

March 12, 2009

BENICIA PLANNING COMMISSION

CITY COUNCIL CHAMBERS

REGULAR MEETING AGENDA

Thursday, March 12, 2009

7:00 P.M.

**I. OPENING OF MEETING**

- A. Pledge of Allegiance
- B. Roll Call of Commissioners
- C. Reference to Fundamental Rights of Public - A plaque stating the Fundamental Rights of each member of the public is posted at the entrance to this meeting room per Section 4.04.030 of the City of Benicia's Open Government Ordinance.

**II. AGENDA CHANGES AND DISCUSSION**

**III. OPPORTUNITY FOR PUBLIC COMMENT**

- A. WRITTEN
- B. PUBLIC COMMENT

**IV. ELECTION OF OFFICERS**

**V. PRESENTATION**

- A. [PROCLAMATION OF COMMENDATION FOR FRED RAILSBACK](#)
- B. [CLIMATE ACTION PLAN](#)

The Cal Poly, San Luis Obispo City and Regional Planning Department Consulting Team will present an update of their progress on the Climate Action Plan. The presentation will include a brief overview of the Climate Action Plan preparation process and a summary of recommended strategies for each of the eight focus areas. Focus areas include Transportation and Land Use, Energy, Industry, Parks and Open Space, Water and Wastewater, Solid Waste, and Public Outreach and Education.

**VI. CONSENT CALENDAR**

Consent Calendar items are considered routine and will be enacted, approved, or adopted by one motion unless a request for removal for discussion or explanation is received from the Planning Commission or a member of the public by submitting a speaker slip for that item.

\*Any Item identified as a Public Hearing has been placed on the Consent Calendar because it has not generated any public interest or dissent. However, if any member of the public wishes to comment on a Public Hearing item, or would like the item placed on the regular agenda, please notify the

Community Development Staff either prior to, or at the Planning Commission meeting, prior to the reading of the Consent Calendar.

- A. Approval of Agenda
- B. [Approval of Minutes of February 11, 2009](#)

VII. COMMUNICATIONS FROM STAFF

- A. HISTORIC RESOURCE INVENTORY UPDATE – The Historic Resource Inventory Update is being presented to City Council for final action on March 17, 2009.

VIII. COMMUNICATIONS FROM COMMISSIONERS

IX. ADJOURNMENT

**Public Participation**

The Benicia Planning Commission welcomes public participation.

Pursuant to the Brown Act, each public agency must provide the public with an opportunity to speak on any matter within the subject matter jurisdiction of the agency and which is not on the agency's agenda for that meeting. The Planning Commission allows speakers to speak on non-agendized matters under public comments, and on agendized items at the time the agenda item is addressed at the meeting. Comments are limited to no more than five minutes per speaker. By law, no action may be taken on any item raised during the public comment period although informational answers to questions may be given and matters may be referred to staff for placement on a future agenda of the Planning Commission.

Should you have material you wish to enter into the record, please submit it to the Commission Secretary.

**Disabled Access**

In compliance with the Americans with Disabilities Act (ADA), if you need special assistance to participate in this meeting, please contact Valerie Ruxton, the ADA Coordinator, at (707) 746-4211. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

**Meeting Procedures**

All items listed on this agenda are for Commission discussion and/or action. In accordance with the Brown Act, each item is listed and includes, where appropriate, further description of the item and/or a recommended action. The posting of a recommended action does not limit, or necessarily indicate, what action may be taken by the Planning Commission.

The Planning Commission may not begin new public hearing items after 11 p.m. Public hearing items which remain on the agenda may be continued to the next regular meeting of the Commission, or to a special meeting.

Pursuant to Government Code Section 65009; if you challenge a decision of the Planning Commission 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 Planning Commission at, or prior to, the Public Hearing. You may also be limited by the ninety (90) day statute of limitations in which to file and serve a petition for administrative writ of mandate challenging any final City decisions regarding planning or zoning.

Appeals of Planning Commission decisions which are final actions, not recommendations, are considered by the City Council. Appeals must be filed in the Community Development Department in writing, stating the basis of appeal with the appeal fee within 10 business days of the date of action.

#### Public Records

The agenda packet for this meeting is available at the City Clerk's Office, the Benicia Public Library and the Community Development Department during regular working hours. To the extent feasible, the packet is also available on the City's web page at [www.ci.benicia.ca.us](http://www.ci.benicia.ca.us) under the heading "Agendas and Minutes." Public records related to an open session agenda item that are distributed after the agenda packet is prepared are available before the meeting at the Community Development Department's office located at 250 East L Street, Benicia, or at the meeting held in the City Hall Council Chambers. If you wish to submit written information on an agenda item, please submit to Gina Eleccion, Management Analyst, as soon as possible so that it may be distributed to the Planning Commission.

 [Railsback Proclamation \(pdf\)](#)

 [Climate Action Plan \(pdf\)](#)

 [February 11, 2009 minutes \(pdf\)](#)



# PROCLAMATION

## IN RECOGNITION OF THE DEDICATION AND SERVICE OF FRED RAILSBACK

**WHEREAS**, Fred was appointed to the Planning Commission in 2000 and reappointed in 2004, and has served as Chair since 2005; and

**WHEREAS**, Fred served on the Planning Commission with honor and integrity until February 2009; and

**WHEREAS**, Fred has contributed to the development of the community as a member of the Human Services Fund Board, the Historic Preservation Commission, and the Urban Water Management Planning Task Force; and

**WHEREAS**, Fred has donated his time out of his love for the City of Benicia; and

**WHEREAS**, Fred is chair of both the Community Action Council and St. Paul's Historic Trust, and serves on the committee for the Benicia Relay for Life, and has contributed to the betterment of the community in numerous ways.

**NOW, THEREFORE, BE IT RESOLVED THAT I**, Charlie Knox, Community Development Director of the City of Benicia, on behalf of the Planning Commission, hereby sincerely thank Fred for his years of service and dedication to improving the quality of life of the citizens of Benicia. Fred, it has been a pleasure working with you. Best of Luck Always!

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Charlie Knox  
Community Development Director  
March 12, 2009





Community Development Department  
**MEMORANDUM**

**Date:** March 5, 2009  
**To:** Planning Commission  
**From:** Mike Marcus, Assistant Planner  
**Re:** Climate Action Plan Update & Overview

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### **Overview**

The City of Benicia is proud to be the first city in Solano County to address climate change through a comprehensive planning process, funded by a grant from the Bay Area Air Quality Management District (BAAQMD). This process includes the completed greenhouse gas emission inventory, the establishment of reduction targets and the development of a Climate Action Plan (CAP). The Planning Commission is designated body that is advising the City Council regarding the CAP.

The City hired the Cal Poly, San Luis Obispo City and Regional Planning (CRP) Department to write a CAP that will achieve the reduction goals set by the City Council in September 2008. The purpose of a Climate Action Plans is to analyze greenhouse gas inventories and provide municipalities with specific emission reduction strategies and recommended actions. The analysis looks at everything from industrial operations and manufacturing to resident commute patterns to green building standards and City operations. As its final product, the consultant team will provide a draft CAP in April 2009 for City staff to carry forward for adoption.

### **Community Involvement and Outreach**

The Cal Poly consultant team has included community involvement and outreach as a crucial part of their work. A high school visioning workshop was held on November 3, 2008, and a public workshop was held on November 13, 2008. In addition, [www.BeniciaClimateActionPlan.com](http://www.BeniciaClimateActionPlan.com) was established as an interactive website to educate the community, solicit comments and answer questions. Information was also distributed at the Farmers' Market in October.

## **Planning Process**

The project was set-up to occur in two phases:

- Phase One: Background Report – The draft background report was submitted as an internal document in February 2009. The document includes findings from the community workshop, multiple case studies and a Benicia policy audit.
- Phase Two: Draft Climate Action Plan – The draft climate action plan builds from the background report to identify definitive focus areas and specific emission reduction strategies, develop indicators to track each strategy, and provides policy recommendations for implementation. The Cal Poly consulting team will submit a final draft document in April 2009.

City staff will then take the final draft to the Planning Commission and Council for adoption. In accordance with the terms of the BAAQMD grant, the CAP must be adopted by June 30, 2009.

## **Cal Poly Involvement**

On an annual basis, the Cal Poly CRP Department partners with a municipality to author a planning document as both a community service project and an educational tool for the students. This year Benicia is benefiting from the service – for the past five months the Cal Poly team has been working closely with City staff, the public and decision makers to put together one of the first Climate Action Plans in the State for a city of our size.

The team is comprised of two professors, Professor Zeljka Howard and Dr. Adrienne Greve, along with two graduate students and 25 undergraduate seniors. Combined, the two professors bring over 45 years of experience in teaching and practicing community planning, architecture, environmental engineering and urban ecology; projects under their leadership have been awarded dozens of local, state and national awards.

## **March 12, 2009 Presentation**

On March 12, 2009, the Cal Poly, San Luis Obispo City and Regional Planning Department Consulting Team will present an update of their progress on the Climate Action Plan. The presentation will include a brief overview of the Climate Action Plan preparation process and a summary of recommended strategies for each of the eight focus areas. Focus areas include Transportation and Land Use, Energy, Industry, Parks and Open Space, Water and Wastewater, Solid Waste, and Public Outreach and Education.



**BENICIA PLANNING COMMISSION**

**CITY COUNCIL CHAMBERS**

**REGULAR MEETING MINUTES**

**Wednesday, February 11, 2009**

**7:00 P.M.**

**I. OPENING OF MEETING**

- A. Pledge of Allegiance**
- B. Roll Call of Commissioners**

Present: Commissioners Richard Bortolazzo, Rick Ernst, Dan Healy, Rod Sherry,  
Lee Syracuse, Brad Thomas and Chair Railsback

Absent: None

Staff Present: Damon Golubics, Principal Planner  
Rhonda Corey, Senior Administrative Clerk  
Heather McLaughlin, City Attorney

- C. Reference to Fundamental Rights of Public** - A plaque stating the Fundamental Rights of each member of the public is posted at the entrance to this meeting room per Section 4.04.030 of the City of Benicia's Open Government Ordinance.

**II. AGENDA CHANGES AND DISCUSSION**

Item C- Pulled from Consent

**III. OPPORTUNITY FOR PUBLIC COMMENT**

- A. WRITTEN**  
None.
- B. PUBLIC COMMENT**  
None.

**IV. PRESENTATION**

**A. OPEN GOVERNMENT PRINCIPLES**

The City Attorney will be giving an overview of the Open Government Ordinance, including Brown Act, Conflict of Interest, Ethics, Public Records and Ex-Parte Communication.

Heather McLaughlin gave a presentation regarding the above listed topics. All Commissioners signed a proof of participation certificate required to show completion of training regarding The Brown Act, Conflict of Interest Issues, Ethics and Due Process.

Caution was urged regarding emails and blogs by Commissioners in reference to meeting issues.

**V. CONSENT CALENDAR**

On motion of Commissioner Ernst, seconded by Commissioner Sherry, Items A and B of the Consent Calendar were approved by the following vote:

Ayes: Commissioners Bortolazzo, Ernst, Healy, Sherry, Syracuse, Thomas and Chair Railsback (On Item A only due to his absence from the meeting of December 11, 2008)  
Noes: None  
Absent: None

**A. Approval of Agenda**

**B. Approval of Minutes of December 11, 2008**

**C. 726 FIRST STREET – USE PERMIT CONDITION OF APPROVAL: FINAL CONSIDERATION OF DESIGN OF OPEN-AIR PORCH STRUCTURE -\*Public Hearing**

08PLN-57 Use Permit  
726 First Street, APN: 89-341-010

**PROPOSAL:**

Per the project Use Permit findings and conditions of approval (PC Resolution No. 08-13), the design of the rear open-air porch structure requires final consideration by the Planning Commission after receiving Design Review approval from the Historic Preservation Review Commission (HPRC).

Damon Golubics gave a presentation for final consideration by the Planning Commission recommending approval of the listed use permit design conditions.

**Recommendation:** Approve the design of the open-air porch structure located in the rear of the building at 726 First Street, based on the findings and subject to the conditions listed in the proposed Resolution.

Commissioner Ernst made an Ex-Parte disclosure of having entered the business on one occasion when the doors were open and it appeared that there was a private celebration going on regarding the business opening in the near future.

**RESOLUTION NO. 09-1 (PC) - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BENICIA APPROVING THE DESIGN OF THE OPEN-AIR PORCH STRUCTURE LOCATED IN THE REAR OF THE BUILDING LOCATED AT 726 FIRST STREET**

On the motion of Commissioner Syracuse, seconded by Commissioner Healy, the above Resolution was adopted by the following vote:

Ayes: Commissioners Ernst, Healy, Sherry, Syracuse, Thomas and Chair Railsback

Noes: None

Absent: None

Abstain: Commissioner Bortolazzo recused

**VI. REGULAR AGENDA ITEMS**

- A. **STRATEGIC PLAN UPDATE** – Staff will provide an update on the Commission’s Strategic Plan priorities.

**Recommendation:** Commission discuss 2007-09 Strategic Plan priorities and provide an updated list to Staff.

Commissioners discussed the 2009-2011 Budget Planning Strategic Project Rankings and assembled a final priorities list as follows:

1. Adopt and implement the Lower Arsenal Specific Plan and provide necessary funding (**in progress**)
2. Ensure that the Benicia Business Park is appropriately planned and environmentally mitigated (**in progress**)
3. Complete and implement the Climate Action Plan, adopt standards for green building and energy efficiency, and develop funding for energy efficiency projects (such as solar installation) (**in progress**)
4. Enhance the appearance of City gateways.
5. Update and/or develop consistent operating policies for restaurants/bars(e.g., entertainment, sidewalk access, alcohol restrictions, etc.).
6. Review opportunities for additional pedestrian amenities for First Street.
7. Seek ways to fund and construct a train and/or transit station.
8. Study westside waterfront pathway system.
9. Review Southampton open space policies (seek to intensify allowed uses in the open space areas).
10. Determine the feasibility of expanding Lake Herman and restoring Pine Lake (to expand water storage and capacity).

**VII. COMMUNICATIONS FROM STAFF**

- A. COMMISSION RULES & PROCEDURES** – The adopted Rules and Procedures are being distributed by Staff to the Commission for review.

Damon Golubics advised Commissioners to keep Commission Rules & Procedures in their binders for review and future reference.

He thanked Commissioners for participating in the Housing Element Workshop and was pleased that it was well attended by the public. An administrative draft of the new Housing Element will be available on March 1, 2009 with a 30 day internal review and available for public review on April 1, 2009.

The next meeting of the Planning Commission on March 12, 2009 will include an update on the Climate Action Plan from Cal Poly Staff.

New rules will be discussed for A-Frame signs in the Town Core Zoning District.

**VIII. COMMUNICATIONS FROM COMMISSIONERS**

Commissioner Healy advised fellow Commissioners that there is a link on the City of Benicia website with an update to the Climate Action Plan. Chair Railsback recommended that each Commissioner view the information on the website.

**IX. ADJOURNMENT**

Chair Railsback adjourned the meeting at 7:56 pm.