food restaurants (maximum of two) on freestanding pads under the following conditions:

- a. One fast food restaurant upon written confirmation from the project sponsor to the City that the Commercial Center has obtained written commitments for location in the Center from the following firms and/or their equivalent:

- A Fry's grocery store,;

A Long's drug store;  
A Home Club home improvement store; and  
A Ross and/or Marshall's retail clothing store.

- b. A second fast food restaurant upon occurrence of any one of the following events:

Verification from the project sponsor to the City that the project sponsor has secured a retail tenant for 80,000 or more square feet;

Verification from the project sponsor to the City that the project sponsor has secured two retail tenants of 15,000 square feet or more and retail tenant of 10,000 square feet or more,; or a combination of three retail stores totaling a minimum of 40.000 square feet,; or

Verification from the project sponsor to the City that the project sponsor has secured a “dinner house” restaurant within the Northgate project of *at* least 6,000 square feet and including a full bar/cocktail lounge.

The fast food restaurants shall be consistent with the rest of the center in terms of building design, materials, colors, details; landscaping; pedestrian paving surfaces, signage; street and pedestrian furniture. They shall not be allowed to maintain their corporate architecture.

- c. Light automotive services under the following conditions:

It is limited to tune-ups, lubes and oil changes, muffler installations, brake repairs, and wheel alignments.

It is allowed in only area of the Center in one building, and no freestanding pads.

It is conducted entirely indoors with no overnight storage of vehicles.

The building shall be identical to the remainder of the approved Center in term building design, materials, colors, details; landscaping; pedestrian paving surfaces; signage, and street and pedestrian furniture.

The use shall not visually impact adjoining uses and/or properties. Service bays shall be screened from adjoining uses and/or properties by the orientation of the building *and* landscaping.

- d. A gas station and car wash (maximum of one each) under the following conditions:

They are to be located on the east side of Plaza Drive only.

They are to be consistent with the Center in terms of building design, materials, colors, details; landscaping; pedestrian paving surfaces; signage, street and pedestrian furniture.

No residential, except lodging, or industrial uses will be allowed. Commercial will typically be one or two stories with landscaped surface parking.

SECTION 3. General Findings.

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

SECTION 4. Master Plan Adequacy.

The City Council hereby finds that the amendment to the Northgate Specific Plan/Planned Development Master Plan regarding alcohol sales, service and production establishments meets the requirements of Vallejo Municipal Code Section 16.116.060 in that:

- a.) The amended Northgate Specific Plan/Planned Development Master Plan is consistent with the goals and policies of the Vallejo General Plan in that the amendment supports the Specific Plan goal to develop a mix of residential and non-residential land uses removing the discretionary permit required for restaurants and retail establishments that sell and serve alcoholic beverages.
- b.) The amended Northgate Specific Plan/Planned Development Master Plan is consistent with the stated purpose of the Planned Development District as the amendment supports the goal to provide a variety of retail and commercial uses. The removal of a discretionary permit for restaurants and retail establishments that sell and serve alcoholic beverages may promote new retail and commercial businesses in the City.
- c.) The amended Northgate Specific Plan/Planned Development Master Plan is in conformity with public convenience, the general welfare and good land use practice.
- d.) The amended Northgate Specific Plan/Planned Development Master Plan will not be detrimental to the health, safety and general welfare.
- e.) The amended Northgate Specific Plan/Planned Development Master Plan will not adversely affect the orderly development or the preservation of property values.

SECTION 5. Compliance with the California Environmental Quality Act.

The City Council has determined that the proposed amendment to the Northgate Specific Plan/Planned Development Master Plan is exempt from the California Environmental Quality Act pursuant to Section 15061(b)(3) of Title 14 of the California Code of Regulations. It can be seen with certainty that there is no possibility that the proposal may have a significant effect on the environment, as the proposal contemplates uses similar to those already allowed in the Northgate Specific Plan/Planned Development Master Plan.

SECTION 6. Adoption of the Amendment to the Northgate 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 Northgate Specific Plan/Planned Development Master Plan regarding alcohol sales, service and production establishments, as amended by Specific Plan Amendment (SPA) #17-0001, as specified above, holding on first reading of this Ordinance.

SECTION 7. 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 sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases may be declared invalid. To this end, the provisions of this Ordinance are declared to be severable.

SECTION 8. Effective Date.

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