

## L. PUBLIC SERVICES

This section describes existing public services within and in the vicinity of the Plan Area, discusses policies relevant to these services, evaluates potential impacts resulting from implementation of the Draft Specific Plan, and identifies mitigation measures to reduce potential impacts, as appropriate. The analysis examines fire and police services, public schools, libraries, and parks.

### 1. Setting

This section discusses existing conditions for fire and police services, public schools, libraries, and parks in the City of Benicia. Conditions described include staffing, equipment, service levels, and standards that apply to each service.

**a. Fire Services.** Fire protection and emergency medical services are currently provided to the Plan Area by the City of Benicia Fire Department (Fire Department). Primary fire and medical response to the Plan Area would be from Station Eleven. Station Eleven is located approximately 1 mile west of the Plan Area, at 150 Military West. Station Twelve, located at 601 Hastings Drive, is approximately 4 miles west of the Plan Area.

The Fire Department maintains a staff of approximately 35 fire fighters and typically maintains a crew of eight on duty. There are approximately 20 volunteer positions. Equipment housed at Station Eleven includes one engine and rescue squad, a reserve engine, ladder truck, two brush fire trucks, water tender, and staff vehicles. Station Twelve houses one engine, two brush fire trucks, two utility vehicles, a reserve engine, and one reserve rescue unit.<sup>1</sup>

The Fire Department estimates that response times to the Plan Area would be 4 to 5 minutes from Station Eleven and 6 to 7 minutes from Station Twelve for fire and emergency services.<sup>2</sup> The Fire Department maintains a response time goal for fire fighting of 4 to 5 minutes, and 3 to 4 minutes for emergency medical services.

**b. Police Services.** The City of Benicia Police Department (Police Department) currently provides law enforcement and emergency related services to the Plan Area. The Police Department, located at 200 East L Street, maintains a staff of 57, including 36 sworn officers, 18 full time and 3 part time civilian employees, and 35 volunteers. The Police Department anticipates maintaining these staff levels over the next few years.<sup>3</sup>

The Police Department's level of service goal is 1.5 police officers per 1,000 residents. As of 2005, the Police Department had approximately 1.33 officers per 1,000 residents.<sup>4</sup> Primary law enforcement issues within and in the vicinity of the Plan Area include property crimes and pedestrian safety. Under

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<sup>1</sup> Hanley, Ken, 2007. Fire Chief, City of Benicia Fire Department. Written communication with LSA Associates, Inc. April 20.

<sup>2</sup> Ibid.

<sup>3</sup> Tschudi, Jeff, 2007. Management Analyst, City of Benicia Police Department. Written communication with LSA Associates, Inc. April 20.

<sup>4</sup> Association of Bay Area Governments, 2006. *Projections 2007, Forecasts for the San Francisco Bay Area to the Year 2035*. December. Based on 36 sworn officers per a 2005 population estimated at 27,100 persons.

existing conditions, the estimated emergency response time to the Plan Area ranges from 1 to 5 minutes, depending on the initial location of the first responding officer.<sup>5</sup> A non-emergency response would average 6 minutes.<sup>6</sup> Under the existing staffing levels and beat structure, these are considered acceptable response times based on established Department criteria.

**c. Public Schools.** The City of Benicia is served by the Benicia Unified School District (BUSD), which operates four elementary schools, one middle school, one high school and one continuation high school. Total BUSD enrollment for the 2006-2007 school year was 5,009 students, with projected enrollment increasing to 5,130 in the 2007-2008 school year.<sup>7</sup> The District has a maximum student:teacher ratio of 20:1 for grades K through 3, 30:1 for grades 4 and 5, and 31:1 for grades 6 through 12.<sup>8</sup>

New development is required to provide necessary funding and/or capital facilities for the school system, as determined by applicable State-mandated development impact fees. The proposed development would be subject to a developer mitigation fee of \$2.63 per residential unit<sup>9</sup> and \$0.42 per square foot for commercial development; no development fee is required for industrial or live/work development.<sup>10</sup>

**d. Libraries.** The Benicia Public Library is located at 150 East L Street. The Library has a shelf capacity of 98,000 books. For the 2003-2004 fiscal year (the most recent year for which data is available), the Library had an annual circulation of 330,168 items.<sup>11</sup> In addition to providing reading and research materials to the community, the Library operates an art gallery and runs Literacy and English as a Second Language (ESL) programs.

Library staff consists of full-time and part-time employees along with teen and adult pages, and on-call employees. There are also over 50 volunteers who regularly serve at the Library. The Library receives funding from the City, federal and State grants, and from non-profit organizations such as Friends of the Library. The Library receives approximately 30 percent of its funding from Measure B, which was passed in 1998. Measure B provides a 1/8 cent sales tax supplementing Solano County library budgets for new and expanded services. In addition residential development is subject to a \$213 library book fee per residential dwelling unit.

**e. Public Parks.** Benicia has almost 700 acres of existing parks; the largest portion of this acreage is within Lake Herman Regional Park, which includes the open space area surrounding the lake. The City has a joint use agreement with BUSD that provides for the sharing of school recreational facilities.

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<sup>5</sup> Tschudi, Jeff, 2007. op. cit.

<sup>6</sup> Ibid.

<sup>7</sup> Stewart, Aleta, 2007. Administrative Assistant, Business Office, Benicia Unified School District. Personal communication with LSA Associates, Inc. July 17.

<sup>8</sup> Ibid.

<sup>9</sup> Benicia, City of, 2007. Building Inspection Division: Residential Development Fees. May.

<sup>10</sup> Benicia, City of, 2007. Building Inspection Division: Commercial and Industrial Development Fees. May.

<sup>11</sup> Benicia, City of, 2007. City of Benicia Public Library. <http://benicialibrary.llwip.org>. May.

There are three types of parks in Benicia. Regional parks serve one or more communities and accommodate a variety of activities designed to enhance the use and experience of the natural environment. Uses may include trails, nature centers, and picnic areas.

Community parks serve several

neighborhoods and accommodate a wide variety of activities. Neighborhood parks serve a residential population within close proximity to the park and accommodate such activities as playgrounds, picnicking, and lawn games. See Table IV.L-1 for City park standards.

**Table IV.L-1: City Park Standards**

Park Type	Acres/ 1,000 People	Service Area	Size (Acres)
Regional Park	10.0	One hour of travel	250-1,000
Community Park	2.5	Within 3 miles of all residences	30-100

Source: City Benicia, 1999. *Benicia General Plan*. June 15

The California Department of Parks and Recreation operates two parks in Solano County, both in Benicia. The State Capitol Historic Park was the third site of the State Capitol (1853–1854). The Benicia State Recreation Area is located in western Benicia along the Benicia/Vallejo border. This area is predominantly marshland, but it provides hiking, jogging, biking trails, fishing, and picnic areas.

## 2. City of Benicia General Plan

Applicable public services and facilities-related General Plan goals and policies are presented below.

### Land Use and Growth Management

- *Growth Management Goal 2.4:* Ensure that development pays its own way.
  - *Growth Management Policy 2.4.1:* Ensure any new development to be fiscally and financially sound and pay its own way with respect to City and School District capital improvements.

### Community Services

- *Public and Quasi-Public Goal 2.28:* Improve and maintain public facilities and services.
  - *Public and Quasi-Public Policy 2.28.1:* Require that new development not reduce the levels of service in existing neighborhoods below City Standards.
- *Parks and Recreation Goal 2.30:* Maintain and improve existing parks and recreation programs.

### Cultural Resources

- *Cultural Goal 3.4:* Support the library and the services it provides to the community.
  - *Cultural Policy 3.4.2:* New development will be required to underwrite additional library materials.

## 3. Draft Specific Plan

The Draft Specific Plan contains the following goals, policies, and actions related to public services and open space.

- *Infrastructure Goal 6:* Ensure that public services keep pace with new development and that development pays its fair share of the cost of infrastructure.
  - *Infrastructure Policy 1:* Ensure that development patterns are orderly, efficient, and economically feasible in order to optimize land values and efficiently utilize public services and infrastructure.

- *Infrastructure Action 1:* Coordinate development approval with the Capital Improvement Plan to ensure that adequate municipal facilities and services are available to serve incoming development.
- *Infrastructure Action 2:* Where existing facilities are inadequate, approve new development only when the developer can demonstrate that all necessary public facilities will be adequately financed and installed prior to project occupancy, or the facility improvements are consistent with applicable facility plans approved by the City.
- *Infrastructure Action 3:* Require development to pay its full share of the cost of on- and off-site public infrastructure and services generated by new demand.
- *Parks and Open Space Goal 7:* Preserve and enhance the natural setting and features of the hillsides, slopes, heritage trees, open space features, grassland character and geological environment.
  - *Parks and Open Space Policy 1:* Renovate the Specific Plan area through the careful preservation, development, and use of parks and open space designed to complement historic landmarks and points of interest.
    - *Parks and Open Space Action 1:* Create a network of open spaces to avoid fragmentation to provide a suitable aesthetic environment and desirable backdrop for heritage tourism and the historic district structures and landscapes.
    - *Parks and Open Space Action 2:* Design parks to provide passive, rather than active, recreational opportunities, in keeping with the historic significance of the area.
    - *Parks and Open Space Action 3:* Reserve a number of prominent open spaces for public accessibility as part of a planned destination campus.
    - *Parks and Open Space Action 4:* Maintain the Cork Oak Ridge Park as a setting for the historic cork oaks that were planted along the Jefferson ridge. Preserve the expansive lawn area with picturesque trails to provide pedestrian access under the cork oak canopy replanting, as necessary.
    - *Parks and Open Space Action 5:* Enhance and upgrade the open space between the Commanding Officer's Quarters and the Clocktower building along Jefferson Ride to consolidate the historic park area into an integrated, functional design.
    - *Parks and Open Space Action 6:* Explore the creation of public open space east of the Clocktower to provide good access to commanding views of the Carquinez Strait.
    - *Parks and Open Space Action 7:* Consider the conversion of a large undeveloped open space at the Officer's Square into a new, formally landscaped area.
    - *Parks and Open Space Action 8:* Convert the frontage to the Blacksmith's Shop into a high-quality, publicly accessible plaza.

#### 4. Impacts and Mitigation Measures

This section discusses potential impacts to public service systems that could result from implementation of the Draft Specific Plan. The section begins with the criteria of significance, which establish the thresholds used to determine whether an impact is significant. The latter part of this section presents the impacts associated with the Draft Specific Plan and identifies mitigation measures, as appropriate. Less-than-significant impacts to public services are discussed first, followed by significant impacts.

**a. Significance Criteria.** The public services criteria are based on the *CEQA Guidelines*. The proposed project would have a significant impact on public services if it would:

- Result in substantial adverse physical impacts associated with the provision of or need for new or physically altered governmental facilities, the construction of which could cause significant envi-

ronmental impacts, in order to maintain acceptable staffing levels, service ratios, response times, or other performance objectives for any of the following public services:

- Fire protection;
  - Police protection;
  - Schools; or
  - Libraries.
- Increase the use of existing neighborhood and regional parks or other recreation facilities such that substantial physical deterioration of the facility would occur or be accelerated.
  - Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment.

While important to the quality of life in the City of Benicia, impacts to schools from increased development do not necessarily result in physical environmental impacts. In *Goleta Union School District v. Regents of the University of California* (2d Dist. 1995) (37 Cal. App. 4th 1025, 1032, 1995), the Court of Appeal found that: "Classroom overcrowding, per se, does not constitute a significant effect on the environment." In addition, the Benicia General Plan does not contain any specific performance-related policies regarding the provision of school services.

**b. Less-than-Significant Public Services Impacts.** Implementation of the Draft Specific Plan would result in the following less-than-significant impacts to public services.

**(1) Fire Services.** Implementation of the Draft Specific Plan would have a minimal effect on response times for fire and emergency medical services and would not affect the Fire Department's ability to meet the response time goal of 4 to 5 minutes. Implementation of the Draft Specific Plan would not require new personnel, equipment, or facilities to serve additional development within the Plan Area and would have a less-than-significant impact on fire and emergency medical services in Benicia.<sup>12</sup>

As specific development projects are proposed within the Plan Area, the Fire Department would evaluate any potential impacts from new development on fire and emergency medical services. Specifically, the Fire Department would review individual development proposals for conformance with locally-defined performance standards, including the Uniform Fire Code, as adopted by the Benicia Fire Department, and California Building Code standards. Site access, road widths and turning radii, road grades, surfacing, load bearing capability, sprinkler systems, stand pipes, smoke detectors, and fire alarms would also be reviewed for consistency with Fire Department standards.

**(2) Police Services.** Although the addition of new residents and businesses to the Plan Area would slightly increase the demand for police services, implementation of the Draft Specific Plan would have a minimal effect on response times for police services and would not affect the Department's ability to meet the response time goal. Implementation of the Draft Specific Plan would

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<sup>12</sup> Hanley, Ken, 2007. op. cit.

not require new personnel, equipment, or facilities to serve additional development within the Plan Area<sup>13</sup> and would have a less-than-significant impact on police services in Benicia.

**(3) Public Schools.** As discussed in Section IV.B, Population, Employment and Housing, the addition of 22 residential units would result in an increase of approximately 57 new residents within the Plan Area. Additional increases in the residential population would occur due to the development of live/work units, although the exact number of units or square footage of this type of development is not available at this time. Although the development of new and redeveloped recreation and community center, retail, office, and light industrial uses within the Plan Area would stimulate economic growth within the Plan Area, these uses would not be expected to indirectly induce substantial residential growth beyond the 22 residential and live/work uses anticipated as part of the Draft Specific Plan, or beyond that planned for the City. The additional residential population that would occur through buildout of the Draft Specific Plan would not substantially increase the demand for school facilities.

In addition, Senate Bill 50 (SB50), which revised the existing limitation on developer fees for school facilities, was enacted as urgency legislation which became effective on November 4, 1998 as a result of the California voters approving a bond measure (Proposition 1A). SB50 established a 1998 base amount of allowable developer fees (Level One fee) for residential construction (subject to adjustment) and prohibits school districts, cities, and counties from imposing school impact mitigation fees or other requirements in excess or in addition to those provided in the statute.

Consistent with SB 50, potential project developers would pay the required development fee to BUSD for residential (\$2.63 per square foot) and commercial (\$0.42 per square foot) projects, and new school facilities would be developed as needed. New school projects would undergo independent environmental review. As such, implementation of the Draft Specific Plan would have a less-than-significant impact on school facilities.

**(4) Libraries.** As discussed above, under Public Schools, and in Section IV.B, Population, Employment, and Housing, the proposed project would add approximately 57 new residents (not including residents generated by live/work uses) to the Plan Area, thereby increasing the demand for library services. Although the project would increase the demand for library services, the demand for these services would be met by existing library facilities. In addition, individual residential developers would pay the required \$213 library book fee to the City of Benicia. Implementation of the Draft Specific Plan would not require the construction of new library facilities and would not cause or accelerate the physical deterioration of existing library facilities.

**(5) Parks.** The Benicia General Plan and the Parks, Trails, and Open Space Master Plan establish park standards that call for 2.5 acres of community parks per 1,000 residents and 3.5 acres of neighborhood parks per 1,000 residents. The Master Plan identifies a citywide parks deficiency of approximately 35 acres of neighborhood parks and 18 acres of community parks. Implementation of the Draft Specific Plan would increase the demand for neighborhood and community parks due to the increase in the residential population generated by new development (57 new residents plus additional live/work residents). An incremental increase in the weekday demand for parks and recreational

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<sup>13</sup> Tschudi, Jeff, 2007. op. cit.

facilities resulting from the presence of new employees and visitors to the Plan Area would also occur.

As described in Chapter III, Project Description, implementation of the Draft Specific Plan would include the development of 6.39 acres of passive open space. Parks would also provide an interconnected network of sidewalks and multi-use paths for walking and bicycling. The increased demand for parks and recreational facilities within the Plan Area would be accommodated by the provision of open space and recreational facilities within the Plan Area and the increase in the residential population would not significantly exacerbate the current deficiency of neighborhood and community parks within the City. Implementation of the Draft Specific Plan would result in a less-than-significant impact to parks and recreational resources.

**c. Significant Public Services Impacts.** Implementation of the Draft Specific Plan would not result in significant impacts to public services.

