

# General Plan and Zoning Amendments

Housing, Land Use & Safety Elements  
Zoning Text & Map

**City Council**

January 24, 2023



THE CITY OF  
**BENICIA**  
CALIFORNIA

# Introductions

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City of Benicia

PlaceWorks

# Recommended Action

## Environmental Impact Report (EIR)

- Statement of Overriding Considerations
- Final EIR
- Mitigation Monitoring & Reporting Program

## Zoning Amendments

- Benicia Municipal Code Title 17 (Zoning)
- Downtown Mixed Use Master Plan
- Zoning Map

## General Plan Amendments

- 6<sup>th</sup> Cycle Housing Element
- Land Use Element & Land Use Diagram
- Community Health and Safety Element

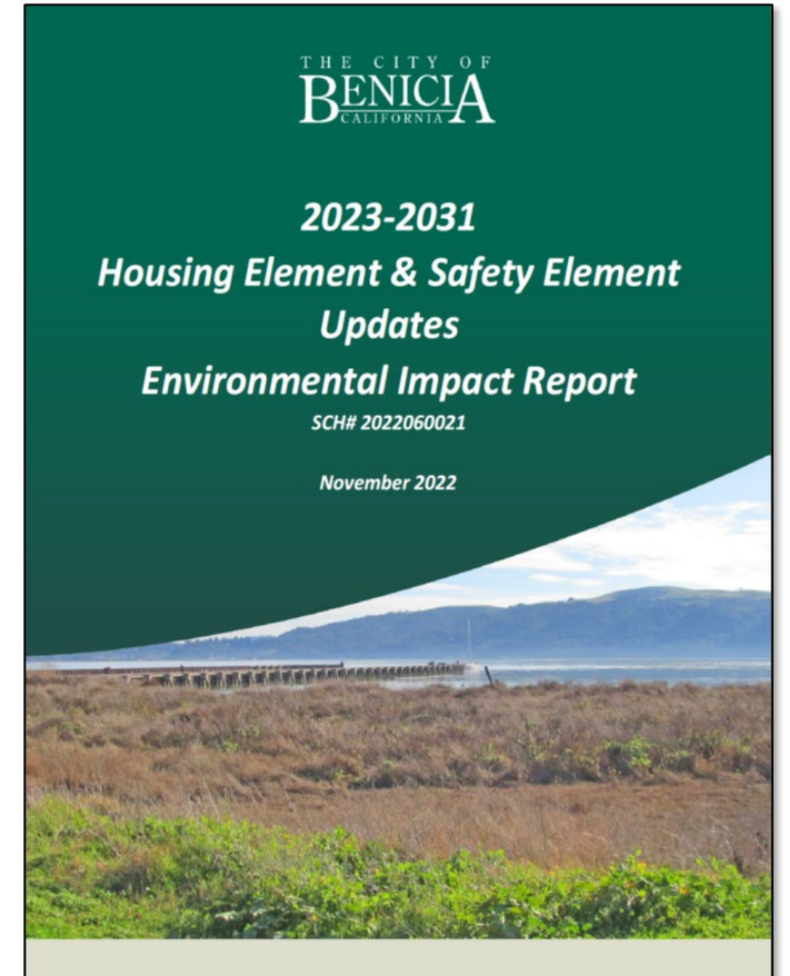
# Environmental Impact Report (EIR)

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# California Environmental Quality Act (CEQA)

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- Discloses environmental impacts and identifies mitigation measures
- Describes alternatives to the project
- Programmatic EIR considers the *possible* environmental effects
  - Future projects may require further environmental review of specific site or development details
  - EIR may overestimate potential impacts



# Project Objectives

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1. Update the General Plan's Housing Element to comply with State-mandated housing requirements and to address the maintenance, preservation, improvement, and development of housing in the City between 2023 and 2031.
2. Include an adequate inventory of housing sites and rezone the sites as necessary to meet the required Regional Housing Needs Allocation and to provide an appropriate buffer.
3. Update the Safety Element to be consistent with the state requirements, as presented in Section 65302(g) of the California Government Code, and to address climate adaptation and resiliency.
4. To affirmatively further fair housing (AFFH).
5. Incentivize the development of housing, particularly affordable housing, suited to special needs and all income levels.

# Significant and Unavoidable Impacts

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- Air Quality
  - Construction activities and potential increased Vehicle Miles Traveled (VMT) per person
- Cultural Resources
  - Potential alteration/demolition of buildings and structures more than 45 years old; potential alteration to the setting of historic districts and sites
- Greenhouse Gas Emissions
  - Generation of greenhouse gas emissions due to vehicle usage by new residents, design of new construction, and construction vehicle emissions
- Transportation
  - Potential increase in vehicle miles traveled (VMT) per resident

# Project Alternatives Considered

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- No Project
  - The City would not adopt the General Plan and zoning amendments
  - No project objectives would be met
- Avoidance of Historic Resources
  - Two sites would be removed from Sites Inventory (190 East F and 190 East L)
  - Would not reduce the identified impacts to “less than significant”
  - Changes Fair Housing analysis and reduces housing sites
- Remove all Opportunity Sites in a Historic District
  - Would reduce cultural resources impact to “less than significant”
  - Inconsistent with Objective 4, Affirmatively Furthering Fair Housing
  - Significantly reduces sites (total of 321 units, including 99 lower income units)



# EIR Review and Status

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The EIR evaluates the potential environmental impacts of project  
Public comment has been considered  
Final EIR includes Response to Comments and revisions to Draft EIR:

- Updating biological resources mitigations
- Clarifying cultural resource mitigation
- Correcting project description Table 3..3
- Clarifying Arsenal Historic District existing conditions

Date	Review Step
6/2	Notice of Preparation Issued
6/9	Scoping Meeting
11/4	Draft EIR released
12/13	Public hearing to accept comment on the EIR
12/19	Close of public comment period
12/30	Final EIR released

# Certification of the EIR

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- EIR must be certified prior to action on the project.
- Planning Commission conducted a public hearing and recommended certification of the EIR on January 12, 2023
- Statement of Overriding Considerations balances the project benefits against significant unavoidable impacts
  - Project objectives
  - Housing supply, resources, condition and affordability
  - Sustainability
  - Consistency with regional goals

# Zoning Amendments

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# About the Zoning Amendments

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- Zoning Ordinance (Title 17) establishes land use rules for each property in the City
  - Zoning Map shows the boundary of each zoning district
  - Form Based Code of DMUMP sets rules for downtown
- Text Amendments change the language of the Zoning Ordinance and DMUMP
- Map Amendments change the zoning designation and/or apply an overlay zone
- Amendments will implement Program 1.06 of the Housing Element and/or reflect State housing law

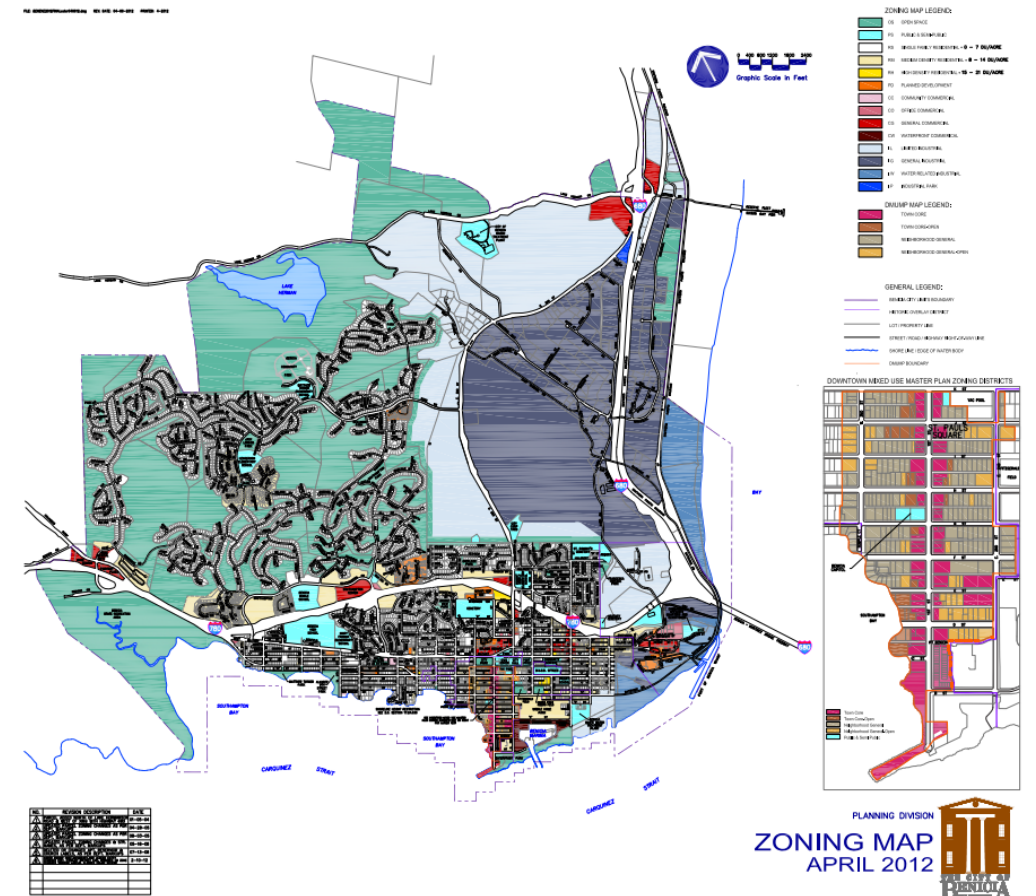
# Key Zoning Text Amendments

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- Housing Opportunity Sites Overlay:
  - Up to 30 dwelling units/acre and 3 stories height
  - Applies to Opportunity Sites in Residential Districts, Downtown Zones, CC, CO, PS Districts
  - Allows multifamily, group residential, supportive housing, transitional housing
  - CC, CO, PS, and TC : Requires ground floor public and semipublic or commercial use ( “vertical” or “horizontal” mixed use)
  - Increase from 40% to 45% lot coverage in the RS District
- Design Review Findings:
  - Updated for objectivity
  - Projects that are consistent with Objective Planning and Design Standards are deemed consistent with the findings.

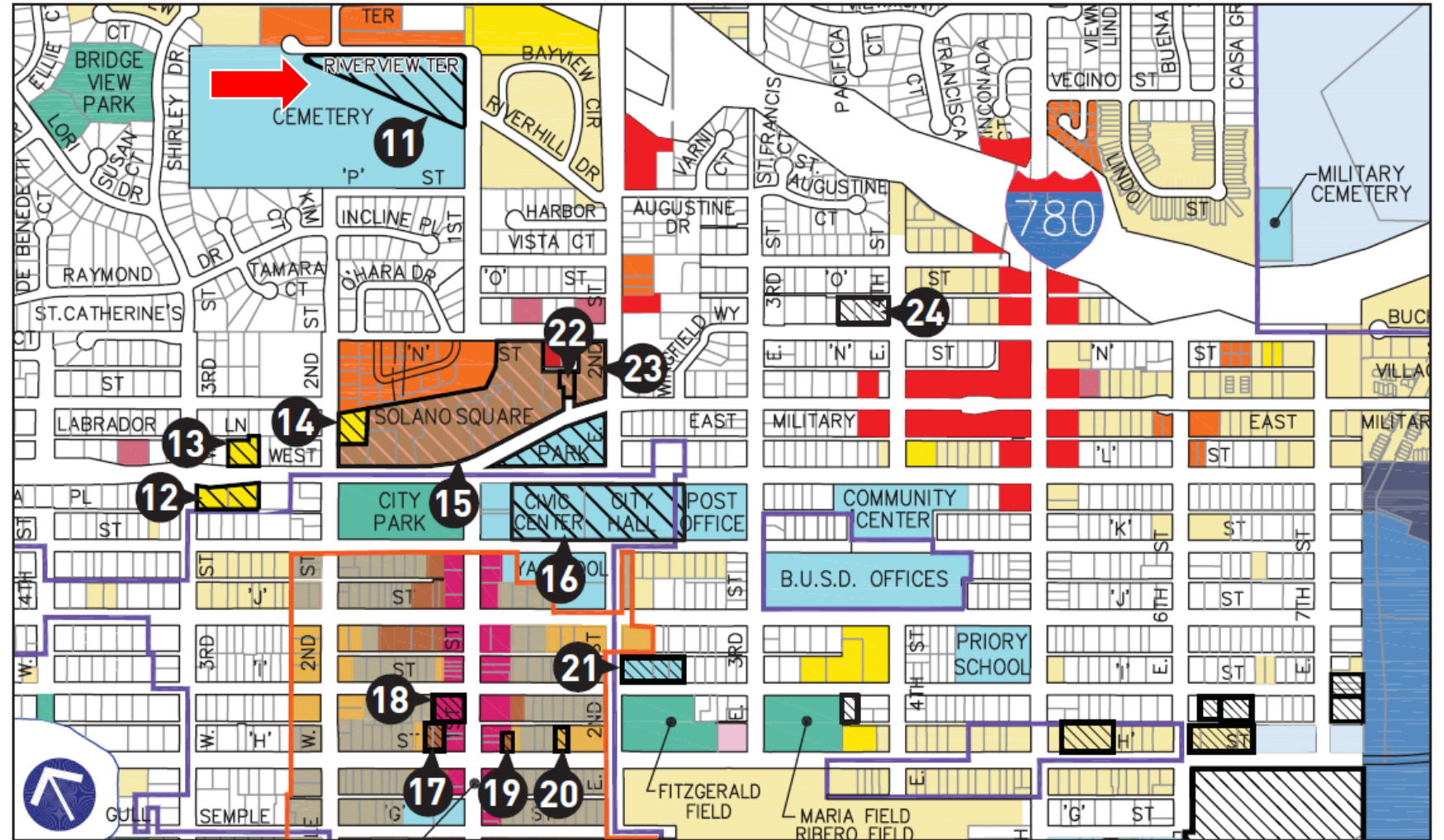
# Zoning Map Amendments

- Reflect the zoning text amendments
- Align with the Housing and Land Use Element amendments
- Sites with new zoning designation must comply with the standards of their new zoning district
- Sites in Overlay District: comply with the “base zone” as well as the Housing Opportunity Sites Overlay (e.g., RM - HOS)



PROPOSED ZONING MAP AMENDMENTS (4 OF 6)

**Correction to  
Map 4  
Housing  
Overlay on  
City  
Cemetery  
(2.75 ac at  
NEC of site)**



PROPOSED NEW ZONES

	RS-HOS		CO-HOS
	RM-HOS		PS-HOS
	RH-HOS		TC-O-HOS
	MU-1		TC-HOS
	CC-HOS		NG-HOS

EXISTING ZONES

	OS OPEN SPACE		PD PLANNED DEVELOPMENT
	PS PUBLIC & SEMI-PUBLIC		CC COMMUNITY OCCUPANCIAL
	RS SINGLE FAMILY RESIDENTIAL • 0 - 7 DU/ACRE		OC OFFICE COMMERCIAL
	RM MEDIUM DENSITY RESIDENTIAL • 8 - 14 DU/ACRE		GC GENERAL COMMERCIAL
	RH HIGH DENSITY RESIDENTIAL • 15 - 21 DU/ACRE		CW WATERFRONT COMMERCIAL

	IL LIMITED INDUSTRIAL
	IG GENERAL INDUSTRIAL
	IWF WATER RELATED INDUSTRIAL
	IP INDUSTRIAL PARK

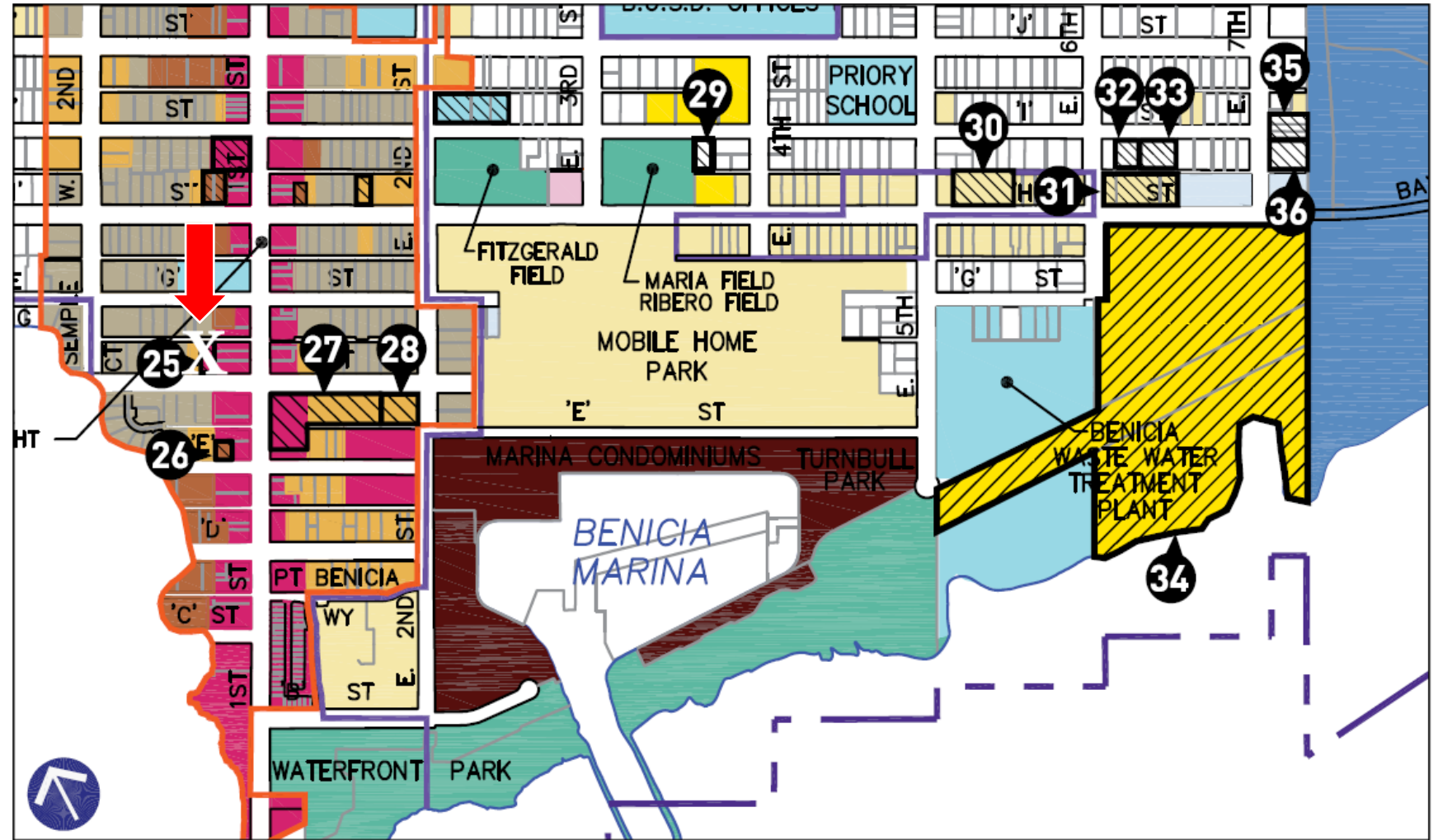
	TOWN CORE
	TOWN CORE-OPEN
	NEIGHBORHOOD GENERAL
	NEIGHBORHOOD GENERAL-OPEN

GENERAL LEGEND

	BENICIA CITY LIMITS BOUNDARY
	HISTORIC OVERLAY DISTRICT
	DUMP BOUNDARY

PROPOSED ZONING MAP AMENDMENTS (5 OF 6)

Revision to  
Map 5  
Removal of  
125 West F  
Street



PROPOSED NEW ZONES

	RS-HOS		CO-HOS
	RM-HOS		PS-HOS
	RH-HOS		TC-O-HOS
	MU-I		TC-HOS
	CC-HOS		NG-HOS

EXISTING ZONES

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GENERAL LEGEND

	BENICIA CITY LIMITS BOUNDARY
	HISTORIC OVERLAY DISTRICT
	DUMP BOUNDARY



# General Plan Amendments

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# About the Housing Element

- A plan for the housing needs of the community at all economic levels, including Regional Housing Needs Allocation (RHNA)
- Establishes goals, policies and programs to address housing needs
- Required component of the General Plan
- The proposed update is for the 6<sup>th</sup> Cycle, 2023-2031.



# Meets State Requirements

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- Evaluation of Past Performance
- Housing Needs Assessment
- Housing Sites Inventory
- Constraints Analysis
- Policies and Programs
- Affirmatively Furthering Fair Housing
- Community Engagement



# Housing Element Goals

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**Goal 1.** *Benicia shall be an active leader* in attaining the goals of the City's Housing Element.

**Goal 2.** Have an *adequate supply and mix of housing types* to meet existing and future housing needs. Future development in the City will adhere to *efficient land use patterns* placing housing near transit and services.

**Goal 3.** Accommodate the *housing needs of special population groups*.

**Goal 4.** Homes in Benicia are *preserved and well-maintained*.

**Goal 5.** Ensure *equal housing opportunities for all persons in Benicia* regardless of age, race, religion, gender, marital status, ancestry, national origin, disability, family status, sexual orientation, political affiliation, source of income, or other barriers that prevent choice in housing.

**Goal 6.** Housing in Benicia is *energy efficient*.

# Housing Element RHNA Summary

	Very Low- Income	Low- Income	Moderate- Income	Above Moderate- Income	Total
<b>Regional Housing Needs Allocation (A)</b>	<b>212</b>	<b>127</b>	<b>123</b>	<b>288</b>	<b>750</b>
Residential Units Approved Since 6/30/22	7	7	0	124	138
Est. Units Accommodated by Vacant Residentially-Zoned Land (B)1	75		87	163	325
Est. Units Accommodated by Non-Vacant Residentially-Zoned Land (B)2	0		21	22	43
Projected Units to be Accommodated by ADUs (C)	13	13	13	5	44
<b><i>Remaining Units to be Accommodated (A-B1-B2-C = D)</i></b>	<b>224</b>		<b>2</b>	<b>-26</b>	
Net Estimated Units Accommodated by Vacant Opportunity Sites (E)	68		38	32	138
Net Estimated Units Accommodated by Non-Vacant Opportunity Sites (E)	481		351	404	1,236
<b><i>RHNA Surplus (D-E)</i></b>	<b>-325</b>		<b>-387</b>	<b>-462</b>	

# Public Information and Engagement

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- 22 public meetings in 2022
- Wide Distribution of Information:
  - Community-wide direct mail
  - City of Benicia This Week
  - Social Media
  - Housing Element listserv

[www.ci.benicia.ca.us/housingelement](http://www.ci.benicia.ca.us/housingelement)



# Housing Element Review and Status

- December 13 – CC/PC Study Session to review HCD Findings
- Key Revisions:
  - Updates to programs and timeframes
  - Realistic capacity and analysis
  - Removal of Solano Square site from inventory
  - Additional Constraints analysis, including analysis of proposed zoning

Date	Review Step
7/1	Public Draft Housing Element Published – 30 Day Public Review
7/7	Planning Commission (PC) Review of Public Draft Housing Element
7/31	End of 30-day Comment Period for Public Draft Housing Element
8/16	City Council (CC) Review of Public Draft Housing Element
8/24	Draft Housing Element Submitted to HCD for 90-Day Review and Posted
11/3	City Staff and HCD Staff Discuss Submittal
11/11	Revised Draft Housing Element Posted for 7-Day Public Review
11/18	Revised Draft Housing Element Submitted to HCD
11/22	HCD Review Letter Received

# General Plan Land Use Amendments

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## Land Use Element

- Adequate housing is essential to community sustainability
- Housing Opportunity Sites of Housing Element are consistent with the following categories at up to 30 dwelling units/acre:
  - Residential, Community Commercial, Business and Professional Offices, Public and Quasi-Public

## Land Use Diagram

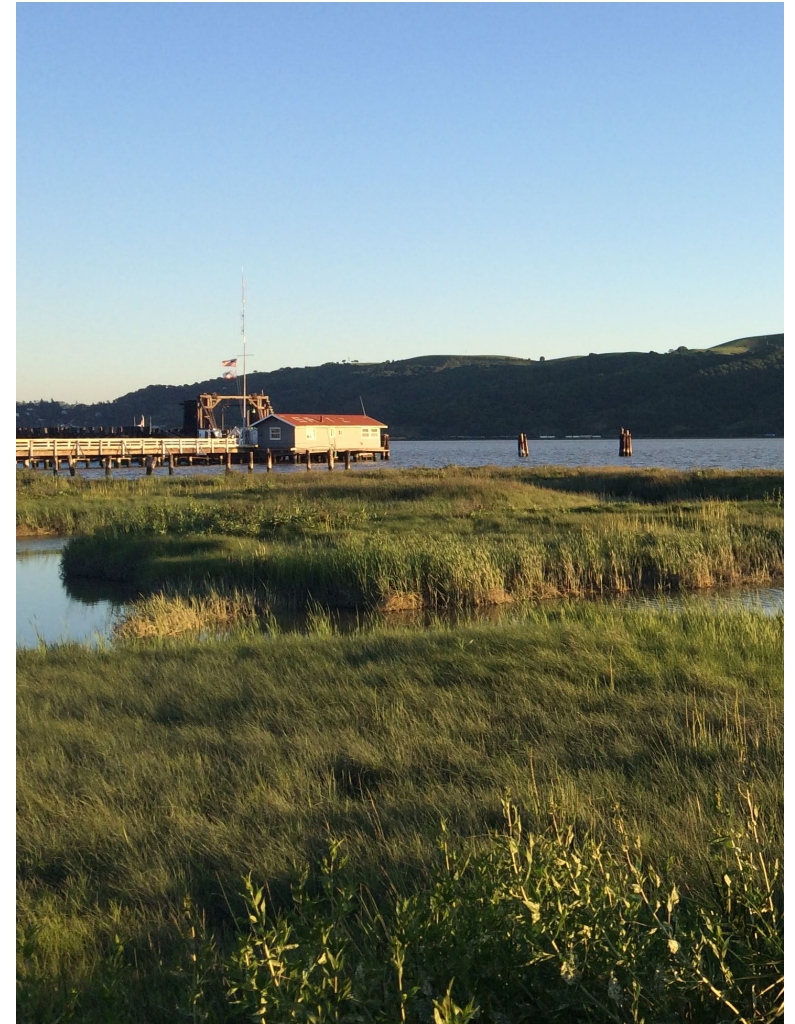
- Land Use Designations are changed to align with Housing Element density and zoning
- New designations correspond to proposed zoning changes (e.g., General Commercial to Mixed Use-Infill)



# About the Safety Element

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- Required component of the General Plan
- Addresses physical hazards: flood, fire, and seismic risk
- State requires updates for emergency egress, climate change vulnerability and evacuation routes
- Contained in Chapter 4 of Benicia General Plan, Community Health and Safety Element



# New Appendices to General Plan

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## Safety Element Background Report

- Evaluation of public safety issues
  - Emergency preparedness & response
  - Flood and inundation
  - Seismic and geologic
  - Fire
  - Hazardous waste & materials
  - Climate-related hazards
- Updated mapping
- Regulatory framework / agencies
- Past events and future risk

## Climate Change Vulnerability Assessment

- Required by State law
- Identify most vulnerable people and assets

# Community Health and Safety Element

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## Overview (New Section)

- 1.1: Purpose and Content
- 1.2: Relationship to Other Documents
- 1.3: Community Profile
- 1.4: Climate Change Vulnerability

**Healthy Community, Noise are renumbered/reformatted only**

## Public Safety Issues (Updated)

- 3.1: Emergency Preparation and Response
- 3.2: Flood and Inundation Hazards
- 3.3: Seismic and Geologic Hazards
- 3.4: Fire Hazards
- 3.5: Hazardous Waste and Materials
- 3.6: Drought
- 3.7: Extreme Heat
- 3.8: Severe Weather
- 3.9: Utility Hazards
- 3.10: Air Quality/Contamination

# Community Health and Safety Element

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## New Goals

- 4.6. Minimize threats from hazards
- 4.8. Community resilience to hazards
- 4.11. Sea level rise
- 4.17. Sustainable and resilient water supply
- 4.18. Critical infrastructure and high temperatures
- 4.19. Severe weather events

## Updated Goals

- 4.7. Emergency Response Plan
- 4.10. Flooding
- 4.12. Ground and surface water contamination
- 4.13. Seismic and geologic hazards
- 4.14. Urban and wildland fire
- 4.15. Hazardous materials
- 4.16. Hazardous materials users, waste and disposal, toxic air contaminants
- 4.21. Clean air

**Renumbered:** 4.9 Runoff from existing development and 4.20 pipelines & high voltage transition lines

# Public Information and Engagement

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- 7 public meetings in 2022
- Benicia Farmers Market
- BHS student engagement
- Wide Distribution of Information:
  - City of Benicia This Week
  - Social Media
  - Safety Element listserv

[www.ci.benicia.ca.us/safetyelement](http://www.ci.benicia.ca.us/safetyelement)



# Planning Commission, 1/12/23

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- 16 public speakers
  - Specific sites, historic districts, population and traffic, land use compatibility and the number of sites selected.
- Commission deliberated on cemetery (site 42), planning process, State requirements, and opportunity sites in Historic Districts.
- PC recommended certification of the EIR and approval of the Project (5-0)
  - Removal of 125 West F Street (Site 50) from the Housing Element and Zoning Map amendment per staff recommendation



# Key Dates and Deadlines

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## January 31, 2023 – Statutory Deadline to Adopt the 6<sup>th</sup> Cycle Housing Element

### Tonight (January 24):

- Certification of EIR and adoption of Statement of Overriding Considerations and MMRP
- First Reading and Introduction of ordinance for zoning text and map amendments
- Adoption of General Plan amendments

### January 31, 2023

- Second Reading and Adoption of ordinance for zoning text and map amendments



# Questions

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[www.ci.benicia.ca.us/housingelement](http://www.ci.benicia.ca.us/housingelement)

[www.ci.benicia.ca.us/safetyelement](http://www.ci.benicia.ca.us/safetyelement)

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