City of Benicia

Housing Element 2015 - 2023

Public Hearing Draft
August 2014

City of Benicia, 250 East L Street, Benicia, CA, 94510

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Housing Element

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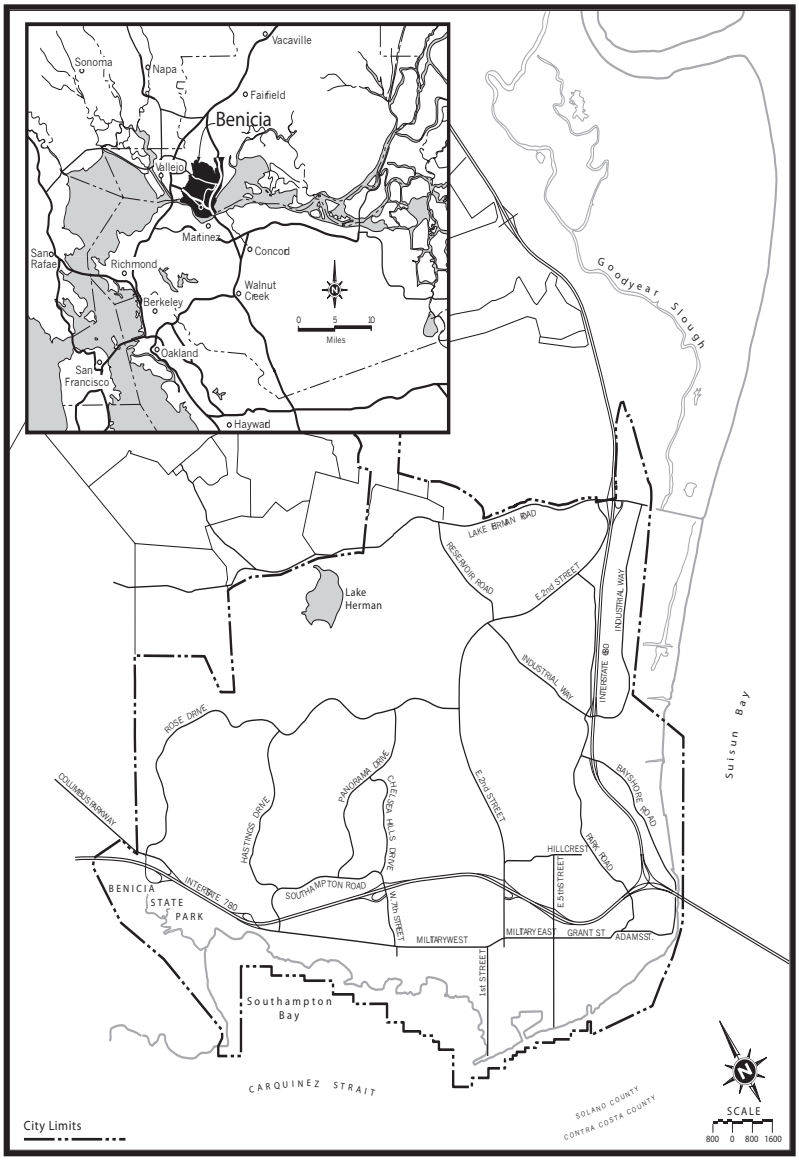

City of Benicia

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Acronyms Used in the Document

ABAG	Association of Bay Area Governments
ADA	Americans with Disabilities Act
AMI	Average Median Income
BEGIN	Building Equity and Growth in Neighborhoods
Benicia WTP	Benicia Water Treatment Plant
CAC	Community Action Council
CAP Solano	Community Action Partnership of Solano
CARB	California Air Resources Board
CDBG	Community Development Block Grant
CHFA	California Housing Finance Agency
CO	Office Commercial (zoning district)
COG	Council of Governments
CG	General Commercial (zoning district)
CW	Waterfront Commercial (zoning district)
DMUMP	Downtown Mixed Use Master Plan
ECHO	El Camino Homeless Organization
FMR	Fair Market Rent
GHG	Greenhouse Gas
GIS	Geographic Information System
HCD	Housing and Community Development
HUD	Housing and Urban Development
IL	Limited Industrial (zoning district)
MFI	Median Family Income
mgd	million gallons per day
MSA	Metropolitan Statistical Area
NBA	North Bay Aqueduct
NG-O	Neighborhood General – Open (zoning district)
OS	Open Space (zoning district)
PB	Parsons Brinckerhoff
PDA	Priority Development Area
PG&E	Pacific Gas & Electric
PSC	Putah South Canal
RH	High Density Residential (zoning district)
RHNA	Regional Housing Needs Allocation
RM	Medium Density Residential (zoning district)
RS	Single Family Residential (zoning district)
TC	Town Core (zoning district)
TC-O	Town Core – Open (zoning district)
UGB	Urban Growth Boundary
VNHS	Vallejo Neighborhood Housing Services
VPS	Voucher Payment Standard

Chapter 1
Introduction

The City of Benicia acknowledges that having a place to call home is an undeniable need shared by everyone. Whether owned or rented, housing should be available for everyone, from the student, busboy, single teacher, or parent, to the professional and the executive. In fact, administrative clerks, family counselors, engineering technicians, human resources assistants, librarians, lab technicians, maintenance custodians, police clerks, and wastewater operators are all existing City of Benicia job classifications whose salaries meet State definitions of "very-low" and "low" income levels. It is in the City's interest to ensure adequate housing is available for its workforce, but also available for households in the City whose salaries are below the City's median household income of $87,018 (2006-10 5 YR ACS).

California law recognizes the vital role local governments play in the supply and affordability of housing. Each local government in California is required to adopt a comprehensive, long-term General Plan for the physical development of the city or county. The Housing Element is one of the seven mandated elements of the General Plan. Housing Element law, first enacted in 1969, mandates that local governments adequately plan to meet the existing and projected housing needs of all economic segments of the community. The State Legislature has found that "the availability of housing is of vital statewide importance, and the early attainment of decent housing and a suitable living environment for every Californian family, including farmworkers, is a priority of the highest order." (Government Code §65580(a)).

The Housing Element establishes goals, policies, and programs to facilitate and encourage the provision of safe, adequate housing for its current and future residents of all income levels.

The purposes of the Housing Element are to:

1. Provide adequate housing sites;
2. Assist in the development of affordable housing;
3. Remove governmental and other constraints to housing development;
4. Promote equal housing opportunities; and
5. Encourage efficient use of land and energy resources in residential development.

The Housing Element differs from the other required elements, in that the State mandates that it analyze population and housing trends and include specific, detailed information on projected housing needs. Also, unlike other General Plan elements, the Housing Element must be submitted to the California Department of Housing and Community Development (HCD) for review and certification.

Until recently, the State had required Housing Elements to be updated every five years (Government Code Section §65588); however, this Housing Element update is of the first in the new eight-year cycle that coincides with Regional Transportation Plans in accordance with SB375, the "anti-sprawl" bill passed September 30, 2008.

This Chapter addresses the contents of the 2015-2023 Housing Element, Regional Housing Needs, data sources for the document, and consistency with the City's General Plan.

1.1 The City of Benicia 2015-2023 Housing Element

The planning period for this Housing Element extends from January 31, 2015, to January 31, 2023. The Housing Element consists of the following major components, as required by State law:

Public Participation (Chapter 2)

Public Participation is a key component in updating the Housing Element. The City's civic engagement strategy that was used to solicit participation by the community is outlined in Chapter 2. Materials and results from workshops and surveys are located in Appendix G.

Review of the Previous Housing Element (Chapter 3)

The City must review the actual results of the goals, policies, programs, and quantified objectives adopted in the previous Housing Element (for years 2007-2014) and analyze the differences between what was intended and what was achieved.

Program of Actions and Quantified Objectives (Chapter 4)

The City must develop housing programs that meet local housing goals and fulfill State requirements. The City must develop measurable objectives for construction of new housing and the rehabilitation and conservation of existing units by income category (i.e. very low, low, moderate, and above moderate) to make sure that both the existing and the projected housing needs are met, consistent with the City's share of the Regional Housing Needs Allocation (RHNA) that sets forth a specified number of new housing units that Benicia should plan for.

Assessment of Existing Housing Needs and Special Housing Needs (Appendices A and B)

Appendix A includes a community profile of population characteristics, household information, housing stock, tenure, and housing affordability. Affordable units at-risk of conversion to market-rate are also discussed in Appendix A. Appendix B discusses special housing needs for seniors, farmworkers, homeless, large households, and female-headed households. This includes designations of zones where emergency shelters will be allowed.

Housing Resources (Appendix C)

The City has summarized existing housing resources in Appendix C. These include organizations and programs related to affordable housing in Benicia.

Governmental and Non-governmental Constraints (Appendix D)

An assessment of governmental and non-governmental impediments to the development of housing for all income levels is included in this Appendix. This appendix also includes a discussion of energy conservation.

Site Inventory & Analysis (Appendices E and F)

The City must compile relevant information on the zoning, acreage, density ranges, availability of services, infrastructure, and dwelling unit capacity of sites that are suitable for residential development. This information can be found in Appendix E. A detailed list by parcel of vacant, constrained, and underutilized sites can be found in Appendix F.

1.2 Regional Housing Needs

State housing element law (Government Code § 65580 et. seq.) requires regional councils of government (COGs) to identify for each city and county its "fair share" of the Regional Housing Needs Allocation (RHNA) provided by the California Department of Housing and Community Development (HCD). The Association of Bay Area Governments (ABAG) is the COG for the nine-county Bay Area, which includes Solano County. ABAG adopted the RHNA in July 2013 for the period January 1, 2014 to October 31, 2022 (See Table 1.1). ABAG took into account several factors in preparing the RHNA, including projected households, job growth, regional income distribution, and location of public transit.

The RHNA for Benicia is shown in Table 1.1 below, whereby Benicia must have the appropriate zoning in place to allow 327 new units to be built through the year 2022. Therefore, the build-out projection anticipated in the General Plan will not be exceeded if this additional growth in housing were to occur. These numbers for Benicia are consistent with the population projections in the City's General Plan.

Table 1.1 City of Benicia Regional Housing Needs Allocation (RHNA), January 1, 2014 - October 31, 2022

	Very Low-Income	Low-Income	Moderate-Income	Above Moderate-Income	Total
Current Regional Housing Needs Allocation	94	54	56	123	327

Source: ABAG 2013

Definitions of Household Income

- Extremely Low Income: Incomes less than or equal to 30% of area median family income (MFI).
- Very Low-Income: Incomes between 31% and 50% of area median family income (MFI).
- Low-Income: Incomes between 51% and 80% of area median family income (MFI).
- Moderate-Income: Incomes between 81% and 120% of area median family income (MFI).

The number of new homes are split by income category based on the limits for very-low, low, moderate, and above-moderate income households established by the U.S. Department of Housing and Urban Development (HUD). Solano County's 2013 income limits are shown in Table 1.2.

Table 1.2 Solano County 2013 Income Limits

Income Categories	Persons Per Household				
	1	2	3	4	5
*Extremely Low-Income (<30% MFI**)	$17,400	$19,850	$22,350	$24,800	$26,800
Very Low-Income (30% - 50% MFI)	$28,950	$33,050	$37,200	$41,300	$44,650
Low-Income (50% - 80% MFI)	$45,500	$52,000	$58,500	$65,000	$70,200
Median Income	$57,800	$66,100	$74,350	$82,600	$89,200
Moderate-Income (80% - 120% MFI)	$69,350	$79,300	$89,200	$99,100	$107,050

* Defined in the California Health & Safety Code , §50106, and discussed in Appendix A

**MFI = Median Family Income (Area Median Income, adjusted for family size)

Source: HCD 2013

While not responsible for the actual construction of these units, Benicia is, however, responsible for creating a regulatory environment in which the private market could build these additional homes. This includes the creation, adoption, and implementation of City-wide goals, policies, programs, and zoning standards, along with economic incentives to facilitate the construction of a wide range of housing types.

1.3 Data Sources

Various information sources have been used to prepare the Housing Element Update, with 2000 and 2010 Census data representing the primary sources. Other sources used to update and supplement the Census data include population and demographic data from the Association of Bay Area Governments (ABAG) and housing market information for home sales, rents, and vacancies derived from the public domain. Public and non-profit agencies were consulted for data on special needs groups and services available. Departments at the City of Benicia, including Community Development and Public Works, provided information. For a complete listing of references see Appendix I.

1.4 General Plan Consistency

The Housing Element is one of the seven mandatory elements of the General Plan, which was last comprehensively updated by the City in 1999 (The Land Use Map was updated in 2005). For the General Plan to provide effective guidance on land use issues, the goals, policies and programs of each element must be internally consistent. This Housing Element builds upon the existing General Plan and is consistent with its policies. Consistency between the Housing Element and the General Plan will continue to be evaluated whenever an element of the General Plan is amended. During this process the City must ensure any amendments maintain consistency throughout the General Plan. Due to the passage of AB 162 relating to flood protection, the City may be required to amend the Safety and Conservation Elements of the General Plan. If amendments are needed the Housing Element will be amended to be consistent with the Safety and Conservation Elements.

1.5 Senate Bill 375, California's "Anti-Sprawl" Strategy

On September 30, 2008 California Governor signed into law Senate Bill 375, also known as the "anti-sprawl" bill aimed at reducing greenhouse gas emissions (GHG) from cars and trucks. Studies have shown that the single-largest source of GHGs in California results from driving. The goal is to reduce the amount of vehicle-miles traveled to work, school, professional services, or shopping for everyday needs. This new bill can lead to transformation throughout the State as communities begin to rethink how their neighborhoods can become more self-sufficient, walkable, with expanded transit options, such as convenient and rapid travel by bus or rail. SB375 will lead to:

- Regional GHG reduction targets for 2020 and 2035, set by the California Air Resources Board. Regional greenhouse gas emission reduction targets for the Bay Area call for a reduction of 7% from 2005 levels by 2020 and a reduction of 15% from 2005 levels by 2035.
- A regional plan, called the "Sustainable Communities Strategy", adopted by 2013 and led by the Association of Bay Area Governments (ABAG). This plan will guide how cities and counties throughout the Bay Area region can meet GHG reductions goals for cars and trucks through changes in land use patterns.

- Require the "Sustainable Communities Strategy" to become part of the Bay Area's Regional Transportation Plan, thereby linking transportation funding to land use.
- Adjust the schedule for Housing Elements updates from every 5 years to a new 8-year process. In addition, the Regional Housing Needs Allocation will need to align with the "Sustainable Communities Strategy", which means growth will be targeted towards transit rich areas (a process that ABAG has already begun to implement).
- Certain projects that are consistent with the "Sustainable Communities Strategy" could be eligible for exemption or streamlining under the California Environmental Quality Act (CEQA).

Although the identified targets, requirements and outcomes of SB375 are currently being developed, Benicia has the opportunity now to take a look at how and where the additional growth of 327 new homes through 2022 should occur. It will be important to site higher density housing in areas that are walkable, meaning new homes are in close proximity to services, schools, shops, and everyday needs, as well as bus transit. Some of the policies and programs in Chapter 4 aim to achieve these common goals shared by Benicia and the State through efforts to cut greenhouse gas emissions.

Chapter 2
Public Participation

This Chapter presents the process undertaken by the City to receive public input and encourage public participation in the Housing Element update process.

2.1 Public Participation Process

The City solicited input from the public by organizing the following workshop and public hearings:

1. Public Workshop, May 15, 2014
2. Planning Commission Hearing, to be determined
3. City Council Hearing, to be determined

Public Workshop

On May 15, 2014 the City hosted a public workshop to solicit input on the Public Review Draft Housing Element. Notices of the public workshop were posted at the Benicia Library, on the Parks Department and City Hall bulletin boards, posted at the Community Development Department and Family Resource Center, and distributed at Farmers Market on May 1, 2014 and May 8, 2014.

The workshop consisted of a presentation by the Consultant on the requirements of a housing element and the City's progress toward meeting the Regional Housing Needs Allocation. The presentation highlighted the changes in the Housing Element from the previous cycle, noting updated data and only minor changes to the implementation program. The majority of the persons in attendance were members of the Planning Commission and interested parties who participated in the 4th Cycle Housing Element update. These stakeholders had time to review the Public Review Draft Housing Element prior to the May 15th meeting. The community in attendance had few comments, which included questions on the accuracy of the homelessness data, potential constraints to development in the Lower Arsenal, what is included as part of the water and sewer fees for residential development, and if the vacant land inventory map had been updated.

Following the workshop the City updated the Public Review Draft housing element to address the community comments. The revised Public Review Draft housing element was submitted to the State Department of Housing and Community Development for review on May 21, 2014.

Public Review

The Public Review Draft Housing Element was made available for public input and comment. Following the May 15, 2014 workshop the City received comments from the following persons/groups:

- Benicia Housing Authority
- Benicia Community Action Council
- Local land use and real estate attorney
- Legal Services of Northern California

Comments received include, but are not limited to, the following:

- Status of Housing Choice Voucher Program
- Update number of units in the Bay Ridge Apartments
- Updates to status of program implementation
- Physical and environmental constraints to development in the Lower Arsenal
- Thoroughness in the evaluation of the previous Housing Element

- Adequacy of sites identified to accommodate RHNA
- Assessment of governmental constraints to development, in particular the General Commercial zone and the Lower Arsenal
- Evaluation of units at risk of conversion
- Timing of Housing Element program implementation

In response to the comments and feedback received from the public and the State Department of Housing and Community Development following preliminary review, the City modified the draft housing element and performed additional analysis,such as, but not limited to:

- Fixed minor errors regarding number of units in affordable housing projects
- Performed additional analysis on conversion risk of Casa de Vilarrasa and determined no risk of conversion to market rate
- Provided additional information on status of implementation of the previous housing element programs, where additional information is available
- Elaborated on public participation during the housing element update process, listing comments received and organizations contacted
- Added section on 'availability of financing' to address other non-governmental constraints
- Added language on other constraints to development in the Lower Arsenal such as the proximity to industrial land uses or within former defense site and associated noise, dust, and light impacts

Planning Commission Hearing

To Be Completed

City Council Hearing

To Be Completed

2.2 Organizations Contacted

As part of the Housing Element update process, the following commissions/councils/organizations/groups were provided with electronic or printed copies of the draft document for review and/or invited to participate in the public workshop. In addition to the list of organizations, 203 interested parties were contacted via email to participate.

- Bay Area Air Quality Management District
- Benicia Community Action Council
- Benicia Housing Authority
- Children's Network of Solano County
- City of Benicia, City Council
- City of Benicia, Planning Commission
- City of Benicia, Unified School District
- City of Vallejo
- Kiwanis Club Benicia
- Local Agency Formation Commisson (LAFCO)
- Solano County Habitat for Humanity
- Solano County Planning Department

Chapter 3
Review of Previous Housing Element 2007-2014

This Chapter summarizes the progress made during the previous Housing Element's planning period (2007-2014) towards accomplishing the goals, policies, programs, and the Regional Housing Needs Allocation (RHNA).

3.1 Summary of Progress

Table 3.1 summarizes the City's previous RHNA for the period from January 2007 through December 2014 and the number of housing units built or approved during that planning period. From January 2007 through December 31, 2013, the City constructed or approved 161 units, which was less than the 532 unit total allocation. Five low income units were approved and built, all of which were second dwelling units.

The goals and policies of the previous element were found to be generally sufficient in covering the range of issues for a comprehensive Housing Element in Benicia. However, housing goals and policies have been restructured and revised to some extent to eliminate redundancy and to clarify the intent (unless stated otherwise, all programs have been carried forward).

This following section evaluates each program in the previous Housing Element and summarizes the status of implementation.

Table 3.1 Progress During Previous Planning Period, 2007-2014

Income Level	2007-2014 RHNA	Housing Built or Approved Since January 2007	Remainder of Housing Goals
Very Low	147	0	147
Low	99	5	94
Moderate	108	156	130
Above-Moderate	178		
Total	532	161	371

Source: City of Benicia

Institutional Framework

Program 1.01

Work with the Housing Authority to coordinate affordable housing activities and maintain good working relations with other non-profit housing providers by:

- Consulting with the Housing Authority throughout every update of the Housing Element and also every year during the annual review of the Housing Element. Specifically, strategize to ensure the City's programs and the Housing Authority's programs are complementary and maximize limited housing resources;
- Continue to share information and priorities between the City, the Housing Authority, and other non-profit housing providers;
- Update the inventory of vacant and opportunity sites twice a year in January and July and provide this inventory to non-profit housing providers; and
- Inform the Housing Authority about units produced by the Inclusionary Housing Ordinance (BMC 17.70.320) and other affordable projects.

Status of Program Implementation

The City and Housing Authority have shared information on meetings, agendas, and current projects throughout the planning period. The City has been responsive to Housing Authority needs and concerns. The City also consults with the Housing Authority during the annual review of the Housing Element. As part of the process the Housing Authority submits an annual status report to the City.

The City has not updated the inventory of vacant and opportunity sites biannually due to limited staffing resources.

Program 1.02

Continue to support the Benicia Housing Authority in their administration of the Section 8 housing voucher program that meets the needs of extremely low income households, and to apply for additional vouchers, as appropriate.

Status of Program Implementation

This is an ongoing effort between the City and the Benicia Housing Authority whereby the City provides support when eligible. This program will continue in the 2015-2023 Housing Element Update for implementation.

Program 1.03

Investigate the feasibility of joining a housing consortium to access a pooled source of funding for mortgage revenue bonds or mortgage credit certificates for the development of affordable housing and/or first-time homebuyer assistance. The City will investigate existing local consortiums and report to the City Council on the most appropriate consortium for Benicia based on cost, level of activity, and the potential for funding to benefit Benicia residents. The City is investigating the feasibility of a consortium, and will take the necessary legal, administrative, and financial steps to become a member. The City would consult with the Housing Authority for relevant data and support during the process.

Status of Program Implementation

The City began to investigate the feasiblity, however when staff resources were reduced this effort was placed on hold. This program has been continued to the 2015-2023 Housing Element and investigating the feasbility of joining a housing consortium will continue as part of new Element.

Program 1.04

The City will leverage financial resources and partner with the development community to assist first-time homebuyers with down payments. The City will apply for Community Development Block Grant (CDBG) funding annually for this purpose.

Status of Program Implementation

This is an ongoing effort and the City will continue to seek CDBG funding as eligbile. This program will continue in the 2015-2023 Housing Element Update for implementation.

Program 1.05

Provide information at City Hall, other public locations, and on the City's website (www.ci.benicia.ca.us) to promote private, State, and federal homebuyer assistance programs to the public.

Status of Program Implementation

Information is available on the City's website, City Hall and the Public Library. This program will continue in the 2015-2023 Housing Element Update for implementation.

Program 1.06

Provide pre-application technical assistance to affordable housing providers to determine project feasibility and address zoning compliance issues in the most cost-effective and expeditious manner possible.

Status of Program Implementation

Ongoing; Pre-application review of all development applications including those pertaining to housing is regularly provided and coordinated through Planning Division staff.

Program 1.07

Continue to educate the public on affordable housing through annual reporting to the Planning Commission and City Council. Current housing issues and recent accomplishments towards reaching the City's Quantified Objectives listed in the Housing Element will be addressed. This report will also serve as the annual report required by State law (§65400) for progress in implementing the City's General Plan, including the Housing Element. This report shall be sent to the Office of Planning and Research (OPR) annually in accordance with their due dates. Inform members of the public by publishing a notice in the local newspaper and by posting information on the City's website. Educational materials will be made available, as appropriate.

Status of Program Implementation

Ongoing; The Housing Element annual report is submitted within the General Plan annual report each year.

Program 1.08

Continue to amend the Zoning Ordinance to comply with changes in the State Density Bonus law (Government Code Section §65915) and develop an outreach program to ensure its successful implementation.

Status of Program Implementation

This program has not been implemented and will be continued in the 2015-2023 Housing Update.

Program 1.09

To encourage the development of second units, amend the Zoning Ordinance for second units (accessory dwelling units) and reduce fees. Modifications to City standards and procedures should include:

- Eliminate or reduce the 6,000 square foot minimum parcel size for second units outside the Historic Districts (for inside Historic Districts see Program 1.10);
- Allow units above or adjacent to the garage of a primary housing unit;
- Reduce parking standards for lots with second units. For example:
    - Allow exceptions to parking requirements for second units up to 400 square feet;
    - Allow for on-street parking spaces adjacent to the lot to count towards 50 percent of the parking requirement;
    - Eliminate the covered parking requirement for the primary residence, if an accessory dwelling unit is provided;
    - Allow one of the required parking spaces in the front or exterior yard setback; and
    - Allow tandem parking to meet the parking requirement for the primary residence and the accessory dwelling as long as both spaces are behind the front facade plane.
- Investigate additional reductions to sewer and water connection fees for second units; and
- Reduce or waive planning and building fees for affordable second units.

Status of Program Implementation

This program has not been implemented and will continue in the 2015-2023 Housing Update.

Program 1.10

To expedite the approval process for second units the City will investigate the feasibility of developing second unit prototype or model plans for homeowners to use. It may be determined that another prototype would be necessary for historic districts. Use of these plans would reduce costs to homeowners, decrease the time for the approval process, and, in historic districts, these plans would help ensure that preservation of the historic character is maintained. If such plans were approved for application in the historic districts, the City would consider reducing or eliminating the 6,000 square foot minimum parcel size in the R Zoning District within the historic districts.

Status of Program Implementation

Not yet completed. This program has not been implemented and will continued in the 2015-2023 Housing Element Update for implementation.

Program 1.11

Continue to reduce the cost of providing affordable housing by:

- Provide a fast-track processing procedure for projects with extremely low-, very low-, low- and moderate-income affordable housing units;
- Review annually, amend, and reduce to the extent feasible, the permit fee schedule as it affects small, efficient, and compact (e.g. 600 to 750 square feet) housing types;
- Defer, waive, or reduce certain development fees, portions of fees, or combinations of fees for the affordable portion of any project; and
- Amend the Benicia Municipal Code to include language directing the City Council to consider waiving or reducing fees when a project provides affordable housing units.
- Investigate revising or reducing parking requirements for affordable housing projects. Also investigate setting parking maximums.

Status of Program Implementation

The City has an informal policy to fast-track the processing of projects with affordable housing. The City's Master Fee Schedule allows the Community Development Director to determine an appropriate fee or fee reduction when conditions exist to warrant such action. With the adoption of the Downtown Mixed Use Master Plan in 2007, the parking requirement for residential development in downtown was reduced. The City is still reviewing the possibility of a revision to the parking requirements for affordable housing projects in the downtown and other areas of the City. This program will continue in the 2015-2023 Housing Element Update for implementation.

Program 1.12

The City will provide, when possible, developer incentives such as expedited permit processing and fee deferrals for units that are affordable to lower income households. Priority for receiving incentives will be given to units constructed for extremely low-income households. Benicia will promote these incentives to developers on the City's website (www.ci.benicia.ca.us) and during the application process.

Status of Program Implementation

The Community Development Department and Economic Development Division works closely with the development community. This is an ongoing effort subject to the specifics of individual development proposals. This program will continue in the 2015-2023 Housing Element Update for implementation.

Accommodating Housing Units

Program 2.01

The City adopted an Inclusionary Housing Ordinance in 2000. There have not been many new developments with 10 units or more to generate a significant number of affordable units. No funds have been collected from in-lieu fees.

The City shall evaluate the inclusionary ordinance and consider changes that: (1) revise the current requirement for City Council approval of an in-lieu alternative to construction of inclusionary units if it is found to pose a constraint to residential project development, (2) consider additional incentives or regulatory concessions for developers to facilitate compliance with the inclusionary ordinance, (3) encourage the production of affordable housing onsite by providing development incentives to make onsite construction more feasible, (4) increase the range of affordability levels by including moderate with very-low and low, (5) provide City discretion to require onsite construction, (6) investigate extending the income categories served by the inclusionary requirements to extremely low income households, (7) investigate the feasibility of reducing the minimum unit requirement to be less than 10 new units, and (8) evaluate the impacts of the inclusionary ordinance on the feasibility of development in combination with other City regulatory requirements.

The City will engage the development community during the evaluation process.

Status of Program Implementation

This program has not been implemented and will continue in the 2015-2023 Housing Element Update for implementation.

Program 2.02

As part of its next General Plan update, the City shall establish efficient land use and development patterns that conserve resources, such as fuel, water and land, and allow for higher-density development in the vicinity of major transit nodes, set forth pedestrian-oriented development patterns, and preserve open space areas. The update should comply with SB375 goals to reduce vehicle miles traveled and greenhouse gas emissions from driving as related to land use patterns. In addition, the updated Plan should strive for consistency with the Sustainable Communities Strategy known as Plan Bay Area set forth by ABAG. These strategies are intended to reduce energy consumption, increase walkability and access to transit and services, reduce automobile trips, and conserve land and water resources.

Status of Program Implementation

The City adopted the Climate Action Plan in 2009 which established the community goal to reduce greenhouse gas emissions 10% below 2000 levels by year 2020. This program will be further implemented as part of the City's next General Plan update.

Program 2.03

Establish a housing trust fund to be funded by inclusionary in-lieu fees and other sources, as appropriate. This fund will be used to support affordable housing activities such as an equity share program, site acquisition, write down of land costs, subsidization of rents and mortgages, site improvements, and the provision of collateral for development loans.

Status of Program Implementation

The housing trust fund has been established and its maintenance is ongoing. This program has been updated and will continue in the 2015-2023 Housing Element Update for implementation.

Program 2.04

Amend the General Commercial (CG) zoning district to allow additional residential uses. Currently only live/work and group residential (with Use Permit) units are allowed in this zone.

Status of Program Implementation

Use regulations in the CG zone do not present a constraint to accommodate affordable housing. This program is being deleted.

Program 2.05

Consider implementing an affordable housing linkage fee on nonresidential development to support the development of workforce housing. This ordinance should consider alternatives to paying the fee such as construction of housing on-site, construction of housing off-site, and dedication of land for housing.

Status of Program Implementation

This program has not been implemented and will continue in the 2015-2023 Housing Element Update for implementation.

Program 2.06

The City will monitor available funding sources and activities to pursue based on competitive funding considerations, the funding cycles of various State and federal sources, and housing provider interest. The City will contact these funding sources to make sure they are on all pertinent distribution lists for funding opportunities. The City will keep these funding sources updated on appropriate contact persons at the City.

Status of Program Implementation

The City continues to monitor available funding sources and updates the contact information as necessary. This is an ongoing effort. This program will continue in the 2015-2023 Housing Element Update for implementation.

Program 2.07

Consult with and apply for financial assistance from the FOCUS program of ABAG for any project within the Priority Development Area, including but not limited to the Solano Square and Senior Center neighborhood retrofit and opportunity site projects. Identify implementation and funding strategies for the Employment Investment Area PDA at Lake Herman Road and HWY 680, including assistance offered by ABAG, MTC, and One Bay Area Grant and any other sources to secure funding to prepare a plan and implementing document (e.g. concept plan with accompanying development regulations via Zoning Ordinance Update or form-base code) including plans for a new intermodal transit facility.

Status of Program Implementation

In 2013, the City received a $250K One Bay Area Grant (OBAG) for the development of a traffic circulation plan for the Benicia Northern Gateway Employment Investment Area PDA. The City continues to seek funding opportunities for the Downtown PDA. This program has been updated and revised in Chapter 4 as Program 2.06 and will continue to be implemented as opportunities arise.

Special Needs

Program 3.01

Amend the Zoning Ordinance to comply with Senate Bill 2 under the "Housing Accountability Act" to permit emergency shelters without a use permit or other discretionary permits in the RS, RM, and RH zoning districts. Altogether, these zones have 76 vacant parcels, approximately 18 acres. Emergency shelters, which shall be defined under Use Classifications, residential use types, will be allowed by right in these zones to allow for either future development, redevelopment or conversion of sites in these districts. The amendment will also address transitional and supportive housing, which shall be defined as a residential use under Use Classifications, residential use types, and subject to the same standards that apply to other housing types in the RS, RM, and RH zoning districts. The amendment to the Zoning Ordinance for Emergency Shelters shall also set standards for the following:

Location Standards:

- Develop incentives to encourage site selection in close proximity of public transit, supportive services, and commercial services; and,
- Requirement limiting proximity to other emergency shelters, provided that emergency shelters are not required to be more than 300 feet apart.

Operation Standards:

- Maximum number of beds or persons permitted to be served nightly;
- Off-street parking based on demonstrated need; standards shall not require more parking for emergency shelters than for other residential uses within the same zone;
- The location of exterior and interior on-site waiting and client intake areas, e.g. measures to avoid queues of individuals outside proposed facility;
- Provision of on-site management;
- Length of stay;
- Hours of operation
- External lighting
- Provision of security for the proper operation and management of a proposed facility; and
- Compliance with county and State health and safety requirements for food, medical, and other supportive services provided on-site.

The purpose of these standards are to encourage and facilitate homeless shelters through clear and unambiguous guidelines for the application review process, the basis for approval, and the terms and conditions of approval.

The City will solicit input from local service providers (e.g., Community Action Council) in the preparation and adoption of the amendment to the Zoning Ordinance to ensure that development standards and permit processing procedures will not impede the approval and/or development of emergency, transitional, or supportive housing. The City has selected the RS, RM, and RH Zoning Districts due to an availability of vacant or underutilized sites under these zones that could accommodate at least one facility.

Status of Program Implementation

The City is evaluating the potential for creating an overlay district or a text amendment focusing on the RS, RM, RH, CO and CG zoning districts. Those zoning districts were selected due their presently allowable uses and availability of vacant or underutilized sites under these zones that could accommodate at least one facility. This program has been updated and revised in Chapter 4.

Program 3.02

Pursuant to the Fair Housing Amendments Act of 1988 and the requirements of Chapter 671, Statues of 2001 (Senate Bill 520), the City will adopt a reasonable accommodation ordinance addressing rules, policies, practices and procedures that may be necessary to ensure equal access to housing for those with disabilities. The City will promote its reasonable accommodations procedures on its web site and with handouts at City Hall.

Status of Program Implementation

The City has prepared a draft reasonable accommodation ordinance. The program will be continued into the next Housing Element for ordinance adoption.

Program 3.03

The City will assist the CAC in promoting the availability of resources by posting notifications on the City's website (www.ci.benicia.ca.us). The CAC is part of County-wide consortium of community service groups who join together in applying for applicable State and federal funds for their organizations. They have found this collaborative approach, supported by their respective governmental jurisdictions, much more successful than if each individual agency applied for funds.

Status of Program Implementation

The City has engaged CAC and Benicia Housing Authority on promoting their services on the City's website and will continue to provide information as requested. This program will continue in the 2015-2023 Housing Element Update for implementation.

Program 3.04

Continue to refer persons in need of transitional housing assistance to the CAC. Meet annually with the CAC to determine the need for transitional housing facilities.

Status of Program Implementation

Ongoing; The City will continue to work with the CAC to identify housing needs and ensure that social services are provided.

Program 3.05

The City will provide for needed social services in all City funded affordable housing projects. These services should address the needs of single mothers and families and could include childcare, counseling, and education. If necessary, the zoning ordinance will be amended to allow these uses at these project locations.

Status of Program Implementation

This program has been updated and will continue in the 2015-2023 Housing Element Update for implementation.

Program 3.06

Facilitate the establishment of shared housing in Benicia to bring together persons with special housing needs, including single parents and elderly persons, to share living accommodations and housing costs. The City will facilitate shared housing by continuing to permit such housing and associated supportive services under the Zoning Ordinance and consider applying for private, state, or federal funding for a proposed shared housing project or program, when an eligible project is submitted to the City.

Status of Program Implementation

This will continue in the 2015-2023 Housing Element Update for implementation.

Preserve and Maintain Housing Stock

Program 4.01

Work with the State to expand the use of existing Housing Rehabilitation Loan Program funds to other uses such as assistance to first time home buyers and funding to establish a transitional shelter in Benicia. The existing Rehabilitation Loan Program should also be maintained, and available to qualified applicants, including for historic preservation purposes. In addition, announce the availability of such funds through noticing on the City's website, local government access channel, through several display ads, advertisements at the Benicia Library and at the Planning Counter. Also, create and provide flyers to the Community Action Council, Benicia Housing Authority, and other affordable housing affiliates.

Status of Program Implementation

Ongoing; Able to maintain the program, but do not have the resources to expand it.

Program 4.02

Prepare standard specifications for seismic retrofitting of existing residential structures to assist property owners in meeting current seismic safety standards. The City of Benicia participated in the 2005 multi-jurisdictional Local Hazard Mitigation Plan, adopted in 2007. The 2010 Annex to the plan requires engineered plan sets for voluntary or mandatory soft-story seismic retrofits by private owners until a Standard Plan and Construction details become available. Seismic retrofitting will continue to be an eligible activity under the City's housing rehabilitation program. The City will promote its seismic retrofitting program through a distribution brochure at City Hall, other public locations, and on the City of Benicia's website (www.ci.benicia.ca.us).

Status of Program Implementation

Completed; Plans available at the Community Development Department counter and website. Not carried forward in next Housing Element.

Program 4.03

Continue to implement procedures applicable to inclusionary for-sale units, such as the resale control mechanism, equity recapture, qualifications for subsequent buyers, and other relevant issues that are not listed in the inclusionary housing ordinance, to ensure ongoing affordability.

Status of Program Implementation

Ongoing.

Program 4.04

Contact the owners of the mobile home parks to determine future plans and the feasibility of continuing mobile home park use. The City will work with the owners to ensure maintenance, upkeep, and compliance with State regulations. If appropriate, the City will assist the owner in accessing State or federal funds for improvements to substandard or dilapidated parks and units or in converting the park to resident ownership. Maintaining affordable units in mobile homes parks will be a priority of the City.

The City will also continue to implement its mobile home park conversion ordinance to ensure that any conversion of a mobile home park is preceded with adequate notice and relocation assistance. A relocation plan must be submitted to the Planning Commission for approval as part of the application for conversion.

Status of Program Implementation

This program has not been implemented and no contact with the owners has been made. This program will be continued to the 2015-2023 Housing Element Update for implementation.

Program 4.05

As new projects, code enforcement actions, and other opportunities arise, the City will investigate ways to meet its housing needs through rehabilitation and preservation of existing units.

Status of Program Implementation

This is an ongoing effort subject to the specifics of individual development proposals. This program will continue in the 2015-2023 Housing Element Update for implementation.

Program 4.06

The City will maintain a record of any units rehabilitated and made affordable or converted to affordable and include the data in their annual report to HCD.

Status of Program Implementation

Ongoing. The City maintains a record and reports this information as part of the annual report.

Equal Access

Program 5.01

Implement the complaint referral process for those persons who believe they have been denied access to housing because of their race, religion, sex, marital status, ancestry, national origin, color, or disability, family status, sexual orientation, source of income, or political affiliation. The City will educate selected staff in the Community Development, City Attorney, and City Manager departments on responding to complaints received regarding potential claims of housing discrimination. The selected personnel will be given a typed handout detailing the process for someone with a complaint and the agencies that should be contacted regarding a claim: Solano County District Attorney's office, California Department of Fair Employment and Housing, San Francisco Department of Housing and Urban Development Office of Fair Housing, Legal Services of Northern California (Solano County Vallejo office), and ECHO (non-profit housing advocacy group). The City Attorney's office will be notified and a log maintained of all complaints received. Information regarding the housing discrimination complaint referral process is made available by the Benicia Housing Authority and CAC to their clients. This information is available on the City's website (www.ci.benicia.ca.us). The City will maintain a supply of complaint forms and informational brochures at City Hall.

Status of Program Implementation

Ongoing. The City Attorney's office manages this program and maintains this information in their office and on the City's website.

Program 5.02

The City will have brochures on universal design available at the planning counter in the Community Development Department. The City will also consider writing development standards to encourage use of universal design in home design.

Status of Program Implementation

Completed universal design brochures available at the Community Development Department as of April 2013. Program to be carried forward, City will continue to provide brochures and consider writing development standards to encourage use of universal design in home design.

Energy Efficiency & Conservation

Program 6.01

The City will continue to implement the California Green Building Standards Code, 2010 edition (adopted by reference in 2010 by City Council Ordinance 10-05), which applies to residential additions of 600 sq. ft. or more, or when a project's value exceeds $20,000. The City will pursue additional green building standards beyond the State's minimum requirements.

Status of Program Implementation

Beginning in 2008, the Community Development Department initiated new efforts to educate and bring awareness to the public about the long-term benefits of employing green building techniques, energy efficient construction methods, and use of sustainable materials.

Brochures are available at the Community Development Department counter at City Hall.

The State Energy Code was updated in 2010 and is enforced by the Building Division for all new and remodel residential projects.

The City adopted, by reference, the California Green Building Standards Code, 2010 edition (Ordinance 10-05), with amendments for residential additions of 600 sq. ft. or more, or for when a project's value exceeds $20,000. The City will continue to evaluate additional green building standards beyond the State's minimum requirements.

Program 6.02

Continue to implement the Home Efficiency Program and Solar Rebate Program, both of which were initiated by the Sustainability Commission who is charged with implementing the City's Climate Action Plan. These programs will educate and bring awareness to the public about the long-term benefits of energy conservation and efficiency in housing.

Status of Program Implementation

All funds ($100,000) were allocated for a Residential Solar Incentive Program. The City has issued 34 rebates ($3,000 each). The City continues to seek additional funds for the incentive program. Benicia Home Efficiency program will continue through Summer 2015. In addition, the City is in the process of expanding the PACE financing district to include residential in addition to commercial to provide for clean energy and water conservation upgrades. The City also coordinates with and supports Solano County water programs.

Program 6.03

To facilitate implementation, the City will make available, in the Community Development Department, brochures from PG&E and others that detail energy conservation measures for existing buildings, as well as new construction.

Status of Program Implementation

Ongoing; Brochures are available at the Community Development Department public counter in City Hall.

Program 6.04

The City shall establish regulations requiring the development of environmentally sustainable buildings. The Build It Green "GreenPoint Rated" certification system shall be used when possible or followed to the extent possible when certification isn't a realistic goal for a building. The GreenPoint Rated system can be applied to new and existing single-family and multi-family residential buildings. Possible targets include:

- Investigate the possibility of achieving GreenPoint Rated certification for all affordable housing projects constructed in the City. Work with developers of affordable projects to achieve this goal.
- Provide other cost savings incentives to developers or project proponents of projects that achieve GreenPoint Rated Certification both in new and existing affordable housing projects.

Status of Program Implementation

This program has been deleted.

Program 6.05

Continue to provide public education on energy efficiency and sustainable materials through the use of display boards, and locate them near the Planning and Building Counter and throughout City Hall.

Status of Program Implementation

There is a display on the wall near the Community Development Counter to educate the public on energy efficiency and sustainable design. There is also a water conservation board in City Hall outside the main entrance to the Community Development Department.

Chapter 4
Goals, Policies, & Programs

The fundamental components of a Housing Element include a statement of the community's goals and policies relative to the maintenance, improvement, and development of housing. This Chapter sets forth goals, policies, and implementation programs to achieve the City's objective of providing a wide range of housing choices affordable to all segments of the community.

Goals represent the ideal future end relative to housing needs. Policies are statements to guide decision-making regarding housing issues and provide a link between the goals and programs. Programs are actions the City will take to implement the policies in order to achieve the goals. Some of the programs include quantified targets e.g. the number of housing units that are expected to be constructed, conserved, or rehabilitated through implementation of programs through 2023. These targets represent measurable outcomes, which can be used to evaluate the success of the Housing Element in the future.

Each program has an associated timeline for completion. The State requires programs that will: make sites available through zoning, assist in the development of affordable housing, remove government constraints, conserve and preserve existing housing in the city, and promote equal opportunity for housing. The programs also cite which City department or division is responsible for implementation.

While most of the efforts will be initiated shortly after adoption of the Housing Element, full implementation and the intended results will take much longer to realize.

The City will annually evaluate the progress and effectiveness of these efforts in accordance with State law. The City's efforts to increase affordable housing should be viewed as long term, ongoing, and dynamic.

4.1 The Regulatory Environment

GOAL 1: BENICIA SHALL BE AN ACTIVE LEADER IN ATTAINING THE GOALS OF THE CITY'S HOUSING ELEMENT.

Policy 1.01 To the extent possible and within the City's control, the City shall facilitate the production of housing that is affordable to people with a wide range of incomes.

Program 1.01

Work with the Housing Authority to coordinate affordable housing activities and maintain good working relations with other non-profit housing providers by:

- Consulting with the Housing Authority during the update of the Housing Element and the annual review of the Housing Element. Specifically, strategize to ensure the City's programs and the Housing Authority's programs are complementary and maximize limited housing resources;
- Continuing to share information and priorities between the City, the Housing Authority, and other non-profit housing providers;
- Updating the inventory of vacant and opportunity sites once a year in January and July and providing this inventory to non-profit housing providers; and
- Informing the Housing Authority about units produced by the Inclusionary Housing Ordinance (BMC 17.70.320) and other affordable projects.

Funding Source:	General Fund
Responsible Agency:	Community Development Department and Housing Authority
Timeframe:	Ongoing
Quantified Objective:	5 units

Program 1.02

Continue to support the Benicia Housing Authority in the administration of the Section 8 housing voucher program and apply for additional vouchers, as appropriate.

Funding Source:	HUD Section 8
Responsible Agency:	City Council, Community Development Department, and Housing Authority
Timeframe:	Ongoing, when eligible
Quantified Objective:	5 units

Program 1.03

Investigate the feasibility of joining a housing consortium to access a pooled source of funding for mortgage revenue bonds or mortgage credit certificates for the development of affordable housing and/or first-time homebuyer assistance. The City will investigate existing local consortiums and report to the City Council on the most appropriate consortium for Benicia based on cost, level of activity, and the potential for funding to benefit Benicia residents. Assuming the City identifies an appropriate consortium, Benicia will take the necessary legal, administrative, and financial steps to become a member. The City would consult with the Housing Authority for relevant data and support during the process.

Funding Source:	General Fund
Responsible Agency:	Community Development Department
Timeframe:	by December 31, 2022
Quantified Objective:	n/a

Program 1.04

The City will explore how to leverage financial resources and partner with the development community to assist first-time homebuyers with down payments. The City will apply for Community Development Block Grant (CDBG) funding annually for this purpose.

Funding Source:	General Fund, CDBG,and Building Equity and Growth in Neighborhoods (BEGIN) Program (provides down payment assistance for first-time homebuyers).
Responsible Agency:	Community Development and Finance Departments
Timeframe:	Apply for CDBG funding annually; Ongoing
Quantified Objective:	Dependant on available funding

Program 1.05 (new)

Work with the Public Works Department (City's water and sewer provider) in order to ensure the availability and adequate capacity of water and wastewater systems to accommodate the housing needs during the planning period. Priority shall be granted to proposed developments that include housing affordable to lower-income households. In addition, the City will provide a copy of the Housing Element and any future amendments to the Public Works Department immediately after adoption.

Funding Source:	General Fund
Responsible Agency:	Community Development Department and Public Works Department
Timeframe:	Ongoing
Quantified Objective:	n/a

Program 1.06

Provide information at City Hall, other public locations, and on the City's website (www.ci.benicia.ca.us) to promote private, State, and federal homebuyer assistance programs to the public.

Funding Source:	General Fund
Responsible Agency:	Community Development Department
Timeframe:	Ongoing
Quantified Objective:	n/a

Policy 1.02 The City will expedite the review of residential development proposals that include affordable housing units.

Program 1.07

Provide pre-application technical assistance to affordable housing providers to determine project feasibility and address zoning compliance issues in the most cost-effective and expeditious manner possible.

Funding Source:	General Fund
Responsible Agency:	Community Development Department
Timeframe:	Ongoing
Quantified Objective:	n/a

Policy 1.03 Educate the public on affordable housing topics and solicit public participation by all economic segments of the community to implement the Housing Element.

Program 1.08

Continue to educate the public on affordable housing through annual reporting to the Planning Commission and City Council. Current housing issues and recent accomplishments towards reaching the City's Quantified Objectives listed in the Housing Element will be addressed. This report will also serve as the annual report required by State law (§65400) for progress in implementing the City's General Plan, including the Housing Element. This report shall be sent to the Office of Planning and Research (OPR) annually in accordance with their due dates. Inform members of the public by publishing a notice in the local newspaper and by posting information on the City's website. Educational materials will be made available, as appropriate.

Funding Source:	General Fund
Responsible Agency:	City Council, Planning Commission, and Community Development Department
Timeframe:	Annually, one month prior to OPR's due date.
Quantified Objective:	n/a

Policy 1.04 The City will review and revise regulatory standards necessary to comply with State housing law.

Program 1.09

Amend the Zoning Ordinance to comply with changes in the State Density Bonus law (Government Code Section §65915) and develop an outreach program to ensure its successful implementation.

Funding Source:	General Fund
Responsible Agency:	Community Development Department
Timeframe:	Any amendments will be completed within two years of Housing Element adoption. Outreach program will be initiated within three years of Housing Element adoption.
Quantified Objective:	5 units

Program 1.10

To encourage the development of second units, amend the Zoning Ordinance for second units (accessory dwelling units) and reduce fees. Modifications to City standards and procedures should include:

- Eliminate or reduce the 6,000 square foot minimum parcel size for second units outside the Historic Districts (for inside Historic Districts see Program 1.11);
- Allow units above or adjacent to the garage of a primary housing unit;
- Reduce parking standards for lots with second units. For example:
  - Allow exceptions to parking requirements for second units up to 400 square feet;
  - Allow for on-street parking spaces adjacent to the lot to count towards 50 percent of the parking requirement;
  - Eliminate the covered parking requirement for the primary residence, if an accessory dwelling unit is provided;
  - Allow one of the required parking spaces in the front or exterior yard setback; and
  - Allow tandem parking to meet the parking requirement for the primary residence and the accessory dwelling as long as both spaces are behind the front facade plane.
- Investigate additional reductions to sewer and water connection fees for second units; and
- Reduce or waive planning and building fees for affordable second units.

Funding Source:	General Fund
Responsible Agency:	Community Development, Public Works, and Finance Departments; and City Council
Timeframe:	by December 31, 2022
Quantified Objective:	10 units

Program 1.11

To expedite the approval process for second units, the City will investigate the feasibility of developing second unit prototype or model plans for homeowners to use. It may be determined that another prototype would be necessary for historic districts. Use of these plans would reduce costs to homeowners, decrease the time for the approval process, and, in historic districts, help ensure preservation of the historic character is maintained. If such plans were approved for application in the historic districts, the City should consider reducing or eliminating the 6,000 square foot minimum parcel size in the R Zoning District.

Funding Source:	General Fund
Responsible Agency:	City Council and Community Development Department
Timeframe:	Within three years of Housing Element adoption.
Quantified Objective:	n/a

Policy 1.05 The City will continue to provide incentives for affordable housing.

Program 1.12

Continue to reduce the cost of providing affordable housing:

- Provide a fast-track processing procedure for projects with extremely low-, very low-, low- and moderate-income affordable housing units;
- Review annually, amend, and reduce to the extent feasible, the permit fee schedule as it affects small, efficient, and compact (e.g. 600 to 750 square feet) housing types;
- Defer, waive, or reduce certain development fees, portions of fees, or combinations of fees for the affordable portion of any project; and
- Amend the Benicia Municipal Code to include language directing the City Council to consider waiving or reducing fees when a project provides affordable housing units.
- Investigate revising or reducing parking requirements for affordable housing projects. Also investigate setting parking maximums.

Funding Source:	General Fund
Responsible Agency:	City Council and Community Development Department
Timeframe:	Ongoing; amend Benicia Municipal Code, Chapter 1.20 by December 31, 2022.
Quantified Objective:	n/a

Program 1.13

The City will provide, when possible, developer incentives such as expedited permit processing and fee deferrals for units that are affordable to lower income households. Priority for receiving incentives will be given to units constructed for extremely low-income households. Benicia will promote these incentives to developers on the City's website (www.ci.benicia.ca.us) and during the application process.

Funding Source:	General Fund
Responsible Agency:	Community Development Department
Timeframe:	Ongoing
Quantified Objective:	20 extremely low, very low, or low-income units

4.2 Accommodating Housing Units

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.

Policy 2.01 Require affordable housing in residential developments under the inclusionary housing program.

Policy 2.02 Require decision makers to give equal preference to onsite construction of inclusionary housing units and all other in-lieu alternative options.

Program 2.01

The City adopted an Inclusionary Housing Ordinance in 2000. There have not been many new developments with 10 units or more to generate a significant number of affordable units. No funds have been collected from in-lieu fees.

The City shall evaluate the inclusionary ordinance and consider changes that: (1) revise the current requirement for City Council approval of an in-lieu alternative to construction of inclusionary units if it is found to pose a constraint to residential project development, (2) consider additional incentives or regulatory concessions for developers to facilitate compliance with the inclusionary ordinance, (3) encourage the production of affordable housing onsite by providing development incentives to make onsite construction more feasible, (4) increase the range of affordability levels by including moderate with very-low and low, (5) provide City discretion to require onsite construction, (6) investigate extending the income categories served by the inclusionary requirements to extremely low income households, (7) investigate the feasibility of reducing the minimum unit requirement to be less than 10 new units, and (8) evaluate the impacts of the inclusionary ordinance on the feasibility of development in combination with other City regulatory requirements.

The City will engage the development community during the evaluation process.

Funding Source:	General Fund
Responsible Agency:	Community Development Department
Timeframe:	Complete evaluation of the Inclusionary Housing Ordinance by January 2018
Quantified Objective:	20 units

Policy 2.03 Maintain an adequate supply of residential land in appropriate land use designations and zoning categories to accommodate the City's regional housing needs allocation.

Policy 2.04 Disperse affordable housing throughout the City to avoid concentration in any one part of the City.

Program 2.02

As part of its next General Plan update, the City shall establish efficient land use and development patterns that conserve resources, such as fuel, water and land, and allow for higher-density development in the vicinity of major transit nodes, set forth pedestrian-oriented development patterns, and preserve open space areas. The update should comply with SB375 goals to reduce vehicle miles traveled and greenhouse gas emissions from driving as related to land use patterns. In addition, the updated Plan should strive for consistency with the Sustainable Communities Strategy known as Plan Bay Area set forth by ABAG. These strategies are intended to reduce energy consumption, increase walkability and access to transit and services, reduce automobile trips, and conserve land and water resources.

Funding Source:	General Fund
Responsible Agency:	Community Development Department
Timeframe:	During the next comprehensive update of Benicia's General Plan.
Quantified Objective:	n/a

Program 2.03

Maintain a housing trust fund to be funded by inclusionary in-lieu fees and other sources, as appropriate. This fund will be used to support affordable housing activities, such as an equity share program, site acquisition, write down of land costs, subsidization of rents and mortgages, site improvements, and the provision of collateral for development loans.

Funding Source:	General Fund
Responsible Agency:	City Council, Planning Commission, Community Development Department, Economic Development Manager, and Housing Authority
Timeframe:	Ongoing
Quantified Objective:	n/a

Program 2.04

Consider implementing an affordable housing linkage fee on nonresidential development to support the development of workforce housing. This ordinance should consider alternatives to paying the fee such as construction of housing on-site, construction of housing off-site, and dedication of land for housing.

Funding Source:	General Fund
Responsible Agency:	Community Development Department and Economic Development Manager
Timeframe:	by December 31, 2022
Quantified Objective:	15 units

Program 2.05 [new]

The City will annually evaluate the sites inventory identifying the zoning, size, and number of vacant and underutilized parcels suitable for residential development for each income category. If the sites inventory indicates a shortage of available sites to accommodate the remaining RHNA for an income category, the City shall rezone sufficient sites with appropriate densities to accommodate its remaining RHNA for each income category.

The City will develop and implement an ongoing formal evaluation procedure (project-by-project) of sites to accommodate its RHNA for lower-income households. If an approval of a development results in a reduction of site capacity below the residential capacity needed to accommodate the remaining RHNA, including for lower-income households, the City will identify and zone sufficient adequate sites to accommodate the shortfall of sites within six months of approval of the development causing the shortfall of sites.

Funding Source:	General Fund
Responsible Agency:	Community Development Department
Timeframe:	Annually update the sites inventory in conjunction with Government Code Section 65400 Housing Element Annual Reports. Develop evaluation procedure of sites to accommodate lower income households to comply with Government Code Section 65863 within one year of Housing Element Adoption.
Quantified Objective:	n/a

Policy 2.05 Seek appropriate private, local, State, and federal funding to subsidize costs of housing for extremely low-, very low-, low-, and moderate-income households in Benicia.

Policy 2.06 Encourage the development of second- and third-story residential units in along First Street in downtown Benicia.

Program 2.06

The City will monitor available funding sources and activities to pursue based on competitive funding considerations, the funding cycles of various State and federal sources, and housing provider interest. The City will contact these funding sources to make sure they are on all pertinent distribution lists for funding opportunities. The City will keep these funding sources updated on appropriate contact persons at the City.

Funding Source:	General Fund
Responsible Agency:	Community Development Department
Timeframe:	Annually, following Housing Element Adoption
Quantified Objective:	n/a

Policy 2.07 The City of Benicia will work with the Association of Bay Area Governments (ABAG) to create a regional development pattern that is compact and connected and encourages future population and housing in areas near transit. Future growth in the City of Benicia will be targeted towards Priority Development Areas (PDAs) within City limits, where a diversity of housing, jobs, activities, and services are present to meet the daily needs of residents. The map of the PDAs can be found in Appendix H.

Program 2.07

Consult with and apply for financial assistance from the FOCUS program of ABAG for projects within the Downtown Priority Development Area, including but not limited to the Solano Square and Senior Center neighborhood retrofit and opportunity site projects.

Funding Source:	General Fund and ABAG
Responsible Agency:	Community Development Department
Timeframe:	Ongoing as funding opportunities arise
Quantified Objective:	n/a

4.3 Special Needs

GOAL 3: ACCOMMODATE THE HOUSING NEEDS OF SPECIAL POPULATION GROUPS.

Policy 3.01 Facilitate the development of shelters for the homeless, transitional and supportive housing, housing for seniors, and housing for persons with physical, developmental, or mental disabilities.

Program 3.01

Amend the Zoning Ordinance to comply with Senate Bill 2 under the "Housing Accountability Act" to permit emergency shelters without a use permit or other discretionary permits in at least one zoning district or on one site. Emergency shelters, which shall be defined under Use Classifications, residential use types, will be allowed by right to allow for either future development, redevelopment or conversion of an existing site. The amendment to the Zoning Ordinance for Emergency Shelters may also set standards for the following:

- Maximum number of beds or persons permitted to be served nightly;
- Off-street parking based on demonstrated need; standards shall not require more parking for emergency shelters than for other residential uses within the same zone;
- The location of exterior and interior on-site waiting and client intake areas, e.g. measures to avoid queues of individuals outside proposed facility;
- Provision of on-site management;
- Length of stay;
- Hours of operation;
- External lighting;
- Provision of security for the proper operation and management of a proposed facility; and
- Compliance with county and State health and safety requirements for food, medical, and other supportive services provided on-site.

The purpose of these standards are to encourage and facilitate homeless shelters through clear and unambiguous guidelines for the application review process, the basis for approval, and the terms and conditions of approval.

The City will solicit input from local service providers (e.g., Community Action Council) in the preparation and adoption of the amendment to the Zoning Ordinance to ensure that development standards and permit processing procedures will not impede the approval and/or development of emergency, transitional, or supportive housing.

Funding Source:	General Fund
Responsible Agency:	Community Development Department
Timeframe:	At the time of adoption of the Housing Element
Quantified Objective:	n/a

Program 3.02

The City will amend the Zoning Ordinance to define transitional and supportive housing as a residential use under Use Classifications, residential use types, which shall subject to the same standards that apply to other housing use types in the same zoning district.

Funding Source:	General Fund
Responsible Agency:	Community Development Department,
Timeframe:	At the time of adoption of the Housing Element
Quantified Objective:	n/a

Program 3.03

Pursuant to the Fair Housing Amendments Act of 1988 and the requirements of Chapter 671, Statues of 2001 (Senate Bill 520), the City will adopt a reasonable accommodation ordinance addressing rules, policies, practices, and procedures that may be necessary to ensure equal access to housing for those with disabilities. The City will promote its reasonable accommodations procedures on its web site and with handouts at City Hall.

Funding Source:	General Fund
Responsible Agency:	Community Development Department
Timeframe:	Within 2 years of adoption of Housing Element
Quantified Objective:	n/a

Policy 3.02 Support Solano County and the Community Action Council (CAC) in applying for funds to maintain adequate local and County facilities for homeless persons through letters of support signed by the City Manager and continuance of an annual allocation from the City's budget.

Program 3.04

The City will assist the CAC in promoting the availability of resources by posting notifications on the City's website (www.ci.benicia.ca.us). The CAC is part of County-wide consortium of community service groups who join together in applying for applicable State and federal funds for their organizations. They have found this collaborative approach, supported by their respective governmental jurisdictions, much more successful than if each individual agency applied for funds.

Funding Source:	General Fund and Stewart B. McKinney Homeless Program (a federal law that created funding for homeless assistance programs)
Responsible Agency:	Community Development and Finance Departments, City Manager, and Community Action Council
Timeframe:	Ongoing
Quantified Objective:	n/a

Policy 3.03 Work with the Benicia Community Action Council (CAC) and the Benicia Housing Authority to facilitate programs to assist special needs groups in Benicia.

Program 3.05

Continue to refer persons in need of transitional housing assistance to the CAC. Meet annually with the CAC to determine the need for transitional housing facilities.

Funding Source:	General Fund
Responsible Agency:	Community Development Department and Community Action Council
Timeframe:	Meet annually; ongoing
Quantified Objective:	n/a

Policy 3.04 To the extent feasible the City will support development of housing serving large families and female-headed households.

Program 3.06

The City will provide for needed social services in all City funded affordable housing projects. These services should address the needs of single mothers and families and could include childcare, counseling, and education. If necessary, the zoning ordinance will be amended to allow these uses at these project locations.

Funding Source:	General Fund
Responsible Agency:	Community Development Department
Timeframe:	Ongoing
Quantified Objective:	n/a

Program 3.07

Facilitate the establishment of shared housing in Benicia to bring together persons with special housing needs, including single parents and elderly persons, to share living accommodations and housing costs. The City will facilitate shared housing by continuing to permit such housing and associated supportive services under the Zoning Ordinance and consider applying for private, State, or federal funding for a proposed shared housing project or program, when an eligible project is submitted to the City.

Funding Source:	General Fund
Responsible Agency:	Community Development Department
Timeframe:	Ongoing
Quantified Objective:	n/a

4.4 Preserve and Maintain Housing Stock

GOAL 4: HOMES IN BENICIA ARE PRESERVED AND WELL-MAINTAINED.

Policy 4.01 Apply for private, State, and federal funding assistance to rehabilitate homes where needed.

Program 4.01

Work with the State to expand the use of existing Housing Rehabilitation Loan Program funds to other uses such as assistance to first time home buyers and funding to establish a transitional shelter in Benicia. The existing Rehabilitation Loan Program should also be maintained, and available to qualified applicants, including for historic preservation purposes. In addition, announce the availability of such funds through noticing on the City's website, local government access channel, through several display ads, advertisements at the Benicia Library and at the Planning Counter. Also, create and provide flyers to the Community Action Council, Benicia Housing Authority, and other affordable housing affiliates.

Funding Source:	CDBG funds, California Self-Help Housing Program, and CHFA funds
Responsible Agency:	City Manager, Community Development Department, and Non-Profit Developer(s).
Timeframe:	Annually review existing available resources and apply, as needed, for additional state funding
Quantified Objective:	15 units rehabilitated

Policy 4.02 Limit the conversion of residential structures to non-residential uses and affordable units to market-rate.

Program 4.02

Continue to implement procedures applicable to inclusionary for-sale units, such as the resale control mechanism, equity recapture, qualifications for subsequent buyers, and other relevant issues that are not listed in the inclusionary housing ordinance, to ensure ongoing affordability.

Funding Source:	General Fund
Responsible Agency:	City Manager and Community Development Department
Timeframe:	Ongoing
Quantified Objective:	n/a

Program 4.03 [new]

The City will work with the Benicia Housing Authority to prevent conversion of affordable housing to market rate for any and all properties leased or operated by the Housing Authority. The City will take all necessary steps to ensure projects remain affordable, including the use of available financial resources to restructure federally assisted preservation projects, where feasible, in order to preserve and/or extend affordability, and prior to affordability expiration date, identify funding sources for at-risk preservation, rehabilitation, and acquisition and pursue these funding sources at the federal, State, or local levels to preserve at-risk units on a project-by-project basis.

Funding Source:	General Fund
Responsible Agency:	Community Development Department.
Timeframe:	Ongoing
Quantified Objective:	n/a

Policy 4.03 Strongly encourage continued upkeep of existing economically viable mobile home parks, and work with the state to ensure regulatory compliance.

Program 4.04

Contact the owners of the mobile home parks to determine future plans and the feasibility of continuing mobile home park use. The City will work with the owners to ensure maintenance, upkeep, and compliance with State regulations. If appropriate, the City will assist the owner in accessing State or federal funds for improvements to substandard or dilapidated parks and units or in converting the park to resident ownership. Maintaining affordable units in mobile homes parks will be a priority of the City.

The City will also continue to implement its mobile home park conversion ordinance to ensure that any conversion of a mobile home park is preceded with adequate notice and relocation assistance. A relocation plan must be submitted to the Planning Commission for approval as part of the application for conversion.

Funding Source:	General Fund
Responsible Agency:	Community Development Department and HCD.
Timeframe:	Contact owners by December 31, 2016
Quantified Objective:	10 units

Policy 4.04 Pursuant to state law (recognizing limited allowed circumstances) the City will count existing units toward meeting their regional housing need. The City may take credit for existing units that will be: (1) substantially rehabilitated, (2) converted from non-affordable to affordable (multifamily rental housing of 4 or more units), or (3) preserved at affordable housing costs to low or very low-income households.

Program 4.05

As new projects, code enforcement actions, and other opportunities arise, the City will investigate ways to meet its housing needs through rehabilitation and preservation of existing units.

Funding Source:	General Fund
Responsible Agency:	Community Development Department
Timeframe:	Ongoing
Quantified Objective:	n/a

Program 4.06

The City will maintain a record of any units rehabilitated and made affordable or converted to affordable and include the data in their annual report to HCD.

Funding Source:	General Fund
Responsible Agency:	Community Development Department
Timeframe:	Ongoing and annually, every April
Quantified Objective:	n/a

4.5 Equal Access

GOAL 5: ENSURE EQUAL HOUSING OPPORTUNITIES FOR ALL PERSONS IN BENICIA REGARDLESS OF RACE, RELIGION, SEX, MARITAL STATUS, ANCESTRY, NATIONAL ORIGIN, COLOR, DISABILITY, FAMILY STATUS, SEXUAL ORIENTATION, POLITICAL AFFILIATION, OR SOURCE OF INCOME.

Policy 5.01 Continue to provide a point of contact for referral of discrimination complaints.

Program 5.01

Implement the complaint referral process for those persons who believe they have been denied access to housing because of their race, religion, sex, marital status, ancestry, national origin, color, or disability, family status, sexual orientation, source of income, or political affiliation. The City will educate selected staff in the Community Development, City Attorney, and City Manager departments on responding to complaints received regarding potential claims of housing discrimination. The selected personnel will be given a typed handout detailing the process for someone with a complaint and the agencies that should be contacted regarding a claim: Solano County District Attorney's office, California Department of Fair Employment and Housing, San Francisco Department of Housing and Urban Development Office of Fair Housing, Legal Services of Northern California (Solano County Vallejo office), and ECHO (non-profit housing advocacy group). The City Attorney's office will be notified and a log maintained of all complaints received. Information regarding the housing discrimination complaint referral

process is made available by the Benicia Housing Authority and CAC to their clients. This information is available on the City's website (www.ci.benicia.ca.us). The City will maintain a supply of complaint forms and informational brochures at City Hall.

Funding Source:	General Fund and CDBG Funds
Responsible Agency:	Community Development Department
Timeframe:	Ongoing
Quantified Objective:	n/a

Policy 5.02 The City shall work with homebuilders to encourage universal design in new construction and remodels. Universal design is based on the understanding that throughout life, people may experience changes in their abilities. The goal of universal design is to design environments to be usable by all people, to the greatest extent possible, without the need for adaptation or specialized design.

Program 5.02

The City will continue to provide brochures on universal design available at the planning counter in the Community Development Department. The City will also consider writing development standards to encourage use of universal design in home design.

Funding Source:	General Fund
Responsible Agency:	Community Development Department
Timeframe:	Ongoing
Quantified Objective:	n/a

4.6 Energy Efficiency & Water Conservation

GOAL 6: HOUSING IN BENICIA IS ENERGY EFFICIENT.

Policy 6.01 Enforce State requirements for energy conservation in new residential projects and encourage residential developers to employ additional energy conservation measures with respect to siting of buildings, landscaping, and solar access.

Program 6.01

The City will continue to implement the California Green Building Standards Code, 2013 edition (adopted by reference in 2013 by City Council Ordinance 13-14), which applies to residential additions of 600 sq. ft. or more, or when a project's value exceeds $20,000. The City will evaluate additional green building standards beyond the State's minimum requirements.

Funding Source:	General Fund
Responsible Agency:	Community Development Department
Timeframe:	Ongoing.
Quantified Objective:	n/a

Policy 6.02 Enforce the California Energy Commission energy efficiency requirements in new housing and encourage the installation of energy saving devices in pre-1975 housing.

Program 6.02

Continue to implement the Benicia Home Efficiency Program and Residential Solar Rebate Program, both of which were approved by the Sustainability Commission who assists with implementing the City's Climate Action Plan. These programs will educate and bring awareness to the public about the long-term benefits of energy conservation and efficiency in housing and encourages the installation of renewable energy which reduces greenhouse gas emissions.

Funding Source:	Good Neighbor Steering Committee Settlement Agreement
Responsible Agency:	Community Development Department
Timeframe:	Benicia Home Efficiency Program through 2016. Residential Solar Rebate Program needs additional financing: Ongoing
Quantified Objective:	n/a

Program 6.03

To facilitate implementation, the City will make available, in the Community Development Department, brochures from PG&E and others that detail energy conservation measures for existing buildings, as well as new construction. The City will investigate more innovative outreach methods including social media and other online interfaces.

Funding Source: General Fund

Responsible Agency: Community Development Department

Timeframe: Ongoing

Quantified Objective: n/a

Policy 6.03 Encourage green building design standards in new construction and redevelopment to achieve increased energy conservation.

Program 6.04

Continue to provide public education on green building certification, energy efficiency, and sustainable materials through the use of display boards, and locate them near the Planning and Building Counter and throughout City Hall.

Funding Source: General Fund

Responsible Agency: Community Development Department

Timeframe: Ongoing

Quantified Objective: n/a

4.7 Summary of Quantified Objectives

Table 4.1 summarizes the quantified objectives for all the above programs. The City anticipates that 79 units will be provided by new construction through program implementation (Programs 1.09, 1.10, 1.13, 2.01, and 2.05), and an additional 20 units will be rehabilitated or conserved through program implementation (Programs 4.01 and 4.04). All of the remaining programs listed below in Table 4.1 would also contribute to meeting the RHNA to provide additional affordable housing in Benicia.

Table 4.1 Summary of Quantified Objectives

	Income Categories					
Remaining Regional Housing Needs Allocation	Extremely Low	Very Low	Low	Moderate	Above-Moderate	Total
	(subset of very low)	94	54	56	123	327
Programs						
New Construction						
1.01	0	0	5	0	0	5
1.02	0	5	0	0	0	5
1.09	1	1	3	0	0	5
1.10	0	0	2	8	0	10
1.13	4	6	10	0	0	20
2.01	0	5	5	10	0	20
2.05	0	5	5	5	0	15
New Construction Subtotal	**5**	**22**	**30**	**23**	**0**	**79**
Rehabilitation/Preservation						
4.01	0	5	5	5	0	15
4.04	0	0	0	5	0	5
Total	**5**	**27**	**35**	**33**	**0**	**99**

Source: City of Benicia

Appendix A
Existing Housing Needs

This section addresses existing housing needs, employment, and housing characteristics within the community. The analysis includes a description of population, employment, household incomes, housing stock, and comparisons with the surrounding region. Comparisons are made with Solano County and Suisun City. Suisun City was selected as a relatively comparable jurisdiction in terms of size and community issues within Solano County. These comparisons provide a frame of reference for statistics in the City of Benicia. The following subsections are included in this Appendix:

- Age Distribution
- Race/Ethnicity
- Employment by Industry
- Civilian Labor Force
- Household Growth Trends
- Households by Tenure
- Households by Income
- Overpayment
- Overcrowding
- Extremely Low Income Housing Needs
- Housing Unit and Property Conditions
- Age of Housing Stock
- Cost of Housing
- Housing Units by Type
- Occupancy/Vacancy
- Assisted Housing Developments At-Risk for Conversion
- Affordability

Population

Table A.1 depicts the population increase in the City of Benicia, Suisun City, and Solano County between 2000 and 2010. The City grew by 0.5 percent between 2000 and 2010. The growth in nearby Suisun City was higher between 2000 and 2010 at 7.6%. Growth in Solano County between 2000 and 2010 was 4.8% (0.48 percent average annual growth).

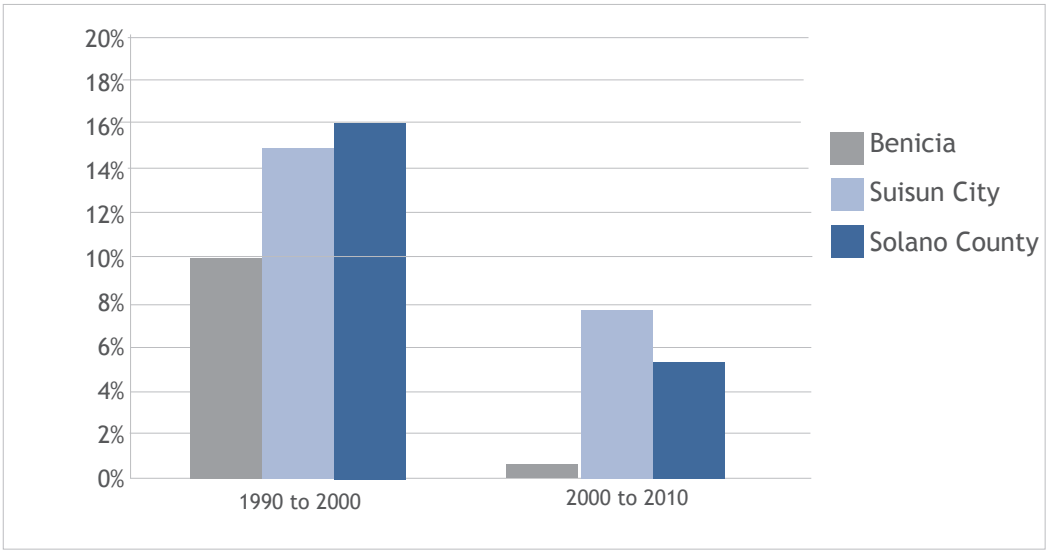
Table A.1 Population Growth Trends, 2000-2010

	2000		2010	
	Number	% Increase	Number	% Increase
Benicia	26,865	*10%*	26,997	*0.5%*
Suisun City	26,118	*15%*	28,111	*7.6%*
Solano County	394,542	*16%*	413,344	*4.8%*

Source: U.S. Census 2000 and 2010

Figure A.1 below displays the comparison in percentage increase in population for the three jurisdictions discussed above from 1990 to 2000 and 2000 to 2010.

Figure A.1 Percentage Population Growth Comparison

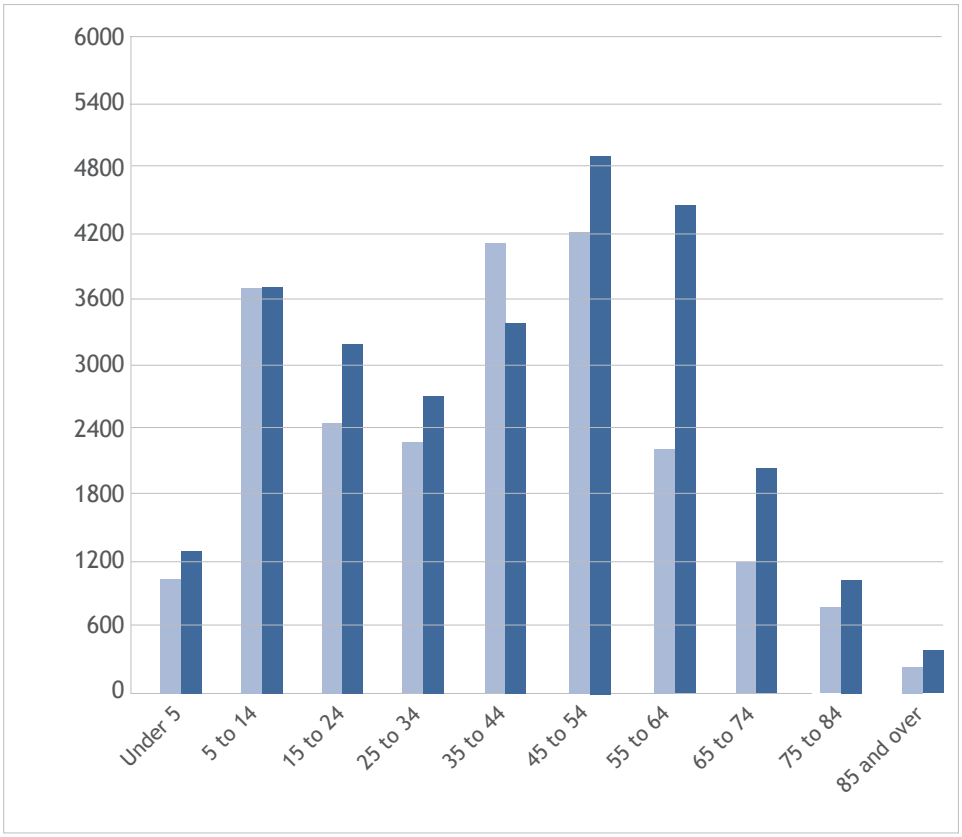


Source: U.S. Census 1990 ,2000, and 2010

Age Distribution

Figure A.2 identifies the change in age distribution between 2000 and 2010. The age groups with the biggest increases between 2000 and 2010 were the 55 to 64 and 65 to 74 age groups. The 35 to 44 age group was the only age group to decrease between 2000 and 2010.

Figure A.2 Age Distribution: Benicia, 2000 - 2010



Source: U.S. Census 1990, 2000, and 2010

Race/Ethnicity

In 2010, the majority of the City's population was white (72.5 percent). By ethnicity, the population was twelve percent Hispanic or Latino (see Table A.2).

Table A.2 City of Benicia: Race/Ethnicity, 2010

Race	All Ages	
Total Population (Race)	26,997	100%
White	19,568	72.5%
Asian	2,989	11%
Other	895	3.3%
Native Hawaiian and other Pacific Islander	102	0.4%
Two or more races	1,798	6.7%
Ethnicity	**All Ages**	
Total Population (Ethnicity)	26,997	100%
Hispanic or Latino (of any race)	3,248	12%
Not Hispanic or Latino	23,749	88%

Source: U.S. Census, 2010

Employment by Industry

According to the 2010 Census, the City had 14,279 persons employed (See Table A.3). The three largest industry sections were education, health, and social services (22.5 percent), retail trade (9.7%), and professional, scientific, management, administrative, and waste management services (9.4% percent).

Table A.4 below identifies the major employers in the City in 2008. They include Valero Refining Company, Institutional Financing Service, and Bio-Rad Laboratories. According to the County Business Patterns Study, there are 11,908 jobs in Benicia.

Table A.3 City of Benicia: Employment by Industry, 2010

Profession	Number	Percent
Educational, health and social services	3,208	22.5%
Retail trade	1,382	9.7%
Professional, scientific, management, administrative, and waste management services	1,338	9.4%
Arts, entertainment, recreation, accommodation and food services	1,268	8.9%
Manufacturing	1,247	8.7%
Construction	1,134	7.9%
Finance, insurance, real estate and rental and leasing	956	6.7%
Other services (except public administration)	900	6.3%
Wholesale trade	687	4.8%
Public administration	677	4.7%
Transportation and warehousing, and utilities	537	3.8%
Information	541	3.8%
Agriculture, forestry, fishing and hunting, and mining	404	2.8%
Total	14,279	100%

Source: U.S. Census, 2010

Table A.4 City of Benicia: Major Employers, 2008

Employer	Number of Employees	Type of Business
1. City of Benicia	223	Government
2. Valero Refining Company	480	Petroleum Refining
3. Institutional Financing Service	170	Sale of Gift Items to Schools
4. Bio-Rad Laboratories	168	Manufacture Hematology Products
5. Radiator Express Warehouse	147	Distributor of Radiators
6. Coca-Cola Bottling Company	142	Soft Drink Delivery
7. The Pepsi Bottling Group	134	Soft Drink Manufacturing
8. Dunlop Manufacturing	130	Manuf./Dist. Musical Accessories
9. Henry Wine Group	116	Import/Distribute Wine Spirits
10. APS West Coast Inc.	115	Operate Port of Benicia
11. Cytosport	109	Dietary Sport & Nutrition Products

Source: City of Benicia, Economic Development Division

Civilian Labor Force

Table A.5 identifies the number of residents in the civilian labor force. As of 2010, of the 15,306 residents in the City who fall into this category, 14,279 (93 percent) were employed. This percentage is similar to Suisun City but greater than the County.

Table A.5 Civilian Labor Force, 2010

County/City	Civilian Labor Force	Employed	Percent Employed
Benicia	15,306	14,279	93%
Suisun City	15,106	13,640	90%
Solano County	208,718	180,913	87%

Source: U.S. Census, 2010

Household Growth Trends

The U.S. Census defines a household as persons occupying a housing unit for their residence. Between 1990 and 2000, there was a 12 percent increase (1,117) in the number of households, from 9,208 to 10,325. However, household growth slowed to 3.5%, between 2000 and 2010 (see Table A.6). Household size can also be a determinant of household growth trends. Between 2000 and 2010 the average household size in Solano County increased from 2.8 persons per household to 2.9 persons per household. The average household size for the City decreased slightly, from 2.60 to 2.52 persons per household.

Table A.6 City of Benicia: Household Growth Trends, 1990, 2000, & 2010

Year	Avg Household Size	Households	Numerical Change	Percent Change
2000	2.60	10,325	1,117	12%
2010	2.52	10,686	361	3.5%

Source: U.S. Census, 1990, 2000 & 2010

Households by Tenure

Tenure refers to the distinction between owner-occupied and renter-occupied units. The ratio between owner and renter households remained steady from 2000 to 2010.

Table A.7 City of Benicia: Households by Tenure, 2000 & 2010

	2000		2010	
	Number	Percent	Number	Percent
Owner	7,300	71%	7,536	70.5%
Renter	3,025	29%	3,150	29.5%
Total	10,325	100%	10,686	100%

Source: U.S. Census, 2000 and 2010

Households by Income

Table A.8 below provides the median household income for California, Solano County, Benicia, and Suisun City in 2000 and 2010. According to the U.S. Census, the median household income in the City increased from $67,617 to $83,476 (23.5 percent increase) from 2000 to 2010. Comparatively, the median household income for the State was $60,016.

Table A.8 Median Household Income, 2000 & 2010

Year	2000	2010
State of California	$47,493	$60,016
Solano County	$54,099	$63,384
Benicia	$67,617	$83,476
Suisun City	$60,848	$71,435

Source: U.S. Census, 2000 and 2010

Table A.9 below depicts the distribution of income for Benicia, Suisun City, and Solano County. As of 2010, 41 percent, or 4,394 households in the City had a combined income of $100,000 or more.

Table A.9 Households by Income, 2010

City/County	$0 - $24,999		$25,000 - $44,999		$45,000 - $99,999		$100,000 +		Total
Benicia	1,103	10%	1,840	17%	3,477	32%	4,394	41%	10,814
Suisun City	920	11%	1,721	20%	3,684	42%	2,378	27%	8,703
Solano County	23,701	17%	28,201	20%	49,813	36%	38,487	27%	140,202

Source: U.S. Census, 2010

Overpayment

Overpayment is defined as paying more than 30 percent of household income on housing costs, including utilities. In 2010, approximately 47 percent (2,745 households) of owner-occupied households in the City were overpaying for housing and 43 percent (1,465 households) of renter-occupied households were overpaying for housing (See Table A.10 below).

Table A.10 City of Benicia: Overpayment: Owner-Occupied Units, 2010

Owner Costs as a Percentage of Household Income	Number of Households	Percentage	Renter Costs as a Percentage of Household Income	Number of Households	Percentage
Less than 20 percent	1,751	30.3%	Less than 20 percent	1,015	29.9%
20 to 24.9 percent	671	11.6%	20 to 24.9 percent	428	12.6%
25 to 29.9 percent	620	10.7%	25 to 29.9 percent	493	14.5%
30 to 34.9 percent	447	7.7%	30 to 34.9 percent	248	7.3%
35 percent or more	2,298	39.7%	35 percent or more	1,217	35.8%
Subtotal	5,787		Subtotal	3,401	

Note: Each of the income range categories do not include a number for "not computed", and therefore the numbers under each percent range do not add up to total households number.

Source: U.S. Census, 2010

Overcrowding

Overcrowding is defined by the U.S. Census as a household occupied by more than one person per room. In 2010, 0.7 percent of all occupied housing units were overcrowded (see Table A.11 below).

Overcrowding is linked to a decreased quality of life for the occupants and can add stress to the physical condition of the dwelling. Additionally, overcrowding is identified as being linked to overpayment for housing, where the high cost of housing forces families into smaller units.

Table A.11 City of Benicia: Overcrowded Households, 2010

Occupied Units	Number	Percent
1.00 or less occupants per room	10,836	99.3%
1.01 to 1.50 occupants per room	74	0.7%
1.50 or more occupants per room	6	0.1%
Total Occupied Units:	10,916	100%

Source: ACS 2006-2010 5-Year Estimates

Extremely Low Income Housing Needs

Extremely low-income households earn 30 percent or less of the median household income. Of the 10,325 households in the City, 575 renters and 290 owners (about 8 percent of all households) have household incomes less than 30 percent of the median income. As Table A.12 illustrates, these households have a high percentage of housing problems and a greater cost burden than other households (See Tables A.9 and A.10 for comparison). The RHNA for Benicia estimates 94 very low income housing units will need to be constructed between 2015 and 2022. Based on State law methodology, the City estimates that 50 percent of its very low-income housing allocation are extremely low-income households. Therefore, it is projected that 47 households will be extremely low-income.

Table A.12 City of Benicia: Housing Problems for All Households CHAS[1] Data Book

	Renters	Percent Renters	Owners	Percent Owners	Total ELI Households	Percent Total ELI Households
Household Income <=30% MFI	575	100%	290	100%	865	100%
Percent with any housing problems	575	100%	260	89.7%	835	96.5%
Percent Housing Cost Burden >30%	495	86.1%	260	89.7%	755	87.3%
Percent Housing Cost Burden >50%	415	72.2%	230	79.3%	645	74.6%

[1]CHAS stands for Comprehensive Housing Affordability Strategy

Source: CHAS Databook 2006-2010

Housing Unit and Property Conditions

A City-wide housing conditions survey was conducted by Parsons Brinckerhoff (PB) in April 2002 as part of the previous Housing Element update. The exterior housing condition of each unit was evaluated based upon State Housing and Community Development (HCD) adopted criteria, which rates the condition of the foundation, roofing, siding, windows, and doors. The April 2002 study focused on single-family, multi-family, and mobile home parks in specific areas that were selected by City staff as having less than standard housing conditions. Results of the survey are in Table A.13. The City's housing stock is generally in very good condition, with the exception of one mobile home park with trailers in need or replacement or rehabilitation.

Housing conditions have not changed substantially since the survey was completed, and therefore, a new survey was not deemed necessary for this cycle. In addition, the City has several ongoing programs to help address the need for rehabilitation and repair of lower income units.

Table A.13 City of Benicia: 2002 Survey Breakdown by Type of Substandard Housing Unit

	Single-Family	Multi-Family	Mobile Home/ Trailers	TOTAL	Percent of Total Housing Units (2000)
Minor	67	52	35	154	1%
Moderate	31	28	0	59	<1%
Substantial	1	0	0	1	<.01%
Dilapidated	4	0	54	58	<1%
Total Substandard	103	80	89	272	2%
Percent of Total HU (2000)	1%	<1%	<1%	2%	

Source: Parsons Brinckerhoff (PB), Housing Conditions Survey, 2002

Age of Housing Stock

The majority (55%) of housing in the City was built between 1970 and 1989 (see Table A.14). According to the 2010 Census, about 16 percent of the housing stock has been built since 1990.

Table A.14 City of Benicia: Age of Housing Stock, 2010

Units	Number	Percent
Built 2000 to 2005 or later	737	6%
Built 1990 to 1999	1,214	10%
Built 1980 to 1989	3,247	27%
Built 1970 to 1979	3,243	28%
Built 1960 to 1969	812	7%
Built 1950 to 1959	783	7%
Built 1940 to 1949	788	7%
Built 1939 or earlier	893	8%
Total	11,717	100%

Source: U.S. Census, 2010

Cost of Housing

According to the 2010 Census, the median rent in the City was $1,271 per month while the average home value was $464,100. These numbers were higher than the County, which had an average rent of $1,211 per month and an average home value of $321,000. Suisun City's rents were higher than both the County and the City at $1,369 per month. However, the average home value was significantly lower at $278,400 (see Table A.15 below).

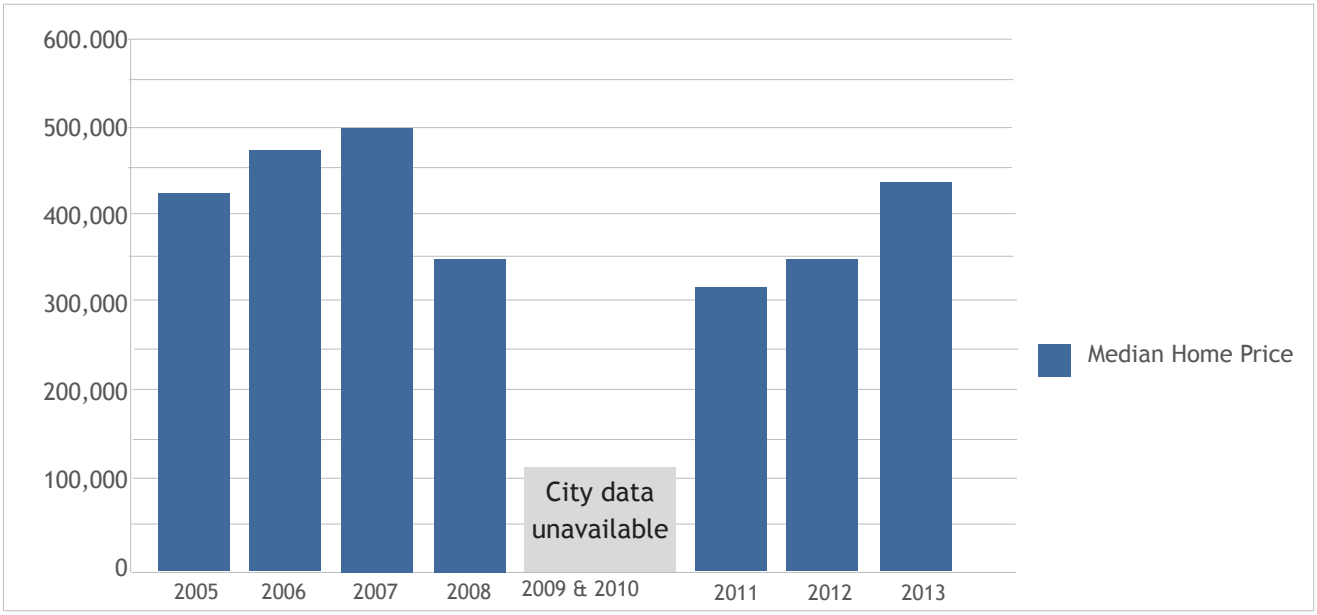
Table A.15 Median Owner-Value/Gross Rent, 2000 & 2010

County/City	Median Gross Rent, 2000	Median Gross Rent, 2010	Percent Increase	Median Owner-Value, 2000	Median Owner-Value, 2010	Percent Increase
Benicia	$892	$1,271	42.5%	$263,100	$464,100	76.4%
Suisun City	$870	$1,369	57.4%	$161,100	$278,400	72.8%
Solano County	$797	$1,211	53.9%	$174,900	$321,000	83.5%

Source: U.S. Census, 2000 and 2010

More recent figures show that the median home price peaked in 2007 at approximately $500,000. Between 2007 and 2008, the median price for a home in the City dropped over 28 percent from $500,000 to 360,000 (see Figure A.3). However, both Suisun City and Solano County saw larger drops in home prices. Suisun City suffered a 42 percent drop in median home prices between 2007 and 2008, from $395,000 to $229,000. Solano County saw a 37 percent decrease in median home prices from $416,000 to $262,000 between 2007 and 2008. Home prices have been gradually increasing in Benicia since 2008, with a 26% percent increase between 2012 and 2013.

Figure A.3 City of Benicia: Median Home Prices



Source: California Association of Realtors; MDA Dataquick Dqnews.com 2013

Housing Units by Type

Table A.16 identifies the makeup of the City's housing stock, which is largely made up of single-family detached residences (64 percent). the percent of multi-family units with 5 or more units has remained relatively constant between 2000 and 2010.

Table A.16 City of Benicia: Housing Units by Type, 2000 & 2010

	2000		2010	
1, detached	6,815	65%	7,520	64%
1, attached	1,045	10%	892	8%
2	208	2%	216	12%
3 or 4	708	7%	1204	
5 to 9	429	14%	1049	14%
10 to 19	281		337	
20 to 49	301		284	
50 or more	439			
Mobile home or trailer	317	3%	183	2%
Other	9	0.1%	32	0.2%
Total	10,552	100%	11,717	100%

Source: U.S. Census, Department of Finance E-5 Report, U.S. Census 2010

Occupancy/Vacancy

As of 2010, approximately 92 percent (10,814 units) of the total 11,717 units in the City were identified as occupied. Table A.17 below depicts the number of vacant units by type. Most of the 620 vacant units (57.8 percent) were categorized as for rent or for sale.

Table A.17 Vacant Units by Type, 2010

	Benicia	Percent of Total
Vacant Units	86	<1%
For Rent	207	33.4%
For Sale	151	24.4%
Rented or sold, not occupied	49	7.9%
For seasonal, recreational, or occasional use	64	10.3%
For migrant workers	0	0.0%
Other vacant	149	24.0%
Total Vacant	620	2.0%

Source: U.S. Census, 2010

Assisted Housing Developments At-Risk for Conversion

This section evaluates whether the City's affordable housing is at-risk of converting to market rates through the year 2023 pursuant to State law (Section 65583 (a)(9)(D)). Assisted housing developments, or at-risk units, are defined as multi-family rental housing complexes that receive governmental assistance. The following properties fall under this definition and are listed below in Table A.18.

Table A.18 Affordable Housing, Multi-Family Rental

Name of Projects	Address	Target Level	Assisted Units	Expiration Date	Type of Conversion Risk
Capitol Heights Apts. **087-021-080**	28 Riverhill Dr.	Very Low	39 ELI 17 VLI 8 LI 8 M/AM **Total: 75**	Owned by the Housing Authority; no expiration date	Age/maintenance; rehabilitated 1993; stable until 2032
Casa de Vilarrasa Senior Housing Apts. **089-061-140/150**	383 East I St. 921 East 4th St.	Very Low	30 ELI 22 VLI 14 LI 14 M/AM **Total: 80**	2045	Restriction Expiration
Bay Ridge Apts. **086-410-210**	1061 Rose Dr.	Very Low/ Low	14 ELI 20 VLI 12 LI 4 M/AM **Total: 50**	2034	Restriction Expiration
Burgess Point Apts. **087-021-470**	91 Riverview Terrace	Very Low/ Low	20 ELI 15 LI 4 Vacant 17 M/AM Total: 56	2034	Restriction Expiration
TOTAL UNITS			**261**		

Notes:

ELI = Extremely Low Income VLI = Very Low Income

LI = Low Income M/AM = Moderate/ Above Moderate Income

Source: City of Benicia

Information on each affordable housing project was obtained through deed restrictions and agreements. As evident, there are no units that are at-risk of converting to market rates units during this housing element cycle (2015-2023) or within the next 10 years.

Affordability

To estimate and plan for the supply of affordable housing, the Department of Housing and Community Development (HCD) defines four income groups based on a percentage of the county median family income (MFI). For 2013, the MFI for Solano County was $82,600 for a family of four. The income groups are defined as follows:

- Very Low-Income: 30 to 50 percent of MFI;
- Low-Income: 51 to 80 percent of MFI;
- Moderate-Income: 81 to 120 percent of MFI; and
- Above Moderate-Income: greater than 120 percent of MFI.

Housing affordability in Benicia can be inferred by comparing the cost of owning or renting a home with the income levels of households of different sizes. Table A.19 shows the maximum annual income for households in the very low-, low-, and moderate-income groups based on MFI and household size. It also shows the maximum affordable monthly rental payment and the maximum affordable mortgage based on the standard of allocating no more than 30 percent (as established by HUD) of monthly household income to housing costs (including utilities, taxes, and insurance).

Homes prices at the 2013 Benicia median of $445,00 (See Figure A.3) are out of the range of households earning a moderate-income or less.

Very Low Income Households

The maximum affordable home price ranges from $85,439 to $116,623 for very low-income households or an estimated range from $649 to $883 in monthly rent (including utilities). As a result, very low-income households cannot afford to purchase a single-family home, as the median price for a house in November 2013 was $445,000. With the exception of very small apartments, and mobile home rentals, very low-income households are also unable to afford the cost of virtually all apartment rentals in the City without assuming a high housing cost burden (greater than 30% of income). According to the U.S. Census, the median gross rent in Benicia in 2010 was $1,271.

Low Income Households

The maximum affordable home price ranges from $138,734 to $193,013 for low-income households or an estimated range from $1,063 to $1,475 in monthly rent (including utilities). As a result, the majority of single-family homes are out of reach for low-income households, but they could afford some rental units.

Moderate Income Households

The maximum affordable home price ranges from $217,332 to $305,366 for moderate-income households or an estimated range from $1,659 to $2,328 in monthly rent (including utilities). As a result, moderate-income households can afford some single-family homes in the City and many rental units.

Table A.19 Solano County: Affordability

	HCD Income Limits		Monthly Housing Costs		Maximum Affordable Price	
	Max. Annual Income	Affordable Total Payment	Utilities	Taxes & Ins. (for ownership)	To Own	Monthly Rental
Income Group						
Very Low						
One Person	$28,950	$724	$75	$137	$85,439	$649
Two Person	$33,050	$826	$100	$152	$95,760	$726
Three Person	$37,200	$930	$125	$168	$106,296	$805
Four Person	$41,300	$1,033	$150	$183	$116,623	$883
Low						
One Person	$45,500	$1,138	$75	$231	$138,734	$1,063
Two Person	$52,000	$1,300	$100	$260	$156,808	$1,200
Three Person	$58,500	$1,463	$125	$289	$174,882	$1,338
Four Person	65,000	$1,625	$150	$318	$193,013	$1,475
Moderate						
One Person	$69,350	$1,734	$75	$356	$217,332	$1,659
Two Person	$79,300	$1,983	$100	$403	$246,797	$1,883
Three Person	$89,200	$2,230	$125	$450	$276,110	$2,105
Four Person	$99,100	$2,478	$150	$497	$305,366	$2,328

Notes:

1 Utility costs assumed at $75 per month for one person households and an additional $25 for each additional person.

2 Property taxes and insurance are based on averages for the region.

3 Total affordable mortgage based on an annual six percent interest rate, 30-year mortgage, and monthly payment equal to 30 percent of income (after utilities, taxes, and insurance). Even though interest rates are at historic lows (four to five percent) for a 30-year conventional mortgage, six percent was used as a more conservative estimate over time.

4 Monthly affordable rent based on 30 percent of income less estimated utilities costs.

Source: HCD Income Limits 2013, Lisa Wise Consulting, Inc., 2013

Appendix B
Special Housing Needs

This section provides an analysis of special needs groups, which is defined as persons with disabilities, elderly, large families, female head of households, farmworkers, and families or persons in need of emergency shelter. Individuals falling into these categories are often faced with a higher cost of living or have trouble accessing goods and services. By identifying individuals in these categories, appropriate programs can be developed to assist in providing adequate housing for this segment of Benicia's citizenry.

Persons with Disabilities

According to the U.S. Census, a disability is a long-lasting physical, mental, or emotional condition. This condition can make it difficult for a person to conduct activities such as walking, climbing stairs, dressing, bathing, learning, or remembering. This condition can also impede a person from being able to venture outside the home alone or to work at a job or business.

Housing needs for those with disabilities vary depending on the severity of the disability type. Many persons with disabilities live in their own home, in an independent situation, or with other family members. While figures provided by the Census provide useful information regarding the population of persons with disabilities, not all disabilities require the need for accessible (based on Americans with Disabilities Act (ADA) standards) or low-income housing. The U.S. Census collects data for several categories of disability. These categories are defined below:

General disabilities:

- Sensory disability: Blindness, deafness, or a severe vision or hearing impairment.
- Physical disability: A condition that substantially limits one or more basic physical activities such as walking, climbing stairs, reaching, lifting, or carrying.

Disabilities lasting six months or more:

- Mental disability: Difficulty learning, remembering, or concentrating.
- Self-care disability: Difficulty dressing, bathing, or getting around inside the home.
- Going outside of home disability: Difficulty going outside the home alone to shop or visit a doctors office.
- Employment disability: Difficulty working at a job or business.

As of 2010, there were 4,011 persons in the City with a disability (See Table B.1). This is about 9.3 percent of the total civilian non-institutionalized population (26,890). Of disabled residents, 27 percent have a sensory disability, 29 percent have a physical disability, 13 percent have a mental disability, 7 percent have a self-care disability, and 24 percent have a go-outside-home disability.

Table B.1 City of Benicia: Disability by Type, 2010

Age Group	Number	Percent
Total Disabilities for Ages 5-64	**1,933**	**48%**
Sensory (hearing, vision)	1,092	
Physical (ambulatory)	1,157	
Mental (cognitive)	502	
Self-Care difficulty	296	
Go-outside-home (independent living facility)	964	
Total Disabilities for Ages 65 and Over	**2,057**	**51%**
Sensory (hearing, vision)	511	
Physical (ambulatory)	523	
Mental (cognitive)	371	
Self-Care difficulty	102	
Go-outside-home (independent living facility)	426	
Total Persons Estimated with Disabilities	**4,011**	**100%**

Note: Persons may be counted for having more than one disability

Source: U.S. Census, 2010

Persons with physical disabilities generally require accessibility modifications to housing such as: wheelchair ramps, elevators or lifts, wide doorways, accessible cabinetry, modified fixtures and appliances, etc. If the disability prevents the person from operating a vehicle, then proximity to services and access to public transportation are also important. People with severe physical or mental disabilities may also require supportive housing, nursing facilities, or care facilities. If the physical disability prevents individuals from working or limits their income, then the ability to meet the cost of housing and the costs of modifications becomes more difficult. Many persons with disabilities rely solely on Social Security Income, which is insufficient for market rate housing.

The State requires that those with disabilities receive opportunities for reasonable accommodation for housing opportunities. An analysis of housing constraints for residents with disabilities is included under the constraints discussion in Appendix D.

A growing number of architects and developers are integrating Universal Design principles into their projects to increase the accessibility of the built environment. The intent of Universal Design is to simplify design and construction by making products, communications, and the built environment more usable by as many people as possible without the need for adaptation or specialized design. New construction could increase the opportunities in housing and employment for everyone by applying these principles, in addition to the regulations specified in the Americans with Disabilities Act (ADA). The following are the seven principles of universal design as outlined by the Center for Universal Design:

- Equitable Use: The design is useful and marketable to people with diverse abilities.
- Flexibility in Use: The design accommodates a wide range of individual preferences and abilities.
- Simple and Intuitive: Use of the design is easy to understand, regardless of the user's experience, knowledge, language skills, or current concentration level.
- Perceptible Information: The design communicates necessary information effectively to the user, regardless of ambient conditions or the user's sensory abilities.
- Tolerance for Error: The design minimizes hazards and the adverse consequences of accidental or unintended action.
- Low Physical Effort: The design can be used efficiently and comfortably with minimum fatigue.
- Size and Space for Approach and Use: Appropriate size and space is provided for approach, reach, manipulation, and use regardless of user's body size, posture, or mobility.

Persons with Developmental Disabilities

According to Section 4512 of the Welfare and Institutions Code a "Developmental disability" means a disability that originates before an individual attains age 18 years, continues, or can be expected to continue, indefinitely, and constitutes a substantial disability for that individual which includes mental retardation, cerebral palsy, epilepsy, and autism. This term shall also include disabling conditions found to be closely related to mental retardation or to require treatment similar to that required for individuals with mental retardation, but shall not include other handicapping conditions that are solely physical in nature.

Many persons with developmental disabilities can live and work independently within a conventional housing environment. Individuals with more severe developmental disabilities require a group living environment where supervision is provided. The most severely affected individuals may require an institutional environment where medical attention and physical therapy are provided. Because developmental disabilities exist before adulthood, the first issue in supportive housing for the persons with developmental disabilities is transition from the person's living situation as a child to an appropriate level of independence as an adult.

The State Department of Developmental Services (DDS) currently provides community-based services to approximately 243,000 persons with developmental disabilities and their families through a statewide system of 21 regional centers, four developmental centers, and two community-based facilities. North Bay Regional Center (NBRC) is one of 21 regional centers in the State of California that provides point of entry to services for people with developmental disabilities who reside in Napa, Solano, and Sonoma Counties. NBRC is a private, non-profit community agency that contracts with local businesses to offer a wide range of services to individuals with developmental disabilities and their families. As of 2013, NBRC served approximately 7,700 people in their three-county area. Table B.2 shows the number of individuals served by NBRC in the 94510 zip code, the City of Benicia.

There are a number of housing types appropriate for people living with a development disability: rent subsidized homes, licensed and unlicensed single-family homes, inclusionary housing, Section 8 vouchers, special programs for home purchase, HUD housing, and SB 962 homes. The design of housing-accessibility modifications, proximity to services and transit, and availability of group living opportunities represent the types of considerations important in serving this need group. Incorporating 'barrier-free' design in all, new multifamily housing (as required by California and Federal Fair Housing laws) is especially important to provide the widest range of choices for disabled residents. Special consideration should also be given to affordability of housing, as people with disabilities may be living on a fixed income.

Table B.2 Number of Persons with Developmental Disability by Age, 2013

Zip Code	0-14 Years	15-22 Years	23-54 Years	55-65 Years	65+ Years	Total
94510	58	28	40	9	0	135

Note: The zip code 94510 exceedes the boundaries of the city limits.
Source: North Bay Regional Center, 2013

Elderly

Senior households are included in those with special housing needs due to the likelihood of limited income, physical disabilities, or higher health care costs.

The special needs of seniors can by met through congregate care, rent subsidies, shared housing, and housing rehabilitation assistance. For the frail or disabled elderly, housing with architectural design features that accommodate disabilities can help extend the ability to live independently. In addition, seniors with mobility/ self-care limitations benefit from transportation options.

As of the 2010 Census, there were 2,199 senior households in the City comprised of 1,825 (83 percent) owners and 375 (17 percent) renters. (See Table B.3). According to the 2007-2011 American Community Survey (ACS), 756 (37 percent) of senior 65 years and over live alone. The ACS also estimates there were 200 elderly living below the poverty level, defined as 50 percent and below of area median income. This figure represents 6 percent of the total senior population.

Table B.3 City of Benicia: Tenure by Age of Householder, 2010

Householder Age	Owners		Renters		Total	
	Number	Percent	Number	Percent	Number	Percent
65-74 years	1,100	60.0%	188	50.3%	1,288	58.6%
75 plus years	725	40.0%	186	49.7%	911	41.4%
Total	1,825	100%	374	100%	2,199	100%

Source: U.S. Census, 2010

Table B.4 City of Benicia: Elderly Households by Income Level, 2007-2011

Income Level	Elderly Householders	Percent
Under $30,000	426	21%
$30,000 to $49,999	514	25%
$50,000 to $49,999	374	18%
$75,000 to $99,999	294	14%
More than $100,000	457	22%
Total	2,065	100%

Source:2007-2011 ACS (5 year estimates)

Table B.5 City of Benicia: Elderly Population Below Poverty, 2007-2011

	Number	Percent
Total 65 years and over	3,262	100%
Below poverty	200	6.13%

Source: 2007-2011 ACS (5 year estimates)

The following services and programs are available to seniors residing in Benicia:

Benicia Senior Center- 187 East L Street Benicia

- Meals on Wheels – Free Lunch
- Tele-care- calls seniors who live alone to check on them
- Health Insurance Counseling and Advocacy Program
- Sol Trans – free shuttle to/from Senior Center

Benicia Community Action Council

- Senior Meal Program- meal delivery
- Senior Meal Site – 600 + meals supplied per month
- Emergency transportation to medical appointments legal referrals, income tax preparation assistance, board and care referrals, home visits, and Senior Santa at Christmas

Existing residential care facilities and licensed assisted living facilities:

- Benicia Angel's Home 1 Inc - 458 Mills Dr. – Capacity 6
- Benicia Angel's Home 2 Inc- 116 Carlisle Way - Capacity 6
- JenSteph Home Care - 736 Anita Circle – Capacity 6
- Benicia Loving Care Home - 948 Rose Drive – Capacity 6
- Benicia Loving Care Home 2 - 234 Military East - Capacity 3
- Golden Age Care Home - 539 Hastings Drive – Capacity 5

Large Households

California Department of Housing and Community Development (HCD) identifies large households as those having five or more persons. The 2010 Census illustrates that there are 933 large households in Benicia (approximately nine percent of 10,916 occupied housing units) (See Table B.6). Within this category, 68 households earn less than 50 percent of the area median income and are under the poverty level (See Table B.7)

Of the 10,916 occupied units within the City, 3,512 (32 percent) have four or more bedrooms (See Table B.8). While units with four or more bedrooms are available within the City, less than 10 percent (261 units) are rental units compared to 50 percent for all two-bedroom units. With limited rental options and nearly 30 percent of large households renting, affordability and overcrowding are still issues for many families.

Table B.6 City of Benicia: Tenure by Household Size, 2010

	1-4 Persons		5+ Persons		Total	Percent Large Households
	Number	Percent	Number	Percent		
Owner	6,874	70%	662	71%	7,536	8.8%
Renter	2,879	30%	271	29%	3,150	8.6%
Total	9,753	100%	933	100%	10,686	8.7%

Source: U.S. Census 2010

Table B.7 City of Benicia: Median Household Income by Household Size, 2007 - 2011

	1 person household	2 person household	3 person household	4 person household	5 person household	6 person household	7+ person households
Median Household Income	$48,929	$91,216	$113,689	$111,630	$128,237	$124,750	$157,250

Source: 2007-2011 ACS (5 year estimates)

Table B.8 City of Benicia: Exiting Household Stock Number by Bedrooms and Tenure 2010

Bedroom Type	Owner Households		Renter Households	
	Number	Percent	Number	Percent
0 Br	0	0%	158	5%
1 Br	140	2%	729	23%
2 Br	1,340	17%	1,297	41%
3 Br	3,015	39%	725	23%
4 Br	2,687	35%	261	8%
5+ Br	564	7%	0	0%
Total	7,746	100%	3,170	100%

Source: U.S. Census, 2010

Female-Headed Households

Table B.9 identifies total households, family households, and female-headed households with no husband present. In 2010, 69.4 percent (7,419) of households were family households, with and 1,271 (11.9 percent) female headed households with no husband present. Approximately 59 percent (755) of female headed households had children under the age of 18 living in the household.

Female-headed households have unique housing needs due to a single source of income and greater cost burden. More female-headed households live below the poverty line than other family type which emphasizes their need for affordable housing. The U.S. Census estimates 13.2 percent of single parent female headed households in Benicia are living below the poverty line, 10 percent higher than family households.

Table B.9 City of Benicia: Female-Headed Households, 2010

Household Type	Number	Percent of Households
Total Households	**10,686**	**100%**
Non-Family Households	3,267	30.5%
Family Households	7,419	69.4%
Female Headed Households- no husband present	1,271	11.9%
With Children Under 18	755	7.1%
Percent Family Households Below Poverty Level	n/a	3.8%
Percent Female Householder Family Below Poverty Level	n/a	13.2%
Source: US Census, 2010 and ACS 2006-2010 5-Year Estimates		

Homeless/Emergency Shelters, and Transitional, and Supportive Housing

According to Benicia Community Action Council (CAC), there are at least 43 homeless in the City as of April 2014, including 7 individuals and 21 families. The closest CAC operated transitional facility is located in Vallejo, 13 miles away. The Community Action Partnership of Solano (CAP Solano) conducted a "point-in-time" survey in January 2014, and found there were approximately 1,227 homeless people in Solano County in 2013 with 11 in the City of Benicia (see Table B.10).

Senate Bill 2, Local Planning and Approval for Emergency Shelters and Transitional and Supportive Housing, became effective January 1, 2008. This bill sets requirements in place to encourage and facilitate emergency shelters and transitional and supportive housing to address the critical needs of homeless populations and persons with special needs. To be consistent with the requirements of this bill, Benicia will:

- Identify at least one zoning district where emergency shelters will be permitted by right and not need approval of a Use Permit or other discretionary action.
- Treat transitional and supportive housing as residential uses and make them subject to the same standards that apply to other residential uses of the same type in the same zone.

Table B.10 Homelessness in Solano County, 2013

	Survey	Observed	Total	Percentage
Benicia	5	6	11	0.90%
Dixon	24	7	31	2.53%
Fairfield	244	56	300	24.45%
Vallejo	222	420	642	52.32%
Vacaville	121	109	230	18.74%
Rio Vista	-	13	13	1.06%
Total	**616**	**611**	**1227**	**100%**
Source: CAP Solano, 2013				

Program 3.01 (Chapter 4) fulfills this requirement by directing the City, at the time of adopting this Housing Element, to amend the Zoning Ordinance by allowing emergency shelters by right in at least one zoning district focusing on the RS, RM, RH, CO, and CG zoning districts or by the creation of a new overlay district. Transitional Housing and Supportive Housing will also be allowed as part of the amendment (See Program 3.02).

At present, the RS and RH zoning districts contain almost 18 acres of vacant land on 76 sites ranging from 4,356 to 37,500 square feet that is physically suitable for development, with the higher density sites located closest to bus routes and services for everyday needs. The CO and CG zoning districts contain over 50 acres of vacant land. The RS, RM, and RH zones are primarily residential, but do allow other uses by right such as small family day care and residential care, while convalescent homes, religious facilities, schools, and adult and child day care centers are allowed with a Use Permit. Residential use types in the RS zone consist of single-family detached structures and second dwelling units; the RM zone generally consists of duplexes, townhomes, condominiums, clustered housing, apartments, and mobile home parks; and, the RH zone allows a greater density of 15 to 21 units per acre to increase housing opportunities by permitting more housing to be built on single parcel, such as the existing apartments at Burgess Point and senior housing at Casa De Vilarrasa. The CG primarily focuses on commercial, but allows work/live units by right. Other residential use types such as Group Residential is allowed with a Use Permit. The CO zoning district allowed single-family residential and multi-family residential use types by right above the ground floor.

As discussed in Appendix D, Constraints, the vacant land in the RS, RM, RH, CO and CG zoning districts is located in urbanized areas where the natural environment has already been altered. Development of these parcels would be considered infill and not likely to impact the sensitive plant and animal species identified primarily in areas north of Lake Herman Road. However, should any sites contain sensitive plant and animal species, compliance with all environmental regulations consistent with the California Environmental Quality Act (CEQA) for habitat protection shall be required.

Farmworkers

According to the Solano County Department of Agriculture, the County ranked 27th in the State for agricultural production in 2009. Total agricultural production totaled over $251 million in 2009, and over $259 million in 2010.

Although the majority of the County is located within the State's primary agriculture region, Benicia is located within the urbanized bay area and does not possess large areas of agricultural land. The closest agricultural region, Western Hills, is located two miles north of the City. As of the 2010 Census, only 404 out of 14,279 (2.8%) residents in the City were working within the agricultural sector. Accordingly, farmworker housing needs are not a significant issue for Benicia.

Appendix C
Housing Resources

C.1 Housing Assistance

The City of Benicia offers a housing rehabilitation loan program funded by Community Development Block Grants (CDBG). The City of Benicia does not have a Redevelopment Agency, and therefore, did not have a housing set-aside balance to fund housing related programs and activities. A proposal was put forward by the City Manager's Office in the mid-1980s, which was initially supported by the City Council, to form such an agency in Benicia. The motivation behind the formation of the agency had been to create a financing mechanism to purchase and fund properties within the downtown and industrial park improvement project areas. Initially it appeared there was adequate community interest to support such a measure; however, as time went on a citizen's group against the creation of a redevelopment agency initiated a ballot measure (1988) to prohibit the formation of the agency. The City Council at the time concluded that it was not judicious to proceed with formation of the agency in light of such strong public opposition. Since then, the idea was dropped. In December, 2011 the California Supreme Court upheld the State's decision to abolish more than 400 redevelopment agencies across the state to help close a budget gap. Redevelopment agencies had been authorized by law since 1945.

The Benicia Housing Authority administers housing choice vouchers and public housing including senior housing.

Funding for these programs is provided through: CDBG revolving loan fund monies, Section 8 vouchers, and U.S. Department of Housing and Urban Development (HUD) subsidies. The Benicia Housing Authority also has a Security Deposit Loan Program where persons moving into a housing unit can obtain a loan for up to $1,000, with no interest, to be paid back within 18 months, that covers a portion of the initial cost of the security deposit.

Housing Rehabilitation Loan Program

The City of Benicia's Housing Rehabilitation Program was, until recently, administered by Vallejo Neighborhood Housing Services (VNHS). This program is funded through a revolving loan fund that receives monies from CDBG grants. Eligible applicants include:

- Low-and very low-income homeowners (income eligibility is based on the annual Solano County median income for a family of four), and
- Landlords who will rent to low- and very low-income tenants for a period of not less than five years.

Loans are given for a period of 20 years. The amount of the loan is based on the value of the house. Interest payments are deferred for lower income or disabled homeowners, while landlords pay four percent interest.

Housing Choice Voucher Program

The Housing Authority operates the Housing Choice Voucher Program in Benicia with financial assistance from HUD. The program provides subsidies to low-, very low-, and extremely low-income tenants renting privately-owned dwellings. Currently, this program has authorized funding to assist 348 households, of which 57 percent are extremely low income households, 27 percent very-low income households, and 14 percent are low-income households. Assisted tenants generally pay 30 percent of their income towards the total cost of rent and utilities and the voucher covers the difference between the tenant contribution and the total cost of rent and utilities. The Housing Authority inspects the units annually to ensure that the assisted tenants are living in decent, safe, and sanitary dwellings.

The market rent plus average utility costs for the dwelling must be less than the Voucher Payment Standard Schedule (VPS) for the number of bedrooms in the dwelling (see below for a discussion of Voucher Payment Standards). In some cases the tenant family may rent a dwelling unit that costs more than the VPS schedule, but in that case they must pay the overage which cannot increase their contribution above 40 percent of their income. Participation in the program is voluntary on the part of tenants and landlords. The Housing Authority provides preference in admission to the program to veterans, persons with disabilities, families with a head of household or spouse who works or attends school or a training program, victims of federally declared disasters, and persons who already live or work in Benicia. There are approximately 500 families signed up on a four-year waitlist to receive vouchers in Benicia.

Section 8 Home Ownership Program

The Benicia Housing Authority utilizes some of its HUD funding for the Housing Choice Voucher Program to also assist low-income first-time home buyers in Benicia. The Authority subsidizes the costs of home ownership expenses in the same fashion that it subsidizes rental costs. The purchasing family must work or be disabled, meet income standards, and complete a home buyer training course before purchasing a home. They are expected to contribute at least 30 percent of their adjusted income towards home ownership expenses. The Housing Authority then pays the difference between those expenses, up to the applicable Voucher Payment Standard amount and the home buyer's contribution. Buyers find their own homes and their own financing, but the Authority must approve both for the family to qualify for Section 8 assistance. Home buyer expenses that are eligible for assistance include mortgage principle and interest, property taxes, insurance, utilities, maintenance and replacement reserve allowances, and condominium home owner association dues, if applicable. According to the Housing Authority, this program has helped at least 12 low-income families purchase a home in the City thus far. Due to the cost of housing in Benicia, the purchase of a single-family home is difficult with the help of Section 8 homeownership vouchers, unless it is tied to a specific affordable project.

Public Housing Program

The Benicia Housing Authority owns or manages the following affordable housing developments:

Capitol Heights Public Housing
Location: Riverhill Drive and Bayview Circle
Units: 75
Constructed: 1954
Current deed restriction expires: N/A (this development is a federal project owned by the Benicia Housing Authority)

Casa de Vilarrasa I Senior Housing
Location: 383 East I Street
Units: 40
Constructed: 1984
Current deed restriction expires: 2045

Casa de Vilarrasa II Senior Housing
Location: 921 East 4th Street
Units: 40
Constructed: 1986
Current deed restriction expires: 2045

Bay Ridge Apartments
Location: Rose Drive at Cambridge Drive
Units: 50

Constructed: 2003
Current deed restriction expires: 2034

Burgess Point Apartments
Location: 91 Riverview Terrace
Units: 56
Constructed: 2003
Current deed restriction expires: 2034

The 75-unit Capitol Heights development consists of one-, two-, three-, and four-bedroom units built in 1953 and completely remodeled in the 1990s. Six of the units were remodeled with accessibility features. Admission is limited to families with gross family incomes of 80 percent or less of Solano County's median income. Rent is limited to 30 percent of family income, and the Authority receives federal subsidies to make up the difference between its rent roll and the total costs of operating and maintaining the project. The same preferences listed above for admission to the Housing Voucher program also extend to the public housing program. The Capitol Heights units are very popular and vacancies are limited.

The Housing Authority manages the 50-unit Bay Ridge Apartments and the 56-units at Burgess Point Apartments both built in 2003. The Bay Ridge development was not funded by the Inclusionary Housing Ordinance; however, four of the units were mitigation for the Harbor Walk project, which was subject to the Inclusionary Housing Ordinance. Fifty of the Bay Ridge units were mitigation for the Tourtelot development. The Tourtelot project pre-dated the inclusionary ordinance, but the developer agreed to construct affordable units as part of their agreement with the City.

Senior Housing

The Benicia Housing Authority manages under a master lease 80 units of senior housing in the Casa de Vilarrasa development. All the Casa de Vilarrasa units have one-bedroom apartments and tenants have access to spacious lobby areas and a community room. The State of California subsidizes 52 of the 80 units through the Rental Housing Construction Program. Casa de Vilarrasa was built in two phases in 1984 and 1986. The project was refinanced in 2005 when the City authorized a loan of approximately $1.4 million to fund rehabilitation, with additional loan funds received in 2010, for a total loan amount of over $1.7 million. The project will remain affordable until 2045. Tenants in the State subsidized units typically pay 25 percent of their income towards the total cost of rent and utilities.

C.2 Voucher Payment Standards

In order to control the costs of the Housing Choice Voucher program, the federal government sets limits on the amount of subsidy that may be provided to any participating family. The chief mechanism for controlling costs is the rule regarding establishment of Voucher Payment Standards. Each year, on or about October 1, HUD publishes Fair Market Rents (FMRs) for every Metropolitan Statistical Area (MSA) and Non-metropolitan county in the United States. The FMRs for any housing market area are HUD's determination of the 40th percentile rent (or 50th percentile rent in certain high-cost areas) for standard quality rental units occupied by recent movers in that market area by bedroom size. The purpose of HUD publishing FMRs is to ensure that a reasonable number of rental units are available for rent to tenants participating in the Housing Choice Voucher program while limiting program costs to the cost of renting modestly priced housing units.

C.3 Financial Resources

Many State of California programs exist to provide cities, communities, and counties financial assistance in the development, preservation, and rehabilitation of units for workforce housing. The Department of Housing and Community Development identifies and provides detailed information on the grants and loans available for affordable and workforce housing, which include:

Affordable Housing Innovation Program:

This program provides grants or loans to fund the development or preservation of workforce housing.

Building Equity and Growth in Neighborhoods Program:

Provides grants and loans to first-time low and moderate-income buyers.

www.hcd.ca.gov/fa/begin

CalHome Program:

Provides grants and loans to very-low income homeowners.

www.hcd.ca.gov/fa/calhome

Emergency Housing and Assistance Program Capital Development:

Provides deferred payment loans for capital development activities for: emergency shelters, transitional housing, and safe havens.

www.hcd.ca.gov/fa/ehap/ehapcd.html

Emergency Housing and Assistance Program Operating Facility Grants:

Provides grants for: emergency shelters, transitional housing, and supportive services for homeless individuals and families.

www.hcd.ca.gov/fa/ehap/

Enterprise Zone Program:

Provides incentives such as sales tax credits and operation deductions for business investment.

www.hcd.ca.gov/fa/cdbg/ez/#EZ

Federal Emergency Shelter Grant Program:

Provides grants to fund emergency shelters and transitional housing for the homeless.

www.hud.gov/offices/cpd/homeless/programs/esg/

Governor's Homeless Initiative:

Provides loans for the development of supportive housing for homeless residents who suffer from severe mental illness.

www.hcd.ca.gov/fa/ghi

HOME Investment Partnerships Program:

Provides cities, counties, and nonprofit organizations with grants and low-interest loans to develop and preserve workforce housing.

www.hud.gov/offices/cpd/affordablehousing/programs/home/

Housing Assistance Program:

Provides grants to assist housing payments for extremely-low to very-low-income housing.

www.hcd.ca.gov/fa/hap

Joe Serna, Jr. Farmworker Housing Grant Program:

Provides grants and loans to finance the construction, repair, and purchase of rental units for farmworker housing.

www.hcd.ca.gov/fa/fwhg

Multifamily Housing Program:

Provides deferred payment loans to fund the construction, repair, and purchase of permanent and rental units for supportive housing. This includes housing for low-income residents with disabilities, or those who are at risk of homelessness.

www.hcd.ca.gov/fa/mhp

Office of Migrant Services:

Provides grants to assist in seasonal rental housing and support for migrant farmworker families.

www.hcd.ca.gov/fa/oms

Predevelopment Loan Program:

Provides short-term loans for financing low-income housing projects.

www.hcd.ca.gov/fa/pdlp

State CDBG Program Economic Development Allocation, Over the Counter Component:

Provides grants to create or sustain jobs for rural low-income workers.

www.hcd.ca.gov/fa/cdbg/econdev.html

State CDBG Program General, Native American, and Colonias Allocations:

Provides grants to fund housing, capital improvement, and community projects that benefit lower-income residents in rural communities.

www.hcd.ca.gov/fa/cdbg/gennatamcol.html

Appendix D
Constraints

State housing law requires the City to review both governmental and non-governmental constraints to the construction of affordable housing in order to remove and/or mitigate potentially negative effects. This Section analyzes constraints to housing production and, where necessary, provides recommendations to remove or minimize their impacts.

D.1 Local Government Constraints

Local policies and regulations can affect the quantity and type of residential development. Since governmental actions can constrain the development and the affordability of housing, State law requires the housing element to "address and, where appropriate and legally possible, remove governmental constraints to the maintenance, improvement, and development of housing" (Government Code Section 65583(c)(3)).

The City's primary policies and regulations that affect residential development and housing affordability include: the Zoning Ordinance, the General Plan, the Arsenal Historic Conservation Plan, the Downtown Historic Conservation Plan, the Downtown Mixed Use Master Plan, development processing procedures and fees, on and off-site improvement requirements, and building codes. In addition to a review of these policies and regulations, an analysis of governmental constraints on housing production for persons with disabilities is included in this section.

D.1.1. Zoning Ordinance

The Zoning Ordinance includes three residential zoning districts, four commercial districts, one industrial district, one open space district, and four form-based districts that allow residential development. The maximum residential density allowed is 21 units per acre.

These districts are addressed below, followed by specific development regulations for accessory dwelling units and emergency shelter. Tables D.1 and D.2 show the types of permits necessary for residential uses in the City.

a) Single-Family Residential (RS) District

The RS district makes up 75 percent of all residential zone districts. Duplexes, triplexes and fourplexes existing as of July 1, 1977, are allowed to remain, but all new residential development must be single-family dwellings or approved accessory structures. Second units, referred to as accessory dwelling units, are permitted by right in the RS district, subject to specific development standards identified in Section 17.70.060.D (see Table D.5). The maximum allowable density is 7 units per acre. The RS district is consistent with and implements the Residential, Low Density land use designation of the General Plan.

b) Medium-Density Residential (RM) District

The RM district makes up 16 percent of all residential zoning districts. Housing types include duplexes, new townhouses, and clustered housing. Second units (accessory dwelling units) are permitted by right in the RM district, subject to specific development standards identified in Section 17.70.060.D (see Table D.5). The

maximum allowable density is 14 units per acre. The RM zoning district is consistent with and implements the Residential, Medium Density land use designation of the General Plan.

c) High-Density Residential (RH) District

The RH district makes up just 9 percent of all residential zoning districts. Housing types include apartments and townhouses. Second units (accessory dwelling units) are permitted by right in the RH district, subject to specific development standards identified in Section 17.70.060.D (see Table D.5). The maximum allowable density is 21 units per acre. The RH zoning district is consistent with and implements the High Density Residential land use designation of the General Plan.

d) Community Commercial (CC) District

The CC district is applied to areas appropriate for businesses serving the daily needs of nearby residential areas. The zone establishes development standards that prevent adverse effects on residential uses adjoining the CC district. In addition to commercial uses, live/work quarters and second story single- and multi-family residential are permitted in the CC district. General day care and residential care are allowed with a use permit. The CC district implements the Community Commercial land use designation of the General Plan.

e) Commercial Office (CO) District

The CO district allows/includes offices of residential scale and residential development that is protected from the more intense levels of activity associated with retail commercial development. Second story single- and multi-family residential are permitted in the CO district. General day care and residential care are allowed with a use permit. The CO district implements the Business and Professional Office land use designation of the General Plan.

f) General Commercial (CG) District

The CG district is applied to areas appropriate for the full range of retail and service businesses, including businesses not permitted in other commercial districts because they attract heavy vehicular traffic or have certain adverse impacts. In addition to commercial uses, live/work quarters are permitted in the CG district. Group residential is allowed with a use permit. The CG district is consistent with and implements the General Commercial land use designation of the General Plan.

g) Waterfront Commercial (CW) District

The CW district is applied to areas appropriate for waterfront-related development around the Benicia marina and along the shoreline. In addition to commercial uses, live/work quarters and multi-family residential are permitted in the CW district. Residential care, limited is also permitted by right in this district. The CW district is consistent with and implements the Waterfront Commercial land use designation of the General Plan.

h) Limited Industrial (IL) District

The IL district is applied to areas appropriate for business and commercial services and light manufacturing. In addition live/work quarters are allowed with a use permit in the IL district. General day care is allowed with a use permit. The IL district implements the limited industrial land use designation of the General Plan.

i) Open Space (OS) District

The OS district is applied to areas appropriate for large public or private sites. In addition to open space uses, single-family residential is permitted in the OS district inside the urban growth boundary. Residential is limited to one dwelling unit and one accessory dwelling unit per parcel. The OS district implements the Open Space land use designation of the General Plan.

j) Form-Based Zones/Downtown

Land use regulations and development standards for the downtown are regulated by the Downtown Mixed-Use Master Plan. The Downtown Mixed Use Master Plan sets forth five form-based zoning districts that are designed to ensure that mixed-use development is compatible with and contributes to the character of the street, the downtown, and adjoining neighborhoods (see Table D.2). These zones implement the Mixed Use Downtown land use designation of the General Plan.

Residential development is allowed in four zoning districts in the Downtown. In the Town Core (TC) and the Town Core Open (TC-O) residential is allowed on the upper floors, and on the ground floor behind a street fronting

commercial use. In the Neighborhood General (NG) and Neighborhood General Open (NG-O) residential is allowed on both the ground and upper floors. Additionally, second units (e.g. accessory dwelling units) are allowed in these four zone districts.

Table D.1 Zoning Districts Permitting Residential Uses

Residential Uses	Zoning District								
	RS	RM	RH	CC	CO	CG	CW	IL	OS
Single-Family	P	P	P	P[1]	P[1]	—	P[1]	—	P
Multifamily	—	P	P	P[1]	P[1]	—	P	—	—
Group Residential	—	UP	UP	—	—	UP	—	—	—
Live/Work Unit	—	—	—	P	—	P	P	UP	—
Day Care, General (9 or more children)	UP	UP	UP	UP[2]	UP[2]	—	UP[2]	UP	—
Day Care, Limited (8 or fewer children)	P	P	P	—	—	—	P	—	—
Residential Care, General, 7 or more clients	—	UP	UP	UP	UP	—	—	—	—
Residential Care, Limited, 6 or fewer clients	P	P	P	—	—	—	P	—	—
Accessory Dwelling Unit	P	P	P	—	—	—	—	—	P
Mobile Homes and Manufactured Housing	P	P	P	—	—	—	—	—	—
Emergency Shelter[5]	—	—	—	—	—	—	—	—	—
Transitional Housing[5]	—	—	—	—	—	—	—	—	—

Notes:

P: Permitted

UP: Use Permit Required

—: Not allowed

1. Not permitted on ground level.

2. Planning Commission use permit required, except that the community development director may approve use permits for large family day care homes caring for 7 to 12 children, as defined in Chapter 3.4 of the California Health and Safety Code.

3. Permitted only if there is a single-family dwelling on the lot and site meets standards from Section 17.70.060.D

4. Not permitted on lands outside urban growth boundary. On lands inside the urban growth boundary, limited to one primary dwelling unit and one accessory dwelling unit per site.

5. Emergency shelters and transitional housing are not specifically identified as permitted in any particular zone, however Subsection 17.08.020.M of Zoning Ordinance states: In the administration of its zoning and land use policies regarding homeless shelters, transitional housing, supportive housing or other housing designed to assist homeless persons or persons with special needs, the City shall comply with all applicable state and federal fair housing laws. Program 3.01 has been developed to address State law and allow emergency shelters in at least one zoning district by right or with the development or an overlay district, and transitional/supportive housing as residential uses subject to the same.

Source: City of Benicia Zoning Ordinance (last updated 2013)

Table D.2 Downtown Mixed Use Master Plan Zoning Districts Permitting Residential Uses

Residential Uses	Formed-Based Code Zoning District			
	TC	TC-O	NG	NG-O
Live/Work Unit	—	P	P	P
Mixed-use project residential component	P[1]	P[1]	P	P
Dwelling: Single family	—	—	P	P
Dwelling: Multi-family-Rowhouse	P[1]	P[1]	—	—
Dwelling: Multi-family-Duplex	P[1]	P[1]	P	P
Dwelling: Multi-family-Triplex	P[1]	P[1]	—	—
Dwelling: Multi-family Fourplex	P[1]	P	—	—
Ancillary Building	P	P	P	P
Residential Care, 7 or more clients	P[1]	UP	—	UP
Residential Care, 6 or fewer clients	P[1]	MUP	—	MUP
Day care center: Child or Adult	P[1]	MUP	MUP	MUP
Day care center: Large Family (7 to 14 children)	P[1]	UP	UP	UP
Day care center: Small Family (8 or fewer children)	P[1]	P	P	P
Mobile Homes and Manufactured Housing	—	—	—	—
Emergency Shelter[2]	—	—	—	—
Transitional Housing[3]	—	—	—	—

Notes:

P: Permitted

MUP: Minor Use Permit Required - staff review only

UP: Use Permit Required

—: Use not allowed

1. Allowed only on upper floors or behind ground floor use (except along the waterfront).

2. Not specifically identified as permitted in any particular zone, however Subsection 17.08.020.M of Zoning Ordinance states: In the administration of its zoning and land use policies regarding homeless shelters, transitional housing, supportive housing or other housing designed to assist homeless persons or persons with special needs, the City shall comply with all applicable state and federal fair housing laws. (see Programs 3.01 and 3.02).

Source: City of Benicia Downtown Mixed Use Master Plan, 2007

Development Standards

Table D.3 provides development standards for the residential districts. Table D.4 provides development standards for the Downtown Mixed Use Master Plan Zoning Districts. As discussed in Appendix E, the yield analysis shows that Benicia's current zoning development standards and General Plan requirements allow for development of residential densities reflected in the General Plan and Zoning Ordinance. The combination of height limits, lot coverage, setbacks, parking, landscaping and other standards provide no impediment to development. However, to encourage the development of second units, the City has proposed Program 1.10 to reduce the minimum lot size requirement for residential accessory dwelling units in the RS Zoning district.

Table D.3 Residential Zoning District Development Standards

	Zoning District		
	RS	RM	RH
Site Area per Unit	6,000 sf	3,000 sf	2,000 sf
With density bonus for:			
Low- or Moderate-Income Housing	4,800 sf	2,400 sf	1,600 sf
Elderly Housing	—	2,000 sf	1,300 sf
Low-Income Elderly Housing	—	1,500 sf	1,000 sf
Minimum Site Area	6,000 sf[1]	6,000 sf[1]	7,500 sf[1]
Minimum Site Width	60 ft.	60 ft.	60 ft.
Setbacks			
Front	20 ft.	20 ft.	20 ft.
Side	5 ft.	6 ft.; 10 ft. (avg.)	6 ft.; 10 ft. (avg.)
Corner Side	10 ft.	15 ft.	15 ft.
Rear	15 ft.	15 ft.	15 ft.
Maximum Height	30 ft.	35 ft.	35 ft.
Maximum Coverage	40%	45%	50%
Parking Required	SF - 2 spaces including 1 covered/unit MF Studios - 1.2 spaces/unit MF 1-2 bedroom - 1.5 spaces/unit MF 3 or more bedrooms - 2.0 spaces/unit		
Permitted Uses	SF	SF/MF	SF/MF

Notes:

SF = Single-family dwelling

MF = Multifamily dwelling

1. Uses requiring a use permit have a minimum of 12,000 sf

Notes from Zoning Ordinance:

(H) In the RM and RH districts, the average yard width shall be 10 feet, and the minimum width six feet.

(R) Reduction of Lot Width. In an RS district, the community development director may approve a tentative parcel map containing up to four lots, and the planning commission may approve a tentative subdivision with five or more lots, with lot widths of less than 60 feet, but not less than 50 feet, if the following criteria are met:

(1) The applicant shall provide documented evidence to the planning commission or community development director that property within 300 feet of the original parcel is developed or subdivided; and

(2) The applicant shall provide documented evidence of the existing lot width of properties within 300 feet of the original parcel. Minimum lot width of new parcels shall be the average of all lot widths within the 300 feet comparison area, or at least 50 feet wide, whichever is greater; and

(3) The applicant must show that the land falls naturally into a pattern of lots containing less than 60-foot lot widths; and

(4) Flag lots shall comply with subsection (S) of this section, Flag Lots; and

(5) The reduction of lot width will not be detrimental to the public welfare nor injurious to other property in the vicinity; and

(6) The planning commission or community development director must be satisfied that the applicant has not sold or transferred land, or taken any other steps to create the artificial result that the lot or lots will not meet the 60-foot lot width requirement.

The planning commission or community development director may attach additional requirements to the subdivision to ensure that the reduction in lot width is not injurious to property or detrimental to the public welfare, such as by providing for adequate distance between buildings and between driveways. The criteria above shall be incorporated into the findings of approval for any such subdivision.

(S) Flag Logs. A tentative parcel map with four or fewer lots that contains up to two flag lots in the RS district may be approved, if the following criteria are met:

(1) Parcel map and flag lot configuration shall require planning commission review and approval;

(2) The original parcel's shape, location or topography creates areas that could be developed with a residence that would not front on public streets;

(3) The portion of the lot providing the access corridor shall not be counted towards meeting minimum lot size requirements for the flag lot:

(4) Flag lot shall have a minimum street frontage of 25 feet;

(5) Driveway accessing flag lot shall be paved with a minimum 16-foot width to access one lot;

(6) Up to two lots may be accessed via one access driveway, provided the street frontage is increased to 30 feet and the paved driveway is increased to 19 feet;

(7) Width of lot shall measure at least 60 feet where the access corridor ends;

(8) Side and rear yard setbacks for flag lot and adjoining lots shall be measured from the access corridor;

(9) Front yard setback for flag lots shall be measured from where the access corridor ends;

(10) The community development director shall be satisfied the applicant has not sold or transferred land, or taken any other steps to create the artificial result that the original parcel is shaped irregularly; and

(11) Further subdivision of flag lots shall not be allowed.

The planning commission may attach additional requirements to the parcel map to ensure that the creation of a flag lot is not injurious to property or detrimental to the public welfare. The criteria above shall be incorporated into the findings of approval for any such subdivision.

Source: City of Benicia Zoning Ordinance (last updated 2013)

Table D.4 Downtown Mixed Use Master Plan Area Development Standards

	Zoning District			
	TC	TC-O	NG	NG-O
Build To Line (BTL) (Distance from Property Line)				
Front	0 ft.	0 ft.	20 ft.[1]	
Side Street	0 ft.	–	10 ft.	
Rear, Accessory Building	–	–	5 ft.	
Setbacks				
Side	0 ft.	3 ft.	4 ft. one side & 8 ft. other	
Rear	8 ft. Adjacent to NG Zone 5 ft. Adjacent to any other Zone		40 ft. Main Building[2]	35 ft. Main Building[2]
Building Form				
Primary Street Facade to BTL	80% min	80% min	50% min	
Side Street Facade to BTL	30% min	N/A	30% min	
Maximum Lot Width	125 ft.	75 ft.	50 ft.	
Maximum Lot Depth	100 ft.	150 ft.	150 ft.	
Height				
Maximum Height[3]	40 ft. (2.5 stories)	25 ft. (2.5 stories)	30 ft. (2.5 stories)	
Minimum Height	22 ft.	16 ft.	–	
Parking Required (residential uses)	1 space/unit .5 space/studio unit		.5 space/studio unit 1-2 bedroom unit 1 space/unit 3+ bedroom unit 1 space plus .5 space/ bedroom over 2	

1. May be reduced to meet furthest back adjacent Build to Line if adjacent Build to Line if adjacent Build Line is less than 20 feet from property line.

2. Setback shall be measured from 120 feet from front property line if no alley adjoins the property.

3. Half story is calculated as 50% of the floor area of the floor below.

Source: City of Benicia Downtown Mixed Use Master Plan, 2007

Accessory Dwelling Units/Second Units

To encourage establishment of second units on existing developed lots, State law requires cities and counties to either adopt an ordinance based on standards set out in the law authorizing creation of second units in residentially-zoned areas, or where no ordinance has been adopted, to allow second units if they meet standards set out in the State law. The State requires ministerial consideration of second-unit applications. Local governments are precluded from prohibiting second units in residentially zoned areas unless they make specific findings.

Second units can be an important source of affordable housing since they are typically smaller in scale than primary units and they do not have direct land costs. Second units can also provide supplemental income to the homeowner, thus allowing the elderly to remain in their homes or moderate-income families to afford houses.

The City adopted Section 17.70.060 (Accessory dwelling units) which permits accessory dwellings through an administrative process. According to the Zoning Ordinance, one accessory dwelling unit per parcel is permitted by right in all residential districts (RS, RM, and RH) on lots with a single-family dwelling, subject to specific design and development standards.

Table D.5 sets out the design and development standards for accessory dwelling units in the City of Benicia. Table D.6 provides these standards for areas within the Downtown Mixed Used Master Plan Area. These standards do not conflict with State law governing second units. The City has received input that current fees, the minimum parcel size required for a second unit, and other standards are a constraint to developing second units in the City. Program 1.10 is intended to address these constraints.

Emergency Shelters, Transitional, and Supportive Housing

In compliance with Chapter 633 of Statutes 2007 (SB 2), jurisdictions are required to permit emergency shelters without discretionary permits, and transitional and supportive housing are to be considered residential uses subject only to those restrictions that apply to other residential dwellings of the same type in the same zone. The City of Benicia does not specifically zone for emergency shelters, transitional housing, or supportive housing. Benicia Municipal Code Section 17.08.020.M states:

Table D.5 Accessory Dwelling Unit Standards

Standard	Second Unit
Permit	Permitted by right in residential districts
Lot size	Minimum 6,000 sf
Lot coverage	Same as primary unit requirements
Unit size	< or equal to 800 sf
Max Height	12 ft. wall (15 ft. for a pitched roof) No second story, other than unfinished storage area
Rental of unit	May be rented, although not required
Setbacks	Units not permitted in a required yard or court except if a rear yard is adjacent to an alley and a 4 ft. setback for a vehicle entrance to a covered parking structure is maintained. A 6 ft. distance from any existing dwelling shall be maintained. A 10 ft. distance shall be maintained in the DMUMP area.
Parking	A minimum of three off-street parking spaces shall be required for a lot containing an accessory dwelling. One parking space, which is not required to be covered, shall serve the accessory unit. The accessory dwelling unit parking space shall not be placed within the required front yard setback unless, at the discretion of the Community Development Director or designee, there is no other reasonable place for the additional parking space to be located and appropriate landscaping is provided.

Source: City of Benicia Zoning Ordinance (last updated 2013)

Table D.6 Downtown Mixed Use Master Plan Area Accessory Dwelling Unit Standards

	Zoning District			
	TC	TC-O	NG	NG-O
Building Depth	na	na	28’ max.	
Building Footprint	na	na	700 sf. max	1000 sf. max
Maximum Height	2 stories & 25’		1.5 stories & 15’	

Source: City of Benicia Downtown Mixed Use Master Plan, 2007

In the administration of its zoning and land use policies regarding homeless shelters, transitional housing, supportive housing or other housing designed to assist homeless persons or persons with special needs, the City shall comply with all applicable state and federal fair housing laws.

The purpose of Program 3.01 and Program 3.02 is to comply with SB 2, the "Fair Share Zoning" law, and amend the Zoning Ordinance at time of the adoption of the Housing Element

D.1.2. General Plan

The City of Benicia General Plan was adopted in 1999. The Community Development and Sustainability Chapter of the 1999 General Plan designates the following land use categories: residential, commercial, mixed use, industrial, parks/open space, and public/quasi-public. The General Plan designates land for residential use in three residential categories, two mixed-use categories, and five commercial categories.

Table D.7 lists the 1999 General Plan Land Use Designations that allow residential uses. The residential densities described in the Table are in dwelling units per net acre. A net acre is the actual area of a given property, exclusive of street rights-of-way.

Urban Growth Boundary

Adopted in 1999, Benicia's General Plan set forth the overarching goal of sustainable development, implemented in part with an urban growth boundary (UGB). The purpose of this boundary was to direct growth into areas south of Lake Herman Road and within City limits where services and infrastructure could be provided cost effectively. Conversely, the UGB was also set into place to prevent outward urban sprawl and the invasion of agricultural and ecologically sensitive land in an effort to protect the rural quality of lands north of Lake Herman Road. The boundary is coterminous with Benicia's City Limit Line; lands located to the north are under the jurisdiction of Solano County.

In 2003, the purpose and intent of the UGB was strengthened with an affirmative citizen vote on Measure K, clarifying that no urban development requiring municipal services was allowed beyond the UGB, and that no development of any kind in that area could be served with City water or sewer; policies also strengthened the City's resolve to promote compact urban development. Measure K resulted in an amendment to the General Plan consisting of four new policies (General Plan, Chapter 2, Policies 2.1.5 through 2.1.8), some of which outline exceptions from the requirement in order to comply with housing needs.

Growth management tools, such as Benicia's UGB, aspire to ensure that new development is well-planned, provides necessary infrastructure, and directs housing in close proximity to basic everyday needs such as schools, jobs, transit, and services. An unintended consequence of UGBs is the restriction of housing opportunities. However, as mentioned previously,

Table D.7 Existing General Plan Land Use Designations and Corresponding Zoning Districts

Land Use Designation	Corresponding Zoning District	Density Range (units/net acre)/ Floor to Area Ratio (FAR)	Percent of Land Area in City
Residential			
Low Density	RS	0.1-7	23% (1,301 acres)
Medium Density	RM	8-14	5% (283 acres)
High Density	RH	15-21	3% (149 acres)
Mixed Use			
Downtown	TC, TC-O, NG, NG-O	2.0	1.7% (88 acres)
Lower Arsenal	PD, GD, IG	2.0	1% (50 acres)
Commercial			
Community	CC	1.2	0.08% (4.3 acres)
Waterfront	CW	0.8 - 1.2	0.39% (22 acres)
Business and Professional Office	CO	0.8 - 1.2	0.28% (16 acres
General	CG	1.2	2.71% (153 acres)
Downtown	TC, TC-O, NG, NG-O	2.0 - 2.4	0.42% (24 acres)

Source: City of Benicia General Plan Land Use Element, 2007

the UGB shares the same boundary with City limits. Benicia is also landlocked on its southerly and easterly border by waters of the Carquinez Strait and Suisun Bay, respectively. Areas north of the boundary are designated Agriculture with a Resource Protection Overlay by Solano County. Most of this land is used for grazing and Solano County zoning regulations require a minimum parcel size of 20 acres.

Nevertheless, Measure K's Policy 2.1.8 allows an amendment to the UBG under three exceptions:

Exception I - Takings. The City Council may amend the Urban Growth Boundary if it finds, by at least a four-fifths vote and based on substantial evidence in the record, that:

(1) The application of the Urban Growth Boundary policies would constitute an unconstitutional taking of a landowner's property; and

(2) The amendment and associated land use designation will allow additional land uses only as necessary to avoid said unconstitutional taking of the landowner's property.

Exception II - Housing Supply. The City may grant an exception from the requirements of the Initiative where it determines that doing so is necessary to comply with State law governing the provision of housing. The City may do so only if it first makes each of the following findings based on substantial evidence in the record:

(1) A specific provision of State law requires the City to accommodate the proposed housing; and

(2) No feasible alternative exists that would allow for the required units to be built without siting some or all of them outside the Urban Growth Boundary.

Exception III - Reorganization. The General Plan may be reorganized, readopted in different text and/or format, and individual provisions may be renumbered or reordered, in the course of ongoing updates of the General Plan in accordance with the requirements of state law, but Land Use Element policies relating to the Urban Growth Boundary shall continue to be included in the General Plan until December 31, 2023, unless earlier repealed or amended pursuant to the procedures set forth above or by the voters of the City.

Benicia's UBG was not designed to be uncompromising by inadvertently preventing the City from meeting its housing needs. To facilitate growth towards existing urban development and infrastructure, this Housing Element includes programs that promote infill; these include Program 1.09 that requires the City to comply with State Density Bonus Law and Program 1.10 requiring the City to reduce fees and modify standards for second units to facilitate and encourage increased development. Amending the UBG has not been necessary because such policies help projects achieve greater efficiency of land use through higher densities.

The UGB has a net effect of reducing development potential on open space lands beyond the UGB while directing growth to lands within the boundary. At the same time, this re-direction has a positive environmental impact, in that, open space lands outside the UGB are protected. Although this could limit the amount of land that is available to develop for residential use, the environmental and qualitative benefits to the community surpass any potential development constraints. Yet, as described in Appendix E, the yield analysis shows that even with Benicia's UGB in place the City can still accommodate its regional housing needs allocation for the 2015-2023 cycle, and moreover, anticipated housing needs allocations for the future housing element cycle.

Establishing a system that encourages development where infrastructure currently exists (through infill development or adaptive reuse) results in reduced cost associated with residential development. The implementation of the UGB does not constrain residential development, but rather it directs residential growth to already urbanized areas. This growth management tool helps to promote more compact, contiguous urban development that is consistent with California's Global Warming Solutions Act and SB375 in efforts to reduce greenhouse gas emissions through efficient land use planning.

D.1.3. Development Processing Procedures and Fees

Government policies and ordinances regulating development affect the availability and cost of new housing. Although land use controls have the greatest direct impact, development approval procedures and fees can affect housing costs as well.

Permit and Development Fees

The City collects fees to help cover the costs of permit processing, inspections, and environmental review. Fees charged for building permits are based on the construction values prescribed by the California Building Code. The City also collects development impact fees in accordance with California Government Code Sections 66000-66025 for the provision of services such as roads, signals, parks, sewer, water and storm drains. These fees are generally assessed on the size and number of units in a residential development and collected at the beginning of the approval process. The fees collected include those for the County as well as the City. The fees collected by the City do not exceed the City's costs for providing these services.

Tables D.8 shows the current planning and building permit fees for residential development.

Table D.8 Planning and Development Fees

Fee Category	Fee Amount	
Planning Fees		
Planned Development	$3,025[1]	
Use Permit - Commission (Residential projects up to 6 units)	$1,800	
Use Permit - Commission (Residential projects 7-20 units)	$2,275	
Use Permit - Commission (Residential projects 21+ units)	$2,730	
Use Permit - Staff	$1,275	
Variance	$1,500 - $1,750	
Design Review	$300 - $1,750	
Accessory Dwelling Unit - Administrative Permit	$175	
Building Permit Review	$50	
Environmental Review		
Exemption from CEQA (filed)	$250	
Initial Study	$1,300	
Negative Declaration	$300	
Mitigated Negative Declaration	$600	
Environmental Impact Report	Fee determined on a case-by-case basis	
State Fish & Game Dept Fee - EIR	$3,030	
Subdivision Applications		
Parcel Map - Minor Subdivision	$2,375	
Tentative Map	$3,250[3]	
Lot Line Adjustment	$500	
Parcel Merger	$350	
Impact Fees	**Single Family**	**Multifamily**
Traffic	$1,029/du	$550 - $591/du
Park Dedication Fee	$6,127/du	$4,083 - $5,310/du
Capital License Fee	$1,029	$549
Sewer Connection	$7,620/du	
Water Connection[2]	$7,757/du	
School Impact Fee	$2.97/sf	
Solano County Public Facilities Fee	$7,309	$6,914
Library Book Fee	$235/du	

Note:

1. Fee increases with project size
2. Additional Meters (irrigation, etc.) have additional fee
3. Fee increases by number of units/lots

Source: City of Benicia Master Fee Schedule, 2013

Table D.9 Typical Fees for a New Unit

Fee Category	Fee Amount	
	Single-Family[2]	Multi-Family[3]
Plan Review Fee[1]	$1,643	$4,827
Building Standards Fee[4]	$17	$42
Building Inspection	$2,511	$7,85
Electric / Mechanical / Plumbing / Fire Sprinkler	$1,310	$5,256
Planning Review Fee	$50	$50
SMIP Residential Fee[4]	$42	$96
Storm Water	$100	$600
Plan Retention[5]	$60	$120
Capitol License	$1,096	$3,294
Library	$235	$1,410
Park Dedication	$6,127	$24,498
Sewer Capacity	$7,620	$45,720
Solano County[4]	$7,309	$41,484
Traffic Impact	$1,029	$3,546
Water Capacity	$7,757	$46,542
School Impact[4]	$8,910	$14,256
Total Estimated Fees	$45,960	$199,336
Total Estimated Fees per Unit	$45,962	$33,223

Note:

1. Based on job valuation (labor and material cost)
2. Based on one 3,000 square foot single-family unit
3. Based on six 800 square foot multi-family units
4. Not controlled by the City

Source: City of Benicia, 2013

Table D.9 shows the typical fees for new single-family and multi-family development. As shown In Table D.8 above, the fees are either an established flat rate or based on unit size or number of units.

Table D.10 shows the relationship between estimated development impact fees to the overall housing development cost. The fees for the development of single-family units do not represent a significant portion of overall development cost. However, the fees for the development of multi-family units do represent a substantial portion of construction costs, 26% of which are County fees. This is an indication that fees may pose a constraint on the development of multifamily housing.

The City does not have a formal procedure for expedited review or waiver of fees for affordable housing projects, but does give authority to the Community Development Director to reduce fees. Program 1.12 in Chapter 4 requires that the City amend the Benicia Municipal Code to include language permitting the City Council to consider waiving or reducing fees for Capital License Fee, Traffic Impact Fees, Park Dedication Fees, and Building Inspection Fees.

Table D.10 Proportion of Fee in Overall Development Cost for a Typical Residential Development

Development Cost for a Typical Unit		
	Single-Family	Multi-Family[2]
Total estimated fees per unit	$45,962	$33,223
Typical estimated cost of development per unit[1]	$415,735	$160,000
Estimated proportion of fee cost to overall development cost per unit	11%	20%

Note:

1. Valuation (labor and material cost).
2. County Impact Fees are approximately 26% of the fee for Multi-Family Units

Source: City of Benicia, 2013

Planning Permit Procedures

The City's Zoning Ordinance and Downtown Mixed Use Master Plan regulate the residential types that are permitted, permitted with a use permit, permitted with a Planned Development or prohibited in each zoning district. With the exception to design review requirements, permitted uses are allowed without discretionary review upon verification that the project complies with all applicable development regulations. Use permits are subject to approval by the Planning Commission (unless appealed). The findings associated with a use permit are that the project is consistent with the Zoning Ordinance, consistent with the General Plan, not detrimental to the health, safety and welfare of the public, and compatible with its surroundings. Table D. 11 provides a list of each housing category in the City and its associated permitting process.

Table D.11 Housing Types Permitted by Zoning District

	Zoning Ordinance							Downtown Mixed Use Master Plan			
Residential Use Category	RS, Single Family Residential	RM, Medium Density Residential	RH, High Density Residential	CC, Community Commercial	CO, Office Commercial	CG, General Commercial	CW, Waterfront Commercial	TC, Town Core	TC-O, Town Core Open	NG, Neighborhood General	NG-O, Neighborhood General Open
Single Family [2]	P	P	P	P[3]	P[3]	—	P[3]	P [1]	P	P	P
Multi-Family [2]	—	P	P	P[3]	P[3]	—	P	Use Classification in the Zoning Ordinance only			
Multi-Family Duplex	Use classifications in the Downtown Mixed Use Master Plan only							P [1]	P	P	P
Multi-Family Triplex								P [1]	P	—	—
Multi-Family Fourplex								P [1]	P	—	—
Group Residential	—	U	U	—	—	U	—	Use Classification in the Zoning Ordinance only			
Residential Care < 6	P	P	P	—	—	—	P	P [1]	MUP	—	MUP
Residential Care > 7	—	U	U	U	U	—	—	P [1]	U	—	U
Manufactured Home Parks > 4 acres	PD	PD	PD	PD	PD	PD	PD	—	—	—	—
Accessory Dwelling Units	P	P	P	P[4]	P[4]	P[4]	P[4]	P	P	P	P
Live/Work	—	—	—	P	—	P	P	—	P	—	P

P= Permitted U= Use Permit MUP= Minor Use Permit (staff level) PD= Planned Development

1 = Allowed only on upper floors or behind ground floor use

2 = This classification includes mobile home and factory-built housing

3 = Allowed only on upper floors

4 = Allowed on lots with a single-family residence

Source: City of Benicia Zoning Ordinance and Downtown Mixed Use Master Plan, 2012

The development review and permit process provides the necessary tools to evaluate and approve new development applications that are consistent with the goals and policies of the General Plan and consistent with the purposes of the Zoning Ordinance. Procedures for processing permits differ based on the permits type. The following procedures are common to the City's permitting process:

1. Pre-application meeting with City staff
2. Filing of application and fees
3. Initial application review – completeness check (30-day review; Government Code 65943)
4. Environmental Review (20 days to 1 year)
5. Staff Report and recommendation
6. Permit approval or disapproval

Table D.12 displays a general overview of typical timelines for approvals and permits. These timelines are similar to other jurisdictions in the Bay Area.

Table D.13 displays the typical timelines for new residential construction projects. All new residential projects, except single-family homes located outside of the (H) Historic Overlay Districts and accessory dwelling units, are subject to design review. Single-family residences located outside of the H Historic Overlay Districts and accessory dwelling units are ministerial and permitted through the building permit process.

Design Review Procedures

The City's Design Review procedures are primarily defined by whether or not the proposed project is located within one of the City's two historic districts. Most projects inside the (H) Historic Overlay Districts and multi-family projects greater than 2,500 square feet outside the (H) Historic Overlay District, which exception to the IL, IG and IW zoning districts, are subject to design review approval by the Historic Preservation Review Commission. Single-family residences outside of the historic districts are exempt from design review, as are accessory dwelling units outside the Historic Overlay Districts. Design guidelines for the (H) Historic Overlay Districts are established by the adopted conservation plans for the relative historic districts. These guidelines focus on compatibility through materials, development patterns and architectural design. All development regulations are established by the Zoning Ordinance and Downtown Mixed Use Master Plan.

Table D.12 Timelines for Permit Procedures

Application Type	Estimated Approval Time Period
Residential Design Review (Single- and Multifamily projects)	4 - 6 weeks (Single-family staff review) 9-12 weeks (Historic Preservation Review Commission)
Multifamily Project	9-12 weeks (Historic Preservation Review Commission)
Variances	6 - 8 weeks (Zoning Administrator or Planning Commission)
Projects with Environmental Review	12-17 weeks Negative Declaration (Planning Commission)
Rezone[1]	12 -18 weeks (Planning Commission/City Council)
General Plan Amendment	12-17 weeks Negative Declaration or exempt (Planning Commission/City Council)
Lot Line Adjustment	4-6 weeks (staff review)
Parcel Map	6-8 weeks (staff review)
Subdivision Map (Project)	12 weeks (Planning Commission)
Conditional Use Permit	7 - 10 weeks (Planning Commission)
Temporary Use Permit	3 weeks (staff review)

Notes:

1. Rezonings run concurrently with a General Plan amendment.

Source: City of Benicia, 2013

Review Authority

Projects may require review by more than one review body. For the majority of design review applications, staff will provide a recommendation to the Historic Preservation Review Commission, which has the authority to take final action. For other development projects such as use permits, variances, and development plans the authority is divided among the Community Development Director, Planning Commission, and City Council. Table D.14 lists the review authority for various applications in the City of Benicia.

Table D.13 Housing Types Permitted by Zoning District

PERMIT PROCESSING PROCEDURES [1] FOR RESIDENTIAL, NEW CONSTRUCTION		
TASK	**TIMELINE**	**NOTES**
PRE-APPLICATION		
Pre-Application meeting with Staff		Initial review and evaluation
FORMAL APPLICATION SUBMITTAL	**WEEK 1-4**	
Submittal of application and fees	WEEK 1	
Initial application review for completeness (30-day review per Gov. Code 65943)	WEEK 1-4	Review of application and what information is needed
PREPARATION OF STAFF REPORT	**WEEK 5-7**	For Historic Preservation Review Commission, if design review approval is required
PUBLIC HEARING PROCESS	WEEK 8-12	
Public notification (10-days)	WEEK 9-10	500 foot radius mailing list
Historic Preservation Review Commission Hearing	WEEK 10	
Final action and appeal period	WEEK 12	
Issuance of final action letter	WEEK 12	
ENVIRONMENTAL REVIEW		
If required, environmental review would take place within Weeks 5-13 of the timeline postponing preparation of the Historic Preservation Review Commission staff report approximately 7 weeks.		
ENVIRONMENTAL REVIEW	**WEEK 5-13**	Studies and/or revisions are incorporated into the negative declaration
Preparation of Initial Study	WEEK 5-9	If a consultant is required, an additional 2-4 weeks is added for consultant selection
Distribution and review of negative declaration	WEEK 9	
Public review period	WEEK 10-13	Either a 21 day or 30 day review is required
FOR PLANNED DEVELOPMENTS, REZONING, USE PERMITS, AMENDMENTS, VARIANCES & MAJOR SUBDIVISIONS		
For major projects, Planning Commission and/or City Council approval is required.		
MAJOR PROJECTS	**WEEK 13-23**	
PREPARATION OF STAFF REPORT	**WEEK 13-15**	For Planning Commission- Approval of a Planned Development Plan and recommendation of Rezoning and General Plan Amendments
Public notification (10-days)	WEEK 15-17	500 foot radius mailing list
Planning Commission Hearing	WEEK 17	
Issuance of final action letter	WEEK 18	
PREPARATION OF STAFF REPORT	**WEEK 18-20**	For City Council- Approval of a rezoning, General Plan Amendments and Major Subdivisions
Public notification (10-days)	WEEK 20-22	500 foot radius mailing list
City Council Meeting	WEEK 22	
Issuance of final action letter	WEEK 23	
BUILDING PERMIT PROCESS	WEEK 23-35	
Submittal of building permit application and plans	WEEK 23	Submittal of plan check fees and City's review for compliance with approval
First plan check comments	WEEK 26-28	Providing all City's comments
Resubmittal of permit plans	WEEK 29-31	Addressing City's comments
Building permit issuance	WEEK 31-34	Submittal of remaining fees (impact and inspection fees)

Notes:

1 = Except for single-family residences located outside of the H Historic Overlay District and accessory dwelling units

Source: City of Benicia, 2013

Table D.14 Review Authority

	Role of Review Authority[1]			
Type of Decision	Director, or Zoning Administrator	Historic Preservation Review Commission	Planning Commission	City Council
Zoning Permit	Decision	—	—	Appeal
Use Permit	Recommend	—	Decision	Appeal
Variance	Recommend[2]	—	Decision	Appeal
Design Review[3]	Recommend	Decision	Appeal	Appeal
Design Review in I Districts	Decision	Appeal	Appeal	Appeal
Development Plan Review	Decision	—	Appeal	Appeal
Development Agreement	Recommend	—	Recommend	Decision
Amendments	Recommend	—	Recommend	Decision

Notes:

1. "Recommend" means that the review authority makes a recommendation to a higher decision-making body; "Decision" means that the review authority makes the final decision on the matter; "Appeal" means that the review authority may consider and decide upon appeals to the decision of an earlier decision-making body.

2. Director has review authority over variances related to single-family residences.

3. Non Single-Family projects in the RM, RH, C, OS, PS, PD less than 2,500 square feet and in the H overlay districts.

Source: City of Benicia Zoning Ordinance (last updated 2013)

D.1.4. Inclusionary Housing

In 2000, the City adopted an Inclusionary Housing Ordinance (Benicia Municipal Code Section 17.70.320). Its implementation resulted in the construction of four housing units during the previous planning period. The regulations in this section are intended to lead to the development of housing for very low and low-income households.

Onsite Construction of Inclusionary Units

Any residential development of 10 for-sale units or more is required to build 10 percent of the units as affordable to these income categories or, if allowed come to an agreement with the City to choose an in-lieu alternative (described in the subsequent section below). Construction of the inclusionary units as part of the project is preferred. The inclusionary units must be for-sale owner-occupied units. Rental units are only allowed as inclusionary units when receiving financial assistance from the City, financial assistance of a type specified in the City's density bonus ordinance, or where the developer of the rental units voluntarily agrees to restrict rents to affordable. Restrictions must be put in place to maintain the inclusionary units' affordability for at least 30 years. Inclusionary units must be constructed at the same time or earlier than the market-rate units (unless alternate phasing is approved by the City Council) and inclusionary units must be physically distributed throughout the project site, rather than concentrated in one area. Additionally, the design of and number of bedrooms in the inclusionary units must be comparable to that of the market-rate units as detailed in Subsection 17.70.320.D.3 of the Benicia Municipal Code.

A written agreement between the City and the developer is required to ensure compliance with Section 17.70.320. The agreement must include details about the timing of construction of the inclusionary units or the in-lieu alternative (payment of in-lieu fee, dedication of developable land, or another in-lieu proposal acceptable to the City Council), the number of inclusionary units, the term of affordability, provision for the City's income certification and screening of potential purchasers, a resale control agreement, and/or affordable rental restriction agreement (as applicable), as well as any other information required by the City for the purposes of ensuring compliance with the ordinance. Allowances and incentives are available for projects with inclusionary units including density bonus, fee waiver or reduction, modification of development standards, and technical assistance from the City on applying for financial subsidy programs.

In-Lieu Alternative Options

Developers may apply to choose an in-lieu alternative of equivalent value to constructing all or part of the required inclusionary units onsite. Developers of projects with inclusionary units have the option with City Council approval:

- To transfer credit for inclusionary units constructed at one location in the City to another location in the City;
- To apply credits for inclusionary units constructed by the developer in the City that exceed the number of units that the developer is required to construct as per the inclusionary ordinance (known as "extra

unit credits") and to transfer these credits to another development in the City constructed by the same developer or their affiliate;

- To transfer these extra unit credits to third party developers to be applied to their development;
- To build inclusionary accessory dwelling units in single-family detached unit developments;
- To pay an in-lieu fee, or
- To donate a suitable amount of land.

Approval Process for In-Lieu Alternative Options

In-lieu alternatives to onsite construction of inclusionary units require discretionary approval by the City Council as part of the entitlement process. This process has not been found to increase application processing times to more than timeframes typical for new residential developments in Benicia. The developer is required to submit information with their application supporting their selected in-lieu alternative option, how it supports creation of affordable housing in the City, and why it is a more feasible choice for their project than onsite unit construction.

Due to the required discretionary approval for an in-lieu alternative the applicant is provided a lower level of certainty regarding timing of application processing and whether their project will be approved as proposed. To address potential constraints associated with uncertainty, City staff are available to review applications during the design phase and assist developers in exploring options and alternatives to arrive at a project that is agreeable to the developer and the City. The Planning Division staff encourages applicants who wish to explore an in-lieu alternative to meet with staff early in the design process to minimize the amount of time spent in determining a feasible alternative.

Since the Inclusionary Housing Ordinance was adopted one project has applied for an in-lieu alternative to onsite construction. The Olson Company, developer of the mixed-use Harbor Walk project on First Street was required to provide four very low- and low-income inclusionary units as part of the development. The developer found it challenging to construct the inclusionary units on the First Street site. Pacific Bay Homes, the developer of the Bay Ridge apartment project on the north side of Highway 780 constructed eight excess inclusionary units and had "extra unit credits" available. The Olson Company was able to purchase four of the extra unit credits from Pacific Bay Homes to satisfy their inclusionary housing requirements offsite. The agreement finalized between the Olson Company and the City was satisfactory to both parties and provided additional affordable housing units in Benicia.

Evaluation

Establishment of these regulations has increased the supply of affordable housing in Benicia. Increased flexibility during the review process and with City application and development fees is intended to offset increased cost and time required to meet the requirements of this inclusionary section of the Zoning Ordinance. Policy 2.02 is proposed to create additional certainty for developers wishing to exercise the option to choose an in-lieu alternative to construction of onsite inclusionary units. Program 2.01 is proposed to evaluate the effectiveness of these regulations to date and work towards providing more affordable housing through inclusionary requirements while minimizing negative impacts to housing developers.

D.1.5. Density Bonus

The City's Affordable Housing Density Bonus requirements (Zoning Ordinance Section 17.70.270) implement the State's Density Bonus Law and supports inclusionary housing. The purpose of the affordable housing density bonus is to expand housing opportunities for very low, low, and moderate-income persons throughout the City.

Residential projects of five or more units may qualify for a density bonus over the maximum allowable base density of the district. A density bonus of 20 percent is granted to projects that have 5 percent of the total units set aside for very low-income households. The density bonus can be incrementally increased with each one percent of very low-income units above the 5 percent, to a maximum density bonus of 35 percent. A similar scale is granted for projects that include low-income units or moderate-income units. Table D.15 summarizes the application of the City's density bonus program.

Developer concessions or incentives are granted for a residential project that meets the criteria for a density bonus projects. Incentives granted by the City include, but are not limited to, flexibility in development,

Table D.15 Application of Density Bonus Program

Very Low-Income Units		Low-Income Units		Moderate-Income Units	
% Very Low-Income Unit	Permitted % Density Bonus	% Low-Income Units[1]	Permitted % Density Bonus[2]	% Moderate-Income Condo/ PUD Units[1]	Permitted % Density Bonus[3]
5	20	10	20	10	5
6	22.5	11	21.5	11	6
7	25	12	23	20	15
8	27.5	14	26	25	20
9	30	16	29	30	25
10	32.5	18	32	35	30
11	35	20	35	40	35
35% Max Density Bonus		35% Max Density Bonus		35% Max Density Bonus	

Note:

1. Not all options for number of units are displayed. Table 10.70.270 in Section 17.70.270 of the Zoning Ordinance has the complete application.

2. A 1.5 percent density bonus granted.

3. A 1 percent density bonus granted.

Source: City of Benicia Zoning Ordinance, 2013

architectural or zoning standards, approval of mixed-use zoning in conjunction with the housing project, or other regulatory incentives or concessions proposed by the City or developer. The City allows for up to three concessions or incentives on an individual project, based on Planning Commission approval.

SB 1818 amended the State density bonus program (Government Code 65915) and became effective on January 1, 2005. Under SB 1818 applicants are eligible for an innovative new land donation density bonus, which allows for land donations within 1/4 mile of a project if the applicant demonstrates to the City that building the requisite number of affordable units onsite is infeasible and there is an identified source of funding for the very low income units. SB 1818 also limits parking requirements that may be imposed by the Zoning Ordinance's parking standards. AB 2280 was passed in September 2008, and most notably the bill amends the timing for density bonus requests, clarifies density bonus requirements for senior housing, and institutes a 10 percent across the board increase in the percentage of affordable units that must be included in a project to qualify for incentives based on Planning Commission or City Council approval. Program 1.09 updates the density bonus ordinance for compliance with recent changes in State law.

D.1.6. Historic Preservation

To promote the conservation, preservation, protection and enhancement of Benicia's historical and architecturally significant structures, the City adopted a Historic Overlay District (H) as part of the Benicia Zoning Ordinance in 1987. Accompanying Conservation Plans are intended to deter demolition, alteration, or neglect of historic resources through design review.

Two required Conservation Plans have been prepared to implement the Historic Overlay District ordinance: the Downtown Historic Conservation Plan (1990, amended 1992, 2005, 2008, and 2009) and the Arsenal Historic Conservation Plan (1993). The Conservation Plans provide design guidelines for new development and alterations within Historic Districts. The Benicia Arsenal has been officially recognized at the federal level since 1975 when four distinct historic areas were identified and placed on the National Register of Historic Places, and at the state level with its designation as State Historical Landmark No. 176. The intent of the Arsenal Historic Conservation Plan is to reinforce the area's designation and safeguard the historic integrity of the district and historic structures.

Given the quality of Benicia's historical and architecturally significant structures, and the

contribution of these structures to the image and quality of life in Benicia, the historic preservation policies and regulations are reasonable and appropriate. Regulations are limited to two areas in Benicia, and as such, these regulations do not pose an unreasonable constraint to residential development in the City of Benicia. However, the City does acknowledge

D.1.7. Design Review

In Benicia, design review is required for all multifamily projects. In the Historic Overlay District design review is required for all residential projects that involve demolition, construction, or change in exterior.

According to Benicia's Zoning Ordinance, Design Review is intended to implement General Plan polices. Therefore, the purposes of these procedures and requirements are to:

1. Ensure location and configuration of structures are visually harmonious with their sites and with surrounding sites and structures;
2. Ensure architectural design of structures, their materials and colors are visually harmonious with surrounding development, the natural landforms, and vegetation;
3. Provide a functional, efficient, and attractive site design that is sensitive to existing uses in the area and to the topography and conditions of the site; and
4. Ensure that new development is consistent with specific design guidelines developed for use within the community, where applicable, and to any specific plan or planned development plan.

Projects undergoing design review are evaluated for architectural design, building massing, and appropriate scale to the surroundings and community. Proposed projects are required to submit a fully dimensional site plan, including but not limited to, proposed structures, driveways, walks, walls, fences and open spaces, property lines, right-of-way lines, etc. Architectural drawings and a landscaping plan is also required. The project must be consistent with the General Plan, and in compliance with any applicable design guidelines and/or adopted design review policies.

Based on an analysis of evidence and documentation, Benicia's design review process does not act as a constraint to the development of affordable housing. Both Administrative Design Review and the Historic Preservation Review Commission review are done within an acceptable timeframe. Additionally, design review is often conducted concurrently with other processing procedures to further streamline the development permit process.

D.1.8. On and Off Site Improvement Requirements

Generally, the developer passes on site and off site improvement costs to the homebuyer as part of the final cost of the home. To reduce housing costs, the City attempts to require only those improvements that are deemed necessary to maintain public health, safety, and welfare and those that are required by law, such as water and sewer fees.

Benicia requires the installation of certain on site and off site improvements to ensure the safety and livability of its residential neighborhoods. On site improvements are regulated by the Subdivision Ordinance and through standard engineering specifications, and applicable provisions of the Benicia Municipal Code. On site improvements typically include required off-street parking, curbs, and utilities, as well as amenities such as landscaping, fencing, streetlights, and park facilities. Off site improvements typically include the following (some of which are regulated by other agencies):

- Road improvements, including construction of sections of roadway, medians, bridges, sidewalks, bicycle lanes, and lighting.
- Drainage improvements, including improvement to sections of channel, culverts, swales, and pond areas.
- Wastewater collection and treatment.
- Water systems improvements, including lines, storage tanks, and treatment plants.
- Public facilities for fire (Benicia Fire Department), school (Benicia Unified School District), and recreation (Benicia Parks and Community Services).

The site improvements that are under the jurisdiction of the City of Benicia have specific requirements, which are discussed below:

Street Improvements

Street improvement requirements are regulated by the Benicia Engineering Design Standards (see Table D.16).

Table D.16 Street Improvement Requirements

Street Types	Right of Way
Major Arterial (Truck Route)	100 ft.
Major Arterial	84 ft.
Minor Arterial	60 ft.[1]
Collector	49 ft.[1]
Local	45 ft.[1]
Cul-de-Sac	41 ft.[1]
Alley	20 ft.

Note:

1. Plus a 10-ft. Public Service Easement on each side.

Source: City of Benicia Engineering Design Standards, 1992

a. General

Local streets are the primary streets used to support localized traffic and movement within residential areas. Collector streets are generally two lanes wide and serve most residential districts. Collectors connect local streets to minor and major arterials. Arterial streets link residential districts with the highway system.

b. Sidewalks and Curbs

Sidewalks are to be 4 feet wide in residential areas and a handicapped ramp is required at each intersection curb return (Benicia Engineering Design Standards, 1992).

c. Landscaping

Minimum site landscaping and required planting areas are established in Section 17.70.190 of the Zoning Ordinance. A minimum percent site landscaping is required in most zones. The required landscaping percentages for each zone allowing residential development are as follows:

RS 35%

RM 30%

RH 30%

CC 20%

CO 20%

CG 10%

CW 20%

IL 10%

d. Parking

The City has provisions to reduce parking where less need is demonstrated. The Zoning Ordinance allows for collective provision of parking that serves more than one use of a site. A Use Permit may be granted that waives all or some of the provisions of basic requirements for off-street parking and loading. The Planning Commission may also reduce parking for other uses provided that the findings are made that the parking demand is less than the required number of spaces (Zoning Ordinance Chapter 17.74).

Table D.17 provides parking standards by use type.

D.1.9. Building Codes

While local regulations and fees increase housing costs, some building and housing regulations and fees are mandated by State law to protect the health, safety, and welfare of the community or to protect existing residents from financial or environmental impacts.

Benicia enforces the California Building Code, as established by State law, which sets standards for residential and other structures. No local amendments have been made to the codes that would significantly increase housing costs. Building codes are enforced on a per complaint basis.

D.1.10. Governmental Constraints on Housing Production for Persons with Disabilities

As part of the governmental constraints analysis, State law calls for the analysis of potential and actual constraints upon the development, maintenance and improvement of housing for persons with disabilities. Table D.18 reviews not only the Zoning Ordinance, but also land use policies, permitting practices, and building codes to ensure compliance with State and federal fair housing laws. Where necessary, the City proposes new policies or programs to remove constraints.

No governmental constraints to development of housing for disabled persons were identified within the City. Additionally, the City proposes program 3.03 to adopt a reasonable accommodation ordinance addressing rules, policies, practices, and procedures that may be necessary to ensure equal access to housing for persons with disabilities. The City is currently working on the ordinance and anticipates adoption of the ordinance in the Fall of 2014.

Table D.17 Parking Requirements by Use Type

Land Use Type: Residential Uses	Vehicle Spaces Required	
Districts in the Benicia Zoning Ordinance		
Single-family	2 including 1 covered space/unit	
Multifamily Residential Studio units One or two bedroom units Three or more bedrooms	 1.2 spaces per unit 1.5 spaces per unit 2.0 spaces per unit At least one space per unit shall be covered	
Group Residential	1 per 2 beds; plus 1 per 100 sf used for assembly	
Live/Work Unit	1 per unit	
Day Care, General	1 per 7 children; maximum enrollment based on maximum occupancy load	
Residential Care, 7 or more clients	1 per 3 beds; plus additional specified by use permit	
Residential Care, 6 or fewer clients	1 per 3 beds	
Senior Citizens' Housing	0.5 spaces per unit	
Downtown Districts		
	TC and TC-O	NG and NG-O
Residential Uses	.5 space per studio unit 1 space per unit	.5 space per studio unit 1-2 bedroom unit: 1 space per unit 3+ bedroom unit: 1 space plus .5 space per bedroom over 2

Source: City of Benicia Zoning Ordinance (last updated 2008) and City of Benicia Downtown Mixed Use Master Plan, 2007

There are no special permits or requirements for homes or development for disabled persons in zones where the use would be otherwise permitted.

The City permits by right residential care homes of up to six persons in all residential areas. Occupancy of the residential care homes is not restricted to exclude protected categories such as persons with disabilities. The City also allows the siting of residential care homes of seven or more with approval of a use permit in the RM, RH, CC, and CO districts. Through the defined requirements for approval of these residential care homes greater certainty is provided to the applicant and less impediments to fair housing choice exist for disabled or other persons with special needs.

D.2 Non-governmental Constraints

The availability and cost of housing is strongly influenced by market factors over which local governments have little or no control. Nonetheless, State law requires that the Housing Element contain a general assessment of these constraints. This assessment can serve as the basis for actions to offset the effects of such constraints. The primary non-governmental constraints to the development of new housing in Benicia are land costs, construction costs, and environmental constraints.

D.2.1. Land Costs

Costs associated with the acquisition of land include both the market price of raw land and the cost of holding the property throughout the development process. These costs can account for over half of

Table D.18 Constraints on Housing for Persons with Disabilities

Overarching and General	
Does the City have a process for persons with disabilities to make requests for reasonable accommodation?	The City does not have a reasonable accommodation ordinance but it is currently in progress and will be adopted by Fall 2014. The City works with applicants with accommodation needs.
Has the City made efforts to remove constraints on housing for persons with disabilities?	There are no special permits or requirements for homes or development for disabled persons. In most cases, these developments are a permitted use, making them the simplest projects.
Does the City assist in meeting identified needs?	Yes
Zoning and Land Use	
Has the City reviewed all its zoning laws, policies, and practices for compliance with fair housing law?	Yes, the City has reviewed the land use regulations and practices to ensure compliance with fair housing laws. (Note: The General Plan and Zoning Ordinance were deemed in compliance with State laws at the time of adoption.)
Are residential parking standards for persons with disabilities different from other parking standards?	Section 17.74.020 of the City Zoning Ordinance (Handicapped Parking) mandates the provision of disabled parking spaces in accordance with Chapter 2-71 of Title 24 of the California Administrative Code. The Planning Commission can reduce parking requirements if a proposal can demonstrate a reduced parking need.
Does the City have a policy or program for the reduction of parking requirements for special needs housing if a proponent can demonstrate a reduced parking need?	Section 17.74.020 of the City Zoning Ordinance (Handicapped Parking) mandates the provision of disabled parking spaces in accordance with Chapter 2-71 of Title 24 of the California Administrative Code. The Planning Commission can reduce parking requirements if a proposal can demonstrate a reduced parking need.
Does the locality restrict the siting of group homes?	No. Residential care homes of up to 6 are permitted by right in residential districts. Only residential care homes of 7 or more require approval of a use permit (in RM, RH, CC, and CO districts).
What zones allow group homes other than those allowed by State law? Are group homes over six persons allowed?	Residential care homes are allowed in the CW district in addition to the residential districts. Residential care homes of 7 or more are permitted with a use permit in the RM, RH, CC, and CO districts.
Does the City have occupancy standards in the zoning code that apply specifically to unrelated adults and not to families?	No. Section 17.12.020 provides a definition of family. "Family" means two or more persons living together as a single housekeeping unit in a dwelling unit; provided, that this shall not exclude the renting of rooms in a dwelling unit as permitted by district regulations. Per Section 17.24.020 E (RS, RM and RH regulations), Rooms in a dwelling unit may be rented for occupancy by not more than three persons who are not members of a single houskeeping unit ; provided, that not more than two bedrooms shall be rented in each unit.
Does the land use element regulate the siting of special needs housing in relationship to one another?	No. There is no minimum distance required between two or more special needs housing.
Permits and Processing	
How does the City process a request to retrofit homes for accessibility?	The City does not have a reasonable accommodation ordinance, it is in progress to be completed Fall 2014. The City works with applicants with accommodation needs.
Does the City allow group homes with six or fewer persons by right in single-family zones?	Yes.

Does the City have a set of particular conditions or use restrictions for group homes with greater than six persons?	Residential care homes of 7 or more are permitted in special districts with a Use Permit, which establishes conditions.
What kind of community input does the City allow for the approval of group homes?	Residential care homes of 6 or less clients are allowed with over the counter review in the RS, RM, and RH districts. Administrative review is a routine land use approval that involves staff checking to ensure that zoning requirements will be satisfied. Facilities with 7 or more residents that require a Use Permit undergo more review and are open to more input from the Community. The Use Permit provides the public with an opportunity to review the project and express their concerns in a public hearing.
Does the City have particular conditions for group homes that will be providing services on site?	No, the City does not have special standards for group homes providing services on site.
Building Codes	
Has the locality adopted the International Building Code?	The State of California has adopted the International Building Code with amendments specific to California. The City adopted the 2010 California Building Code. More information can be found in Title/Chapter 15 of the Benicia Municipal Code.
Has the City adopted any universal design element into the code?	The City will encourage the incorporation of universal design in new construction through the implementation of this Housing Element. The City created a pamphlet on Universal Design that is available at the Community Development public counter in City Hall.
Does the City provide reasonable accommodation for persons with disabilities in the enforcement of building codes and the issuance of building permits?	The City does not have a reasonable accommodation ordinance but it is currently in progress and will be adopted by Fall 2014. The City works with applicants with accommodation needs.

Source: City of Benicia. Notes: 1. Benicia Zoning Ordinance refers to "group homes" per the state law definition, as residential care homes.

the final sales prices of new homes in very small developments and in areas where land is scarce. Among the variables affecting the cost of land are its location, amenities, the availability and proximity of public services, and financing arrangements. Recent listings for unimproved parcels in all areas of Benicia ranged from $384,600 to $2.3 million per acre. There are a greater number of vacant lots available in the unincorporated areas of the County near Benicia.

D.2.2. Construction Costs

Construction costs vary widely depending on the type, size, and amenities of the development. According to the California Homebuilding Foundation, formerly the Construction Industry Research Board, construction costs for typical single-family residential buildings average $125 per square foot; however, construction costs can run as high as $250 or more per square foot on lots with steep slopes or other environmental constraints.

D.2.3. Availability of Financing

The availability of financing affects the ability to purchase or improve homes. In the Benicia area, 743 loan applications for home purchase or improvements were received in 2012, of which 464 were conventional loans. Of the 464 conventional loan applications, 422 were for home purchase and 42 were for home improvements. Only 9.5 percent of the 464 conventional loans were denied, 14 percent were withdrawn or not accepted by applicant, and 55.4 percent were approved and accepted.

There were 279 applications for government assisted home purchase or improvement loans (VA, FHA, FSA/RHS) in 2012. Of these, 131, or 47 percent of government assisted loans were approved and accepted by the applicant. (See Table D.19 for the breakdown of loan applications by type, purpose and outcome.)

Table D.19 Constraints on Housing for Persons with Disabilities

	Number	Percent
Type of Loan		
Total	743	100.0%
Conventional	464	62.4%
Government assisted	279	37.6%
FHA-insured	221	79.2%
VA-guaranteed	58[1]	20.8%
Loan Purpose		
Conventional	464	100.0%
Home purchase	422	90.9%
Home improvement	42	9.1%%
Government assisted	279	100.0%
Home purchase	273	97.8%
Home improvement	6[1]	2.2%
Loan Outcome		
Conventional	464	100.0%
Approved and accepted	257	55.4%
Denied	44	9.5%
Withdrawn or not accepted	65	14.0%
Closed/Incomplete	13	2.8%
Purchased by institution	85	18.3%
Government assisted	279	100.0%
Approved and accepted	131	47.0%
Denied	24	8.6%
Withdrawn or not accepted	29	10.4%
Closed/Incomplete	1	0.4%
Purchased by institution	94	33.7%

Source: Consumer Financial Protection Bureau, 2012

Most (70 percent) of the applicants for government assisted loans had an annual income equivalent to or greater than the County median income of $82,600 in 2012. Similarly, over 66.4 percent of conventional loan applicants earned greater than the County median income. Of all originated loans, 30.7 percent were awarded and accepted by applicants with less than median household income.

D.2.4. Environmental and Physical Constraints

The following potential physical and environmental constraints may affect development regulated by the City of Benicia by limiting the development potential and/or adding mitigation costs to a project:

Environmental Constraints

A cover of non-native grassland and property landscaping dominates vegetation within the City. However, four sensitive plant communities are known to occur in Benicia:

- Northern Coastal Salt Marsh and Coastal Brackish Marsh
- Coast Live Oak Woodland
- Valley Needlegrass Grassland
- Willow Riparian Forest and Willow Scrub

Four special status plant species are known to occur in Benicia: soft bird's beak, Delta tule pea, Suisun marsh aster. and Congdon's tar plant. The City also protects unique vegetation communities that support sensitive species, including the Golden Violet populations and eucalyptus groves.

Because the City recognizes the importance of trees for their contribution to community character and environmental health, specific regulations for the removal and maintenance of trees have been established in the Zoning Ordinance (Chapter 12.24 Trees and Street Trees). Any action on specific Protected Trees, which includes California Native Trees and heritage trees, requires a tree removal or pruning permit. The requirement for a permit acts as a tool to enhance the residential environment and ensure the preservation of a natural setting.

Although native vegetation within the City has been substantially altered, the marshlands and tracts of undeveloped land provide habitat for a diverse selection of resident and migrant wildlife. Seven special status animal species are known to occur in Benicia: the calliope silverspot butterfly, golden eagle, salt marsh harvest mouse, Suisun shrew, Suisun song sparrow, California clapper rail, and California black rail. Barriers to wildlife movement and migration and the removal of raptor nesting sites are to be avoided in future development. The occurrence of any of these species on a site could pose constraints to a housing project.

The majority of the sites that have been identified to accommodate the RHNA are located in areas of the City where the natural environment has already been altered. Nevertheless, these vacant and underutilized parcels could contain sensitive plant and animal species. Therefore, any development that is proposed on these sites shall be required to comply with all environmental regulations consistent with the

California Environmental Quality Act (CEQA) for habitat protection.

Protecting the City's environmental resources will result in increased cost to the developer, however the benefit of mitigating environmental impacts exceeds the cost that will be imposed on the developer.

Physical Constraints

Several physical constraints may occur in the City. Parcels with steep slopes may have constraints associated with landslide hazards. Landslides are relatively rare in the developed portions of the City, as compared to in the hilly, undeveloped areas of the City. Stationary noise sources near potential sites for development may pose constraints. For example, traffic on I-680 and I-780 exceed acceptable noise levels. Housing may be limited within 500 feet of I-680 and I-780 under CEQA, due to the health hazards of siting sensitive uses near urban roads with over 100,000 vehicles per day unless appropriate mitigation can be identified and implemented. Operational noise sources near potential sites for development may pose constraints as well; such as noisy industrial or commercial sites. Specifically with regard to properties in the lower aresnal, their proximity to industrial land uses and their locations within a former defense site may pose constraints. Noise, light, dust, and other aesthetic impacts due to the properties proximity to industrial uses and a 24-hour, tide-driven port may act as constraints.

Low-lying areas of the City are subject to flooding during a 100-year storm (See Figures I.A through I.D). The last severe flooding, and associated economic loss, occurred in 1986. The City has adopted management plans to assist in the prevention and mitigation of loss associated with flooding and stormwater infrastructure. The Watershed Storm Drainage System Plan was adopted/completed in June 1982. The Stormwater Management Plan was completed in 2003/4 and is updated annually. Improvements associated with the implementation of these plans have significantly reduced flooding occurrences.

Since adoption of the 1982 and 2003/4 plans, the City has completed over 40 storm drainage improvement projects. Included in these improvements projects are the I & I Project and the Marina Area Storm Drain Project.

D.3 Energy Conservation

Maximizing energy efficiency and incorporating energy conservation and green building features into new and existing buildings can help reduce housing costs for homeowners and renters. Reduced dependence on automobiles can result from compact development in an urban setting that provides walkability and proximity to transit and services. Additionally, maximizing energy efficiency helps reduce greenhouse gas emissions. State legislation (AB 32 and SB 375), require local governments to implement measures that cut greenhouse gas emissions attributable to land use decisions. The Housing Element programs can support energy efficiency that benefits both the market and helps to reduce greenhouse gas emissions by:

- Establishing a more compact urban core, bringing residents close to work and services, therefore reducing automobile trips and greenhouse gas emissions.
- Implementing passive solar construction techniques that require solar orientation, thermal massing, and other energy efficient design techniques.
- Encouraging water and space heating by solar energy.

Executive Order S-E-05, signed by Governor Schwarzenegger on June 1, 2005, set into action the first steps in establishing greenhouse gas emission reduction targets in California. This was followed by the California Global Warming Solutions Act (AB 32) in 2007, which required the California Air Resources Board (CARB) to establish reduction measures.

The City of Benicia facilitates energy conservation via:

- Application of State residential building standards that establish energy performance criteria for new residential buildings (Title 24 of the California Administrative Code).
- The City's adopted Climate Action Plan (CAP), which guides greenhouse gas reductions in compliance with AB 32 and SB 375. The following are included in the CAP:
    - Adoption of the Build It Green "GreenPoint Rated" certification system for residential buildings.
    - Promotion of local green building projects.

- Adoption of Build it Green's home remodel standards.
- Conducting energy audits.
- Providing rebates for energy efficiency through partnerships with local utility providers (PG&E's existing rebate program is described below).
- Decreasing or banning wood burning.
- Promoting use of compact fluorescent lightbulbs.

Pacific Gas and Electric (PG&E) provides a variety of energy conservation services for residents and several other energy assistance programs for lower income households. These programs include the Energy Watch Partnerships and the Community Investment Program.

The Energy Watch Partnerships help residents lower their energy bills and promote cleaner energy production. Through Energy Watch Partnerships PG&E has extended the reach of effectiveness of energy efficiency programs and provided information about demand responses programs, renewable energy, and self-generation opportunities.

The Community Investment Program gives millions of dollars each year to non-profit organizations to support environmental and energy sustainability. Projects that are funded include residential and community solar energy distribution projects, public education projects, and energy efficiency programs. The goal is to ensure that 75 percent of the dollars assist underserved communities, which includes low income households, people with disabilities, and seniors.

PG&E also offers rebates for energy efficient home appliances and remodeling. Residents can apply for a variety of rebates that make it more affordable in the short term to save energy and money in the long term. Rebates are available for cooling and heating equipment, lighting, seasonal appliances and remodeling (cool roofs, insulation, water heaters). These opportunities are available to all income levels and housing types.

Energy Consumption

Residential water heating and space heating/cooling are major sources of energy consumption. With the application of energy efficient design and the use of solar power systems, these sources can be operated on a much more efficient and sustainable manner.

By encouraging solar energy technology for residential heating/cooling in both retrofits and new construction the City can play a major role in energy conservation. There are two distinct approaches to solar heating, active and passive:

- Active systems use mechanical equipment to collect and transport heat, such as a roof plate collector system used in solar water and space heaters.
- Passive systems use certain types of building materials to absorb solar energy and can transmit that energy later, without mechanization.

The best method to encourage use of these solar systems for heating and cooling is to not restrict their use in the zoning and building ordinances and to require subdivision layouts that facilitate solar use.

Residential water heating can be made more energy efficient through the application of solar water heating technologies. Solar water heating uses the sun to heat water, which is then stored for later use; a conventional water heater is needed only as a back up. By cutting the amount of natural gas needed to heat water 50-75 percent per building, solar water heating systems can lower energy bills and reduce greenhouse gas emissions. The City has the opportunity to implement solar technologies with the help of recent legislation. The Solar Water Heating and Efficiency Act of 2007 (AB 1470) has proposed to create a $250 million ten-year program to provide consumer rebates for solar water heating systems.

Greenhouse Gas Emissions

Emissions from human activities such as electricity production and automobiles have elevated the concentration of greenhouse gases in the atmosphere. Examples of greenhouse gases include carbon dioxide, methane, nitrous oxide, and hydrofluorocarbons. The increased consumption of fossil fuels (wood, coal, gasoline, etc.) has substantially increased atmospheric levels of greenhouse gases. New housing development may contribute to greenhouse gas emissions, but careful site planning and design, and the selection of environmentally friendly building materials and equipment can significantly reduce these emission levels.

There are significant areas where Benicia can do more to encourage energy conservation in new and existing residential development to reduce the demand on

energy production. There are a variety of energy efficiency and greenhouse gas emission reduction strategies available that can be integrated into land use decisions related to housing.

The City seeks to help minimize the percentage of household income that must be dedicated to energy costs as well as minimize the production of greenhouse gases. Programs have been included to incorporate newly adopted state energy efficiency standards and to encourage alternative energy efficient technologies.

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Appendix E
Sites Inventory & Analysis

E.1 Land Inventory

State law emphasizes the importance of an adequate land supply by requiring each housing element to identify " ...sites...to facilitate and encourage the development of a variety of types of housing for all income levels . . ." (Government Code Section 65583(c)(1)). To provide for new housing, enough land must be zoned to allow for the construction of a variety of housing at densities that will satisfy the objectives of the housing element. The land must also have access to appropriate public services, such as water, sewage treatment, storm drainage, and roads.

E.1.1. Vacant Land

The City's land inventory was developed using the Solano County Geographic Information System (GIS) database. As shown in Table E.1, there are 99 vacant parcels on approximately 78 acres suitable for residential development that have the capacity to accommodate almost 600 additional homes (see also Figures E.1.A and E.1.B, and Appendix F for the complete list of parcels by Assessor Parcel Number.)

To meet the very low and low income RHNA, the State Department of Housing and Community Development requires land zoned at a minimum of 20 units per acre. Accordingly, 148 units must be met on land that is zoned with a minimum of 20 units per acre. There is one site in the TC zoning district that can accommodate 50 units; one site in the RH zoning district that can accommodate 9 units; four sites in the CO zoning district that can accommodate 153 units; and one underutilized site in the downtown that can accommodate 40 units. Altogether, these sites could accommodate 252 units in the very low and low income RHNA categories (See Table E.2 and discussion of these sites in Section E.1.2, below).

With enough vacant land that could provide for 594 new units including land to accommodate 252 high density units, Benicia's Regional Housing Needs Allocation (RHNA) of 327 new units can be met. (See Table E.3).

E.1.2. Vacant Sites Yield Analysis for Very Low and Low Income RHNA Requirements

To ensure the City could meet the very low and low income RHNA requirement of 148 affordable units, the City conducted a yield analysis using seven housing development sites in the City of Benicia. Each of the sites analyzed is currently vacant with

Figure E. 1.A City of Benicia (West) Vacant Land and Opportunity Sites

Figure E. 1.B City of Benicia (East) Vacant Land and Opportunity Sites

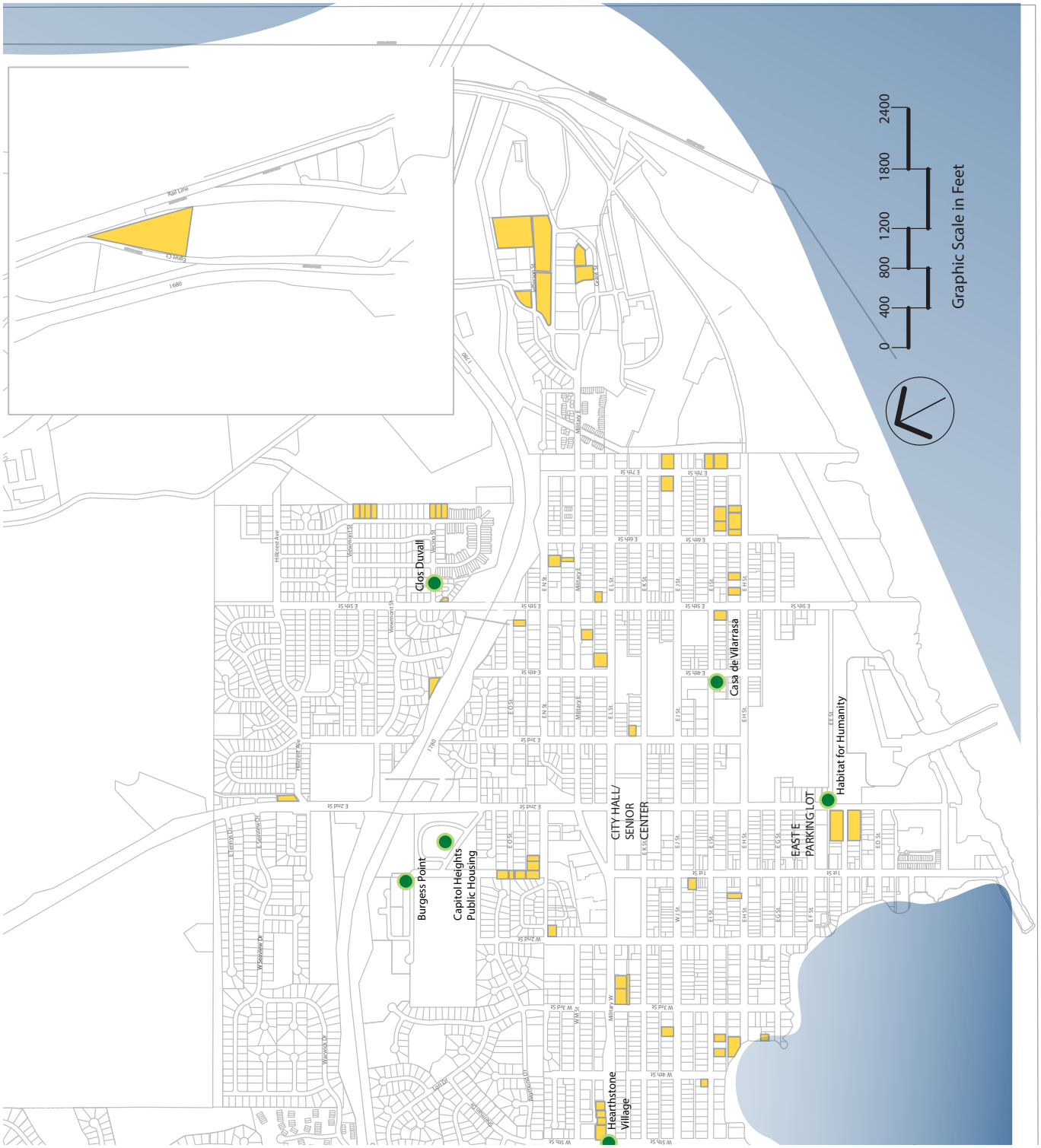


Table E.1 City of Benicia: Vacant Land Inventory

Zone	Acres	GP Designation	# of Parcels	Max Units/Acre	Max Units	Infrastructure
RS (Single Family Res)	18.94	Low Density Residential	81	7	128	Yes
Subtotal Low Density	18.94		81		128	
RH (High Density Res)	0.43	High Density Residential	1	21	9	Yes
CO (Office Commercial)	7.84	Business and Professional Office	5	21	165	Yes
CG (General Commercial)	48.14	Commercial General	7	21	233	Yes
TC (Town Core)	1.81	Commercial Downtown	2	29.9	54	Yes
TC-O (Town Core Open)	0.25	Downtown Mixed Use	2	21	5	Yes
Subtotal High Density	58.47		17		467	
Total[1]	77.41		98	-	594	

Source: Solano County GIS with input from the City of Benicia

Notes:

1. City policy on rounding states any fraction of a unit (less than 0.50)may be disregarded and any fraction of a unit (greater than or equal to 0.50) shall be rounded up to the next whole number. Total reflects City's policy on rounding fraction of units.

Table E.2 Very-Low and Low-Income Sites Yields

Zoning	Acres	# of Parcels	Max Units/Acre	Existing Use	Realistic Unit Capacity
RH (High Density Res)	0.43	1	21	Vacant	9
TC (Town Core)	1.67	1	29.9	Vacant	50
TC (Town Core)	1 useable 2.71 total*	1	21	Retail	40
CO (Office Commercial)	7.29	4	21	Vacant	153
				Total Units	252

Notes:

Detailed information about each site is located in Table E.4

Table E.3 City of Benicia: Meeting the RHNA Analysis

	Very Low-Income	Low-Income	Moderate-Income	Above Moderate-Income	Total
Regional Housing Needs Allocation	94	54	56	123	327
Estimated Units Accommodated by Vacant Land	252[1]		342		594[2]
Estimate Units Accommodated by Second Units	3		0		3
Remaining Units to be Accommodated	**0**	**0**	**0**	**0**	**0**

Source: City of Benicia 2013, ABAG 2013

Notes:

1. Realistic capacity of high-density sites, see Table E.2
2. Realistic capacity of vacant land inventory, see Table E.1

the exception of one underutilized site. These sites are detailed in Figure E.2 and Tables E.4 and E.5.

The potential residential yield of these sites produces 252 units, which meets the needs for City of Benicia's below market rate RHNA. The potential yield if the maximum state density bonuses (35% of maximum allowable density) were used on all sites is 346 dwelling units. Current market and economic conditions may not be conducive to residential or other development, but the City of Benicia's General Plan and Zoning standards are not an impediment to the production of these units at the required densities.

Land Use Controls and Development Standards (Including Height)

Land Use Controls are not an impediment to achieving the housing needed to support the yield capacity. Benicia's discretionary track record and zoning support the minimum densities required by the State. No residential units or projects have been denied by the City of Benicia in the current RHNA reporti ng period.

The combination of development standards that define the areas available for housing program include:

- Lot coverage
- Parking
- Height/Stories
- Setbacks
- Landscaping
- Density

The analysis created for each site factors each of these requirements in order to generate a "development envelope." The development envelope establishes floor areas that are then factored into dwelling unit and circulation space calculations. Assumptions for the size of the dwelling units are taken into account and applied to the developable areas.

The yield analysis showed that Benicia's current Zoning development standards and General Plan requirements allow for the development of the residential densities reflected in the General Plan and Zoning Ordinance. In addition, the Town Core Zoning District with the application of the form-based code, allows even greater potential densities than the City's other zoning districts.

As stated above, the combination of Benicia's height limits, minimum lot size, lot coverage, setbacks, parking, landscaping and other standards provide no impediment to development. Benicia's height limits allow for 3-story structures with a height limit of 35 feet in height in the RH Zoning District and 40 feet or 2.5 stories in the Town Core Zoning District. Half

Table E.4 High Density Site Analysis- Site Location

Site	Site APN	Lot Area (acres)	Zoning	Dev Type	Existing Use	Dwelling Unit Yield	Dwellings w/ Density Bonus
1.	88-124-130	0.43	RH	Residential	Vacant	9	12
2.	89-371-030 89-372-090	1.67	Town Core	Residential over retail	Vacant	50	68
3.	80-150-390	0.55	Office Commercial	Residential over retail	Vacant	11	15
4.	80-150-380	3.65	Office Commercial	Residential over retail	Vacant	77	107
5.	80-150-400	1.48	Office Commercial	Residential over retail	Vacant	31	43
6.	80-150-410	1.61	Office Commercial	Residential over retail	Vacant	34	47
7.	89-244-050	1 usable 2.71 total*	Town Core	Residential over retail	Retail	40	54
*The majority of the parcel is underwater in the Carquinez Strait. The developable land area is what is calculated for the purpose of this exercise. The project reflected in this yield analysis is consistent with the required zoning development standards.					Total Units	252	346

Source: City of Benicia, 2014

(.5) stories are allowed to have the height of the full story with 50% of the total floor area of the story directly underneath. Benicia has adopted procedures for development on substandard lots. Benicia Municipal Code 17.70.130 allows for development of lots 2,500 square feet or more subject to same yard and density requirements as a standard lot. In R districts, the City may allow a 10 percent reduction of required interior side yard width and 20 percent reduction of required street side yard width.

Housing Opportunity Sites' Yields

Table E.5 summarizes the seven sites selected for this study. For each site the table provides lot area, Zoning and General Plan designations, and housing unit yields and densities with and without State density bonuses. As described in the summary section of this Appendix, the actual potential yield is 252 dwelling units if no State density bonus is utilized. The potential yield if the maximum state density bonuses (35% of maximum allowable density) were used on all sites is 346 dwelling units.

Site Selection Methodology

Sites for the yield analysis have been selected based on land availability and capacity. The methodology utilized to choose these sites consisted of two elements. The first element was vacant sites. The second element was high density underutilized sites with at least one acre of developable space. Larger vacant sites are anticipated to generate the most housing in Benicia, as projects are likely better able to achieve cost efficiencies for development.

The first six sites that are identified are vacant. The last site (Site No. 7) is the only "underutilized" site chosen for this analysis. This site is included because it is located in the Town Core and is proximal to transit and services. This site is underutilized, with a one story building which does not occupy the entire parcel, and has substantial development opportunity to expand both horizontally and vertically. The northern portion of the site is vacant and located adjacent to an existing mixed-use development. The RHNA is met without this site.

Table E.5 High Density Sites Analysis- Site Density

Site	Lot Area (acre)	Zoning District and Density Allowed	General Plan Designation and Density	Potential Yield (DUs)	Potential Density (DUs/Ac)	Potential Yield w/Density Bonus	Potential Density w/ Density Bonus (DUs/Ac)
1.	0.43	RH, High Density Residential 15-21 DU/acre	High Density Residential 15-21 DU/Acre	9	21	12	25.5
2.	1.67	Town Core Form-Based	DMUMP	50	29.9	62	37
3.	0.55	Office Commercial 15-21 DU/Acre	Mixed Use/Lower Arsenal 15-21 DU/ Acre	11	21	14	25
4.	3.65	Office Commercial 15-21 DU/Acre	Mixed Use/Lower Arsenal 15-21 DU/ Acre	77	21	106	29
5.	1.48	Office Commercial 15-21 DU/Acre	Mixed Use/Lower Arsenal 15-21 DU/ Acre	31	21	43	29
6.	1.61	Office Commercial 15-21 DU/Acre	Mixed Use/Lower Arsenal 15-21 DU/ Acre	34	21	47	29
7.	1	Town Core Form-Based	DMUMP	40	40	56	56
TOTAL YIELD and AVERAGE DENSITY				**252 DUs**	**24.5 DUs/Ac**	**346 DUs**	**48.6 DUs/Ac**

Source: City of Benicia, 2014

The Residential High Density (RH) Zoning District and companion General Plan Land Use Designation allows for a density range of 15-21 dwelling units per acre. That equates to a residential density of approximately one dwelling unit per 2,000 square feet of site area. The RH district is the base zoning district for some of the sites, while on the other mixed-use sites, zones such as CG (General Commercial) and CO (Commercial Office), Benicia's Zoning Ordinance requires utilization of the RH standards for the residential component of a mixed use development.

Because the RH (High Density Residential) is companion zoning to other zoning districts as well as a standalone district, Benicia's zoning provides land use flexibility in support of housing development.

The General Commercial (CG) and Office Commercial (CO) zones allow residential dwelling units in certain circumstances. Although ground floor uses in the CO are restricted to office uses, the residential standards for second and third floors allow for the densities represented in the RH District, and as yielded in the sites analysis. The purpose of the RH zoning district is as follows:

> *RH High-Density Residential District. To provide opportunities for an intensive form of residential development, including apartments and townhouses with relatively high land coverage, at appropriate locations in the vicinity of First Street, along the waterfront, and near convenience commercial nodes at Southampton Road, East Fifth Street and West Seventh Street. (Ord. 87-4 N.S., 1987). (City of Benicia Zoning Ordinance)*

Site Locations

There are two distinct sub areas that are the primary contributors of potential housing stock in Benicia: Downtown and the Lower Arsenal Historic District. One other housing opportunity site is adjacent to the Downtown and is zoned high density residential (See Figure E.2).

Generally speaking these sites are located south of Interstate 780 in areas of Benicia that are proximal to schools, services, jobs, and transit. The Downtown has been designated a Priority Development Area by the Association of Bay Area Governments.

The Arsenal area does not have quite the same accessibility to services as the Downtown, but is still within walking distance to most, schools, services, full service grocery, civic center, jobs, and transit. The Downtown is the historic city center so it does not have the same level of available (vacant) sites as the Arsenal.

Downtown

The Downtown represents the oldest developed areas of Benicia in general, and is characterized by a strong mix of residential, retail, and professional office uses. The land use pattern is represented by historically smaller lots with smaller structures dating back to the mid to late 1800's. A few sites within the boundary are currently vacant. Two sites (Sites No. 2 and 7) within the Downtown are represented in this study.

The Downtown Area has a full range of commercial services for area residents. This includes professional services such as doctors and dentists, as well as retail services such as full service grocery and dining establishments. All of these uses are well within walking distance (1/2 mile) of the two housing sites that have been studied.

Downtown area land use and development requirements are prescribed by the Downtown Mixed-Use Master Plan (DMUMP), which was adopted in 2007.

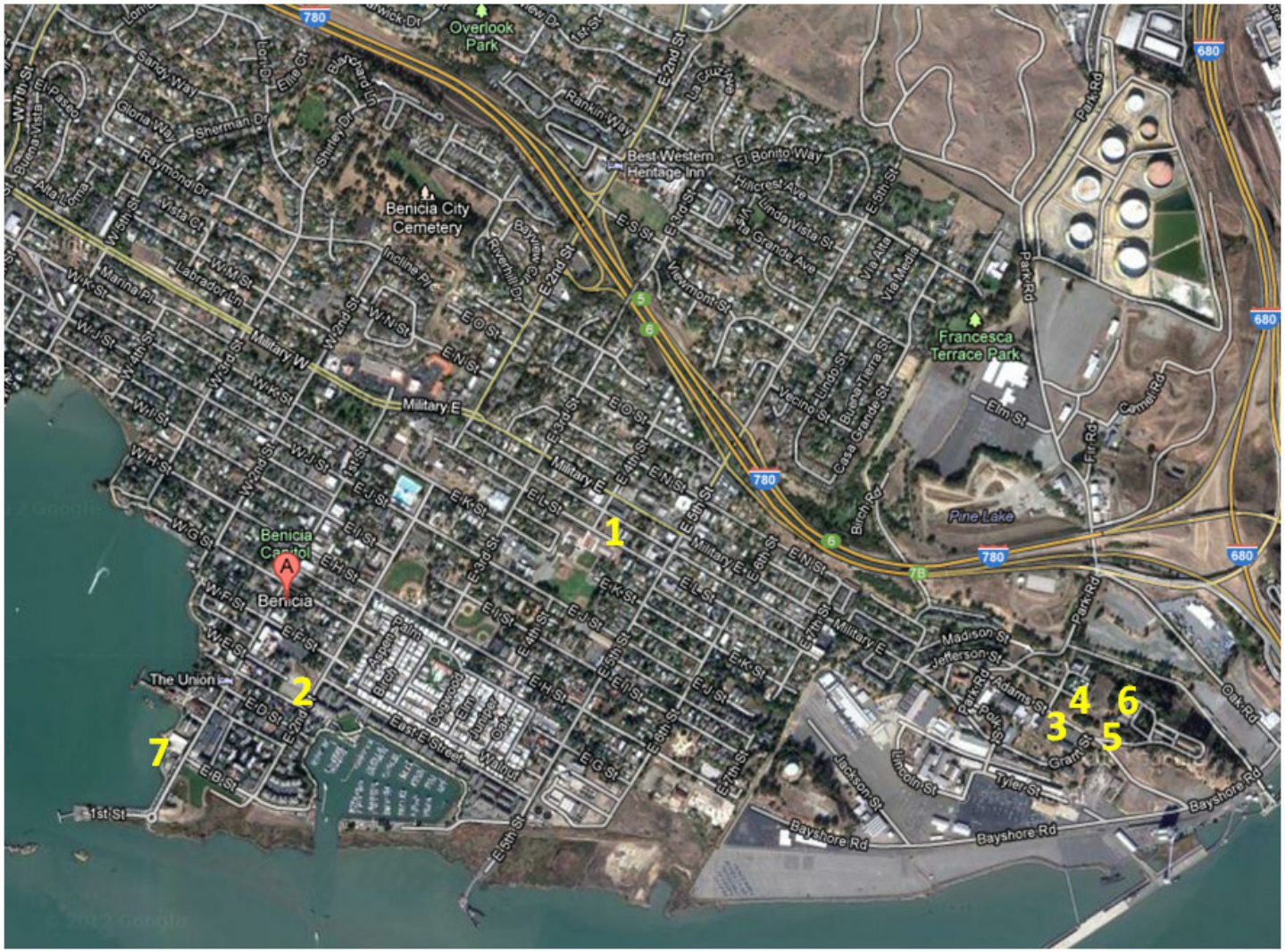
> The Downtown Mixed Use Master Plan identifies improvements along First Street that are organized in a series of nodes that include new projects in the pipeline, suggested new building initiatives, and coordinated renovations of existing structures, as well as new and improved open spaces. These recommendations seek to respond to the project area's historic fabric as well as capitalize on existing amenities, including public buildings and institutions (such as the former Capitol) and access and views of the Carquinez Strait (DMUMP, 3-3).

And

> By encouraging intensified ground-floor retail, the City should support the development of second and third-story office and residential uses along First Street, creating additional opportunities for office uses to transition from ground-floor spaces (DMUMP, 3-3).

The DMUMP is a form-based code. That means that development densities and intensities are prescribed by standards relevant to height, lot coverage, landscaping, parking and other factors. There is neither a General Plan Residential Density nor a zoning density prescribed

Figure E. 2 City of Benicia Housing Opportunity Sites



LEGEND

1. APN 088-124-130
18,750 sf (.43 acres)

2. APNs 089-371-030/90
72,745 sf (1.67 acres)

3. APN 080-150-390
23,958 sf (0.55 acres)

4. APN 080-150-380
158,994 sf (3.65 acres)

5. APN 080-150-400
64,469 sf (1.48 acres)

6. APN 080-150-410
70,132 sf (1.61 acres)

7. APN 089-244-050
118,048 sf (2.71 acres)

for the Town Core portions of the DMUMP, which is the underlying zoning designation for the two sites within the Downtown. While ground floor commercial is required in the TC zone, residential uses are permitted on the ground floor, so far as a commercial use occupies the street fronting portion of the ground floor. In addition, there are no prescriptions in Benicia's development standards relevant to unit sizes or mixed based on bedrooms or other features. As a result the form-based code allows densities to be achieved that exceed those set for other parts of the City, such the Residential High Density zone.

Benicia Arsenal

The Benicia Arsenal was decommissioned from United States military use in 1964. The Benicia Arsenal has been officially recognized at the federal level since 1975 when four distinct historic areas were identified and placed on the National Register of Historic Places, and at the state level with its designation as State Historical Landmark No. 176.

In 1987, the City enacted a provision within its zoning ordinance for a special historic overlay district that could be combined with any underlying zoning district. The Arsenal area's zoning designations and development standards are prescribed by the Zoning Ordinance. The Arsenal is divided into several distinct areas by the General Plan Land Use Diagram. The Lower Arsenal generally comprises the land and buildings centered on the former main administrative areas and core buildings of the Arsenal.

All of the vacant Arsenal sites analyzed in this study (Sites No. 3, 4, 5, and 6) are located within the Lower Arsenal and subject to additional review under the Arsenal Historic Conservation Plan. None of these sites are located within the DTSC site, and do not face environmental constraints.

Vacant lands within the Lower Arsenal can be developed with a variety of office and commercial uses, with residential floors above. Special care must be taken with regard to the potential for historic resource issues and land use compatibility issues such as those involving noise, light, dust, odor, and other aesthetic impacts given their proximity to industrial properties, including the Port. All of the sites analyzed within the Lower Arsenal are vacant, as discussed previously. So, although care must be taken in the site planning and design of new structures, no existing historic structures would be impacted.

The Lower Arsenal is proximal to the Downtown area (seven blocks) and just eight blocks from full service grocery stores, elementary schools, and other services. The Civic Center area, with City Hall, parks, main library, and recreation centers, is just six blocks away.

Other Sites

The only site not located within either the Lower Arsenal or the Downtown is Site No. 1. This site has land use and development regulations prescribed by the Zoning Ordinance. The lot is located within the RH (Residential High Density) zoning district. See description and purposes of the RH zoning district under Site Selection Methodology, above.

The site is proximal to the Downtown area (three blocks) and just three blocks from a full service grocery store and other services. The Civic Center area and City Hall, parks, main library, and recreation centers, are within two blocks of the site.

E.1.1.3 Second Unit Potential

The Benicia Zoning Ordinance allows second units by right in all residential zoning districts on lots 6,000 sq ft or larger. There are a total of 68 vacant parcels in these zones that could accommodate 68 additional units. Additionally, all developed residential parcels greater than 6,000 sq ft that do not have a second unit are potential sites for additional development.

Three permits for second units have been approved between 2007 and 2013. There is no history of denial for second units. Based on historic trends, it is assumed that 5 additional second units will be permitted during the 2015-2023 planning period. The maximum size of second units can be 800 square feet. Maintaining trends of an average $1.43/square foot for apartment rentals in Benicia, these units would be affordable to very-low and low-income households.

E.1.1.4. Transit/Transportation Access

Benicia and the downtown in particular are fortunate to have good bus transit service. Figure E.4 is from the Solano County Transit Authority (SolTrans). The map shows Route 78, which originates in Downtown Vallejo at the Ferry Terminal and provides access to BART in Walnut Creek and Pleasant Hill. The second map, Figure E.5, depicts ADA paratransit service areas.

Figure E. 3 Solano County Transit Authority Route 78

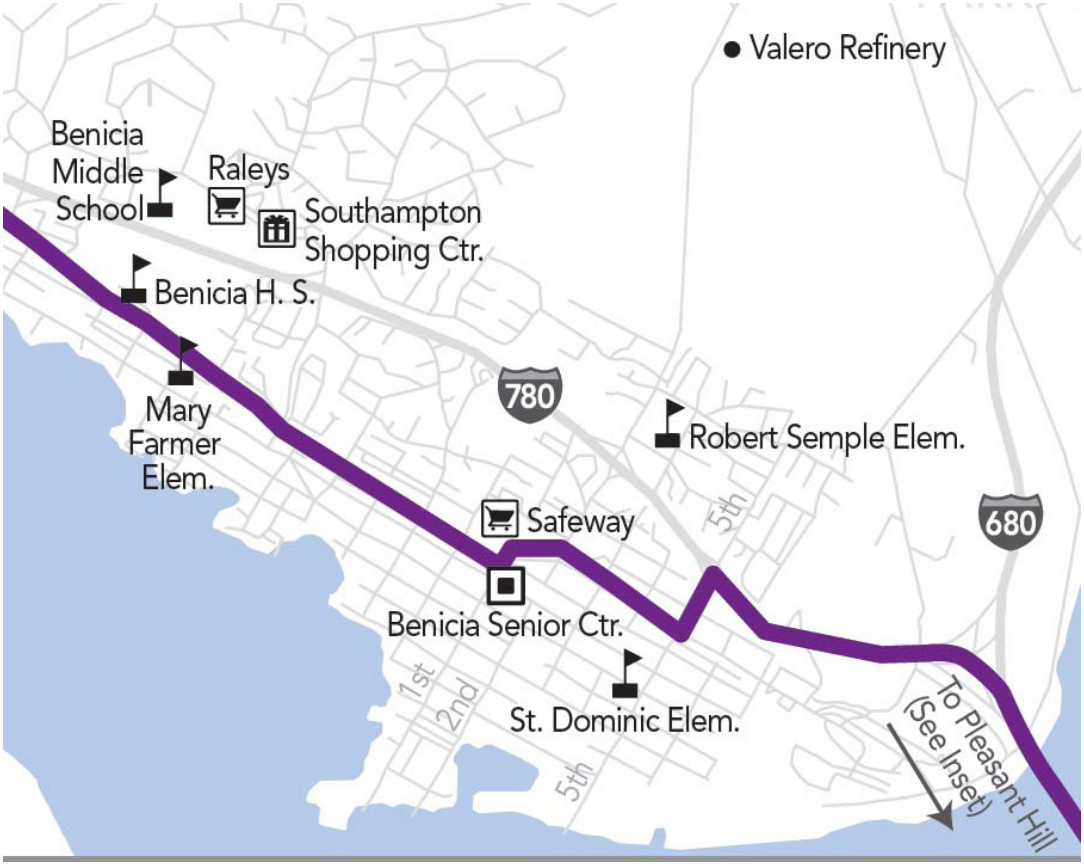


Figure E. 4 City of Benicia Transit ADA Complementary Paratransit Service Area

E.2 Infrastructure Capacity

The proximity, availability, and capacity of infrastructure helps to determine the suitability of water and sewer service available to accommodate the housing needs during the planning period. The current infrastructure capacity is sufficient to accommodate the 2015-2023 RHNA. If, at some future date, capacity becomes a limiting factor for development in Benicia, priority will be given to affordable housing projects in obtaining sewer and water permits.

Wastewater Treatment

The City's sewer plant, located along the Carquinez Strait, has a design capacity of 4.5 million gallons per day (mgd).

Water System

The City's drinking water supply originates from three sources: the State Water Project via the North Bay Aqueduct (NBA) (primary source), the Solano Water Project via the Putah South Canal (PSC) (alternate source), and Lake Herman (emergency source). The average flow of water treated at the Benicia Water Treatment Plant (WTP) in 2012 was 6.6 mgd with a peak of 10.5 mgd in July. The Benicia WTP has a hydraulic capacity of 12 mgd.

Appendix F
Vacant and Opportunity Sites

Table F.1 Vacant Land Inventory

APN	Square Feet	Acres	Zoning	GP Land Use	Max density allowed	Max du/ acre	Existing Use	Infra-structure capacity
Single Family Residential (RS)								
86041140	9,200	0.21	RS	RLD	7	1.48	Vacant	Yes
86041230	7,065	0.16	RS	RLD	7	1.14	Vacant	Yes
86046280	9,375	0.22	RS	RLD	7	1.54	Vacant	Yes
86047040	36,750	0.84	RS	RLD	7	5.91	Vacant	Yes
86050030	7,120	0.16	RS	RLD	7	1.12	Vacant	Yes
86050040	6,000	0.13	RS	RLD	7	0.91	Vacant	Yes
86062060	37,500	0.86	RS	RLD	7	6.03	Vacant	Yes
86091740	8,530	0.20	RS	RLD	7	1.37	Vacant	Yes
86091760	6,442	0.15	RS	RLD	7	1.04	Vacant	Yes
86092050	3,125	0.07	RS	RLD	7	0.50	Vacant	Yes
86382010	9,583	0.22	RS	RLD	7	1.54	Vacant	Yes
87044180	8,435	0.19	RS	RLD	7	1.36	Vacant	Yes
87070520	8,971	0.21	RS	RLD	7	1.44	Vacant	Yes
87070530	13,687	0.31	RS	RLD	7	2.20	Vacant	Yes
87072050	5,199	0.12	RS	RLD	7	0.84	Vacant	Yes
87072060	5,891	0.14	RS	RLD	7	0.95	Vacant	Yes
87073270	12,275	0.28	RS	RLD	7	1.97	Vacant	Yes
87074150	12,500	0.29	RS	RLD	7	2.01	Vacant	Yes
87074160	6,250	0.14	RS	RLD	7	1.00	Vacant	Yes
87093190	21,766	0.50	RS	RLD	7	3.50	Vacant	Yes
87112130	18,750	0.43	RS	RLD	7	3.01	Vacant	Yes
87112160	9,147	0.21	RS	RLD	7	1.47	Vacant	Yes
87112170	6,969	0.16	RS	RLD	7	1.12	Vacant	Yes
87112180	7,840	0.18	RS	RLD	7	1.26	Vacant	Yes
87134370	18,750	0.43	RS	RLD	7	3.01	Vacant	Yes
87134510	5,662	0.13	RS	RLD	7	0.91	Vacant	Yes
87134660	3,148	0.07	RS	RLD	7	0.51	Vacant	Yes
87134670	3,750	0.09	RS	RLD	7	0.60	Vacant	Yes
87142300	6,250	0.14	RS	RLD	7	1.00	Vacant	Yes
87142320	6,250	0.14	RS	RLD	7	1.00	Vacant	Yes
87154100	9,375	0.22	RS	RLD	7	1.51	Vacant	Yes
87161010	15,750	0.36	RS	RLD	7	2.53	Vacant	Yes
87161140	2,900	0.07	RS	RLD	7	0.47	Vacant	Yes
87161150	2,900	0.07	RS	RLD	7	0.47	Vacant	Yes
87161220	16,900	0.39	RS	RLD	7	2.72	Vacant	Yes
87200220	7,235	0.17	RS	RLD	7	1.16	Vacant	Yes
87553090	6,168	0.14	RS	RLD	7	0.99	Vacant	Yes
88012500	14,855	0.34	RS	RLD	7	2.39	Vacant	Yes
88032140	7,405	0.17	RS	RLD	7	1.19	Vacant	Yes
88083310	7,405	0.17	RS	RLD	7	1.19	Vacant	Yes
88092150	6,250	0.14	RS	RLD	7	1.00	Vacant	Yes
88124040	11,055	0.25	RS	RLD	7	1.78	Vacant	Yes
88131070	6,875	0.16	RS	RLD	7	1.10	Vacant	Yes

Table F.1 Vacant Land Inventory

APN	Square Feet	Acres	Zoning	GP Land Use	Max density allowed	Max du/ acre	Existing Use	Infra-structure capacity
88131210	6,750	0.15	RS	RLD	7	1.08	Vacant	Yes
88131240	5,130	0.12	RS	RLD	7	0.82	Vacant	Yes
88151160	5,662	0.13	RS	RLD	7	0.91	Vacant	Yes
88164050	18,750	0.43	RS	RLD	7	3.01	Vacant	Yes
88166020	18,750	0.43	RS	RLD	7	3.01	Vacant	Yes
88182320	14,201	0.33	RS	RLD	7	2.28	Vacant	Yes
88215040	8,276	0.19	RS	RLD	7	1.33	Vacant	Yes
88215050	8,276	0.19	RS	RLD	7	1.33	Vacant	Yes
88215060	8,276	0.19	RS	RLD	7	1.33	Vacant	Yes
88215070	8,276	0.19	RS	RLD	7	1.33	Vacant	Yes
88224020	9,147	0.21	RS	RLD	7	1.47	Vacant	Yes
88224030	9,147	0.21	RS	RLD	7	1.47	Vacant	Yes
88230050	3,795	0.09	RS	RLD	7	0.61	Vacant	Yes
89012310	6,375	0.15	RS	RLD	7	1.02	Vacant	Yes
89021150	6,250	0.14	RS	RLD	7	1.00	Vacant	Yes
89021190	6,750	0.15	RS	RLD	7	1.08	Vacant	Yes
89021290	10,813	0.25	RS	RLD	7	1.74	Vacant	Yes
89021300	9,868	0.23	RS	RLD	7	1.59	Vacant	Yes
89031130	5,320	0.12	RS	RLD	7	0.85	Vacant	Yes
89032220	680	0.02	RS	RLD	7	0.11	Vacant	Yes
89034020	9,375	0.22	RS	RLD	7	1.51	Vacant	Yes
89034040	9,375	0.22	RS	RLD	7	1.51	Vacant	Yes
89034100	25,500	0.59	RS	RLD	7	4.10	Vacant	Yes
89072150	9,147	0.21	RS	RLD	7	1.47	Vacant	Yes
89072170	9,375	0.22	RS	RLD	7	1.51	Vacant	Yes
89072020	12,500	0.29	RS	RLD	7	2.01	Vacant	Yes
89074030	18,750	0.43	RS	RLD	7	3.01	Vacant	Yes
89074080	9,375	0.22	RS	RLD	7	1.51	Vacant	Yes
89074090	21,875	0.50	RS	RLD	7	3.52	Vacant	Yes
89074100	6,250	0.14	RS	RLD	7	1.00	Vacant	Yes
89076010	18,750	0.43	RS	RLD	7	3.01	Vacant	Yes
89076090	14,810	0.34	RS	RLD	7	2.38	Vacant	Yes
89092410	10,790	0.25	RS	RLD	7	1.73	Vacant	Yes
89092680	7,405	0.17	RS	RLD	7	1.19	Vacant	Yes
89092690	8,276	0.19	RS	RLD	7	1.33	Vacant	Yes
89092710	4,356	0.10	RS	RLD	7	0.70	Vacant	Yes
89092800	14,861	0.34	RS	RLD	7	2.39	Vacant	Yes
89103230	5,662	0.13	RS	RLD	7	0.91	Vacant	Yes
Subtotal	**824,177**	**18.94**				**128**		
High Density Residential (RH)								
88124130	18,750	0.43	RH	RHD	21	9	Vacant	Yes
RH Total	18,750	0.43				9		
Office Commercial (CO)								
80150390	23,958	0.55	CO	OC	21	11	Vacant	Yes

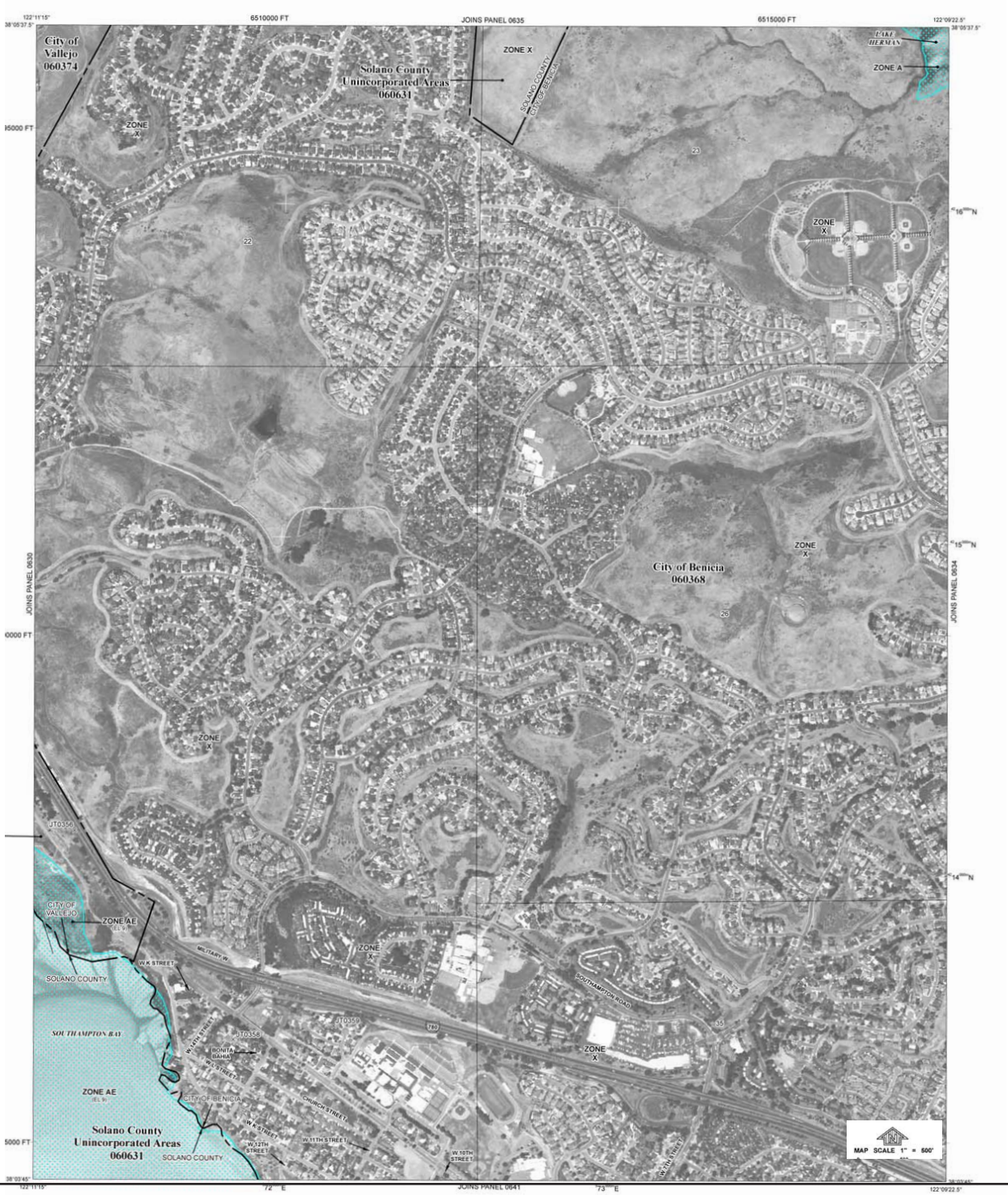
Table F.1 Vacant Land Inventory

APN	Square Feet	Acres	Zoning	GP Land Use	Max density allowed	Max du/ acre	Existing Use	Infra-structure capacity
80150380	158,994	3.65	CO	OC	21	77	Vacant	Yes
80150400	64,469	1.48	CO	OC	21	31	Vacant	Yes
80150410	70,132	1.61	CO	OC	21	34	Vacant	Yes
80150010	23,958	0.55	CO	OC	21	12	Vacant	Yes
CO Total	341,511	7.84				165		
General Commercial (CG)								
80150320	30,927	0.71	CG	OC	21	14.91	Vacant	Yes
80150330	22,215	0.51	CG	OC	21	10.71	Vacant	Yes
88092150	6,250	0.14	CG	GC	21	2.94	Vacant	Yes
79020360	107,593	2.47	CG	CG	21	51.87	Vacant	Yes
88124040	11,055	0.25	CG	GC	21	5.25	Vacant	Yes
87200090	16,678	0.38	CG	GC	21	8.04	Vacant	Yes
80030100	1,902,700	43.68	CG	GC	21	140	Vacant	Yes
*Note: The City of Benicia expects 140 units could be built on these sites through the year 2040, consistent with the city's Employment Investment Area/Priority Development Area and the Plan Bay Area Sustainable Communities Strategy.								
CG Total	2,097,418	48.14				233		
Town Core (TC)								
89043100	6,300	0.14	TC	Commercial Downtown	29.9	4	Vacant	Yes
89371030 89372090	35,321 37,500	0.86 0.81	TC	Commercial Downtown	29.9	50	Vacant	Yes
TC Total	79,121	1.81				54		
Town Core Open (TC-O)								
89044320	5,000	0.11	TC-O	Downtown Mixed Use	21	2.41	Vacant	Yes
89044330	6,250	0.14	TC-O	Downtown Mixed Use	21	3.01	Vacant	Yes
TC-O Total	11,250	0.25				5		
Vacant Buildable Sites Total	**3,372,227**	**77.41**				**594**		

Appendix G
Flood Hazard Map

The following pages contain official maps that the Federal Emergency Management Agency (FEMA) has delineated as both special hazard areas and the risk premium zones applicable to Benicia.

Figure G.A Benicia Flood Hazard Map



Flood Hazard Map

Special Flood Hazard Area. Subject to inundation by the 100 year flood.The flood has a 1% chance of being equaled or exceeded in any given year. Includes zones A, AE, AH, AO, AR, A99, V and VE.

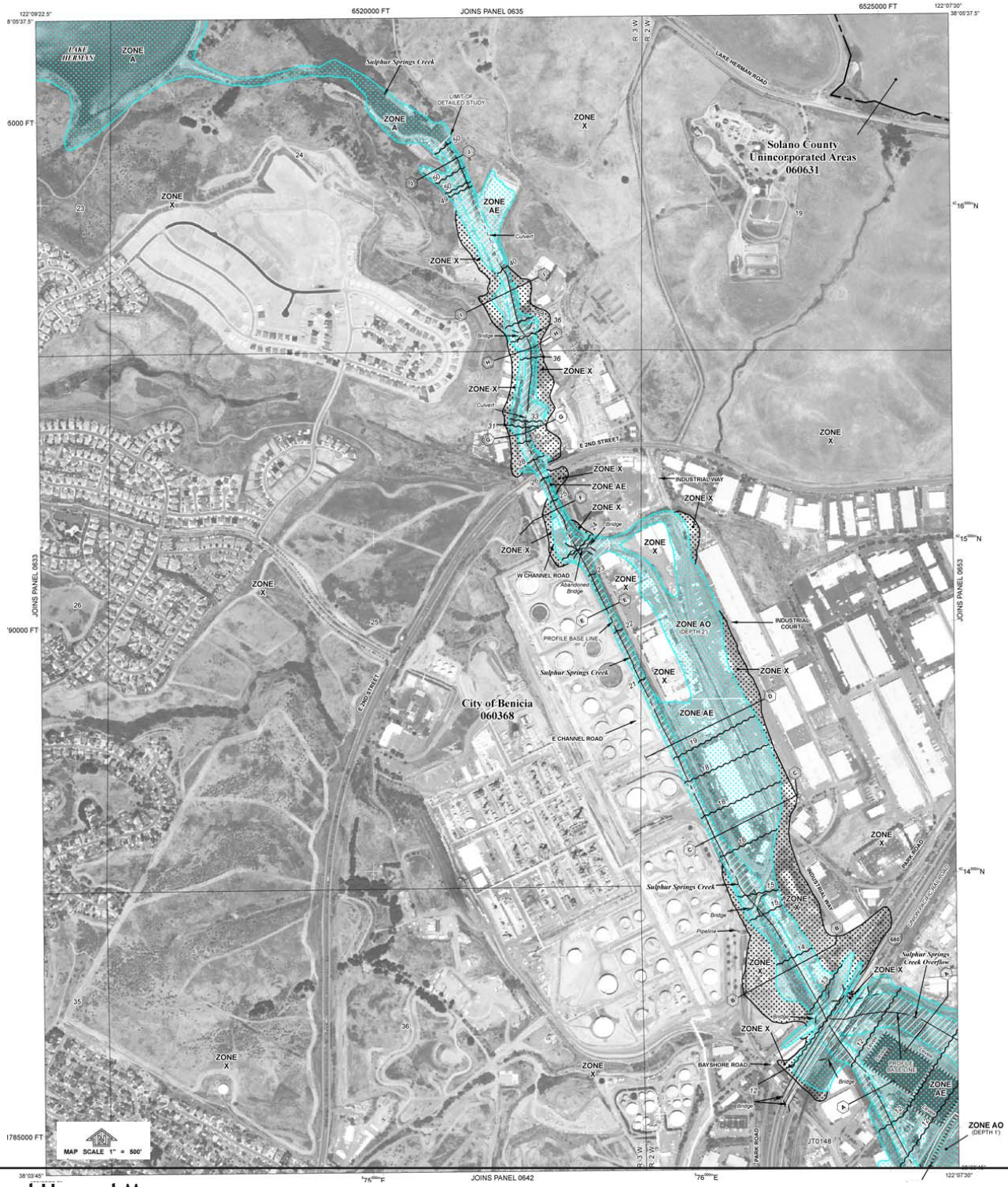
Other Flood Areas. Areas of .2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; ad areas protected by levees from the 100-year flood.

Flood Plain Boundary

Undetermined Area. Areas where flood hazards are undetermined, but possible. [FEMA Zone D]

Floodway Area in Zone AE Where the floodway is the channel of a stream plus any adjacent floodplain

Figure G.B Benicia Flood Hazard Map



Flood Hazard Map

Special Flood Hazard Area. Subject to inundation by the 100 year flood. The flood has a 1% chance of being equaled or exceeded in any given year. Includes zones A, AE, AH, AO, AR, A99, V and VE.

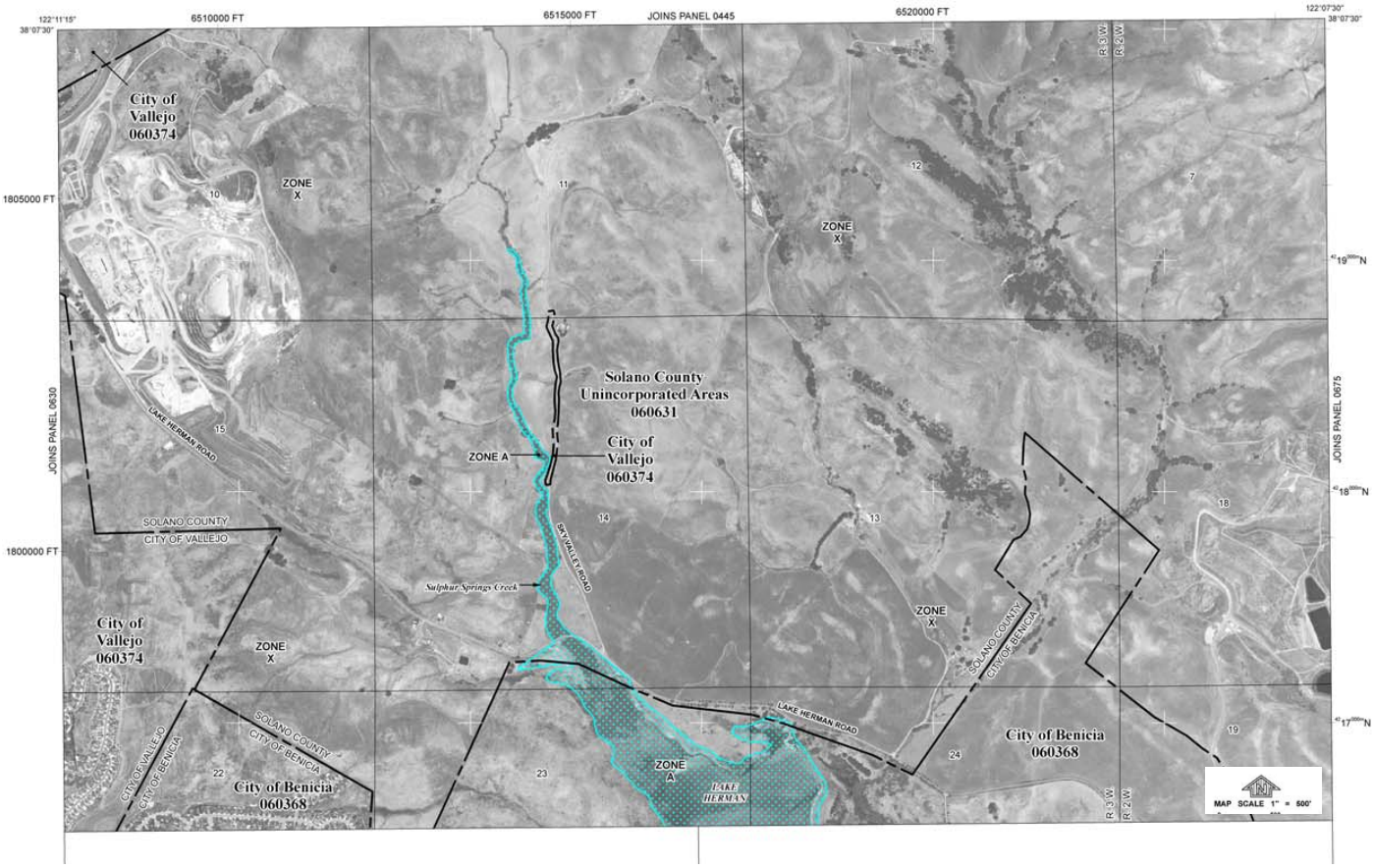
Other Flood Areas. Areas of .2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; ad areas protected by levees from the 100-year flood.

Flood Plain Boundary

Undetermined Area. Areas where flood hazards are undetermined, but possible. [FEMA Zone D]

Floodway Area in Zone AE Where the floodway is the channel of a stream plus any adjacent floodplain

Figure G.C Benicia Flood Hazard Map



Flood Hazard Map

Special Flood Hazard Area. Subject to inundation by the 100 year flood. The flood has a 1% chance of being equaled or exceeded in any given year. Includes zones A, AE, AH, AO, AR, A99, V and VE.

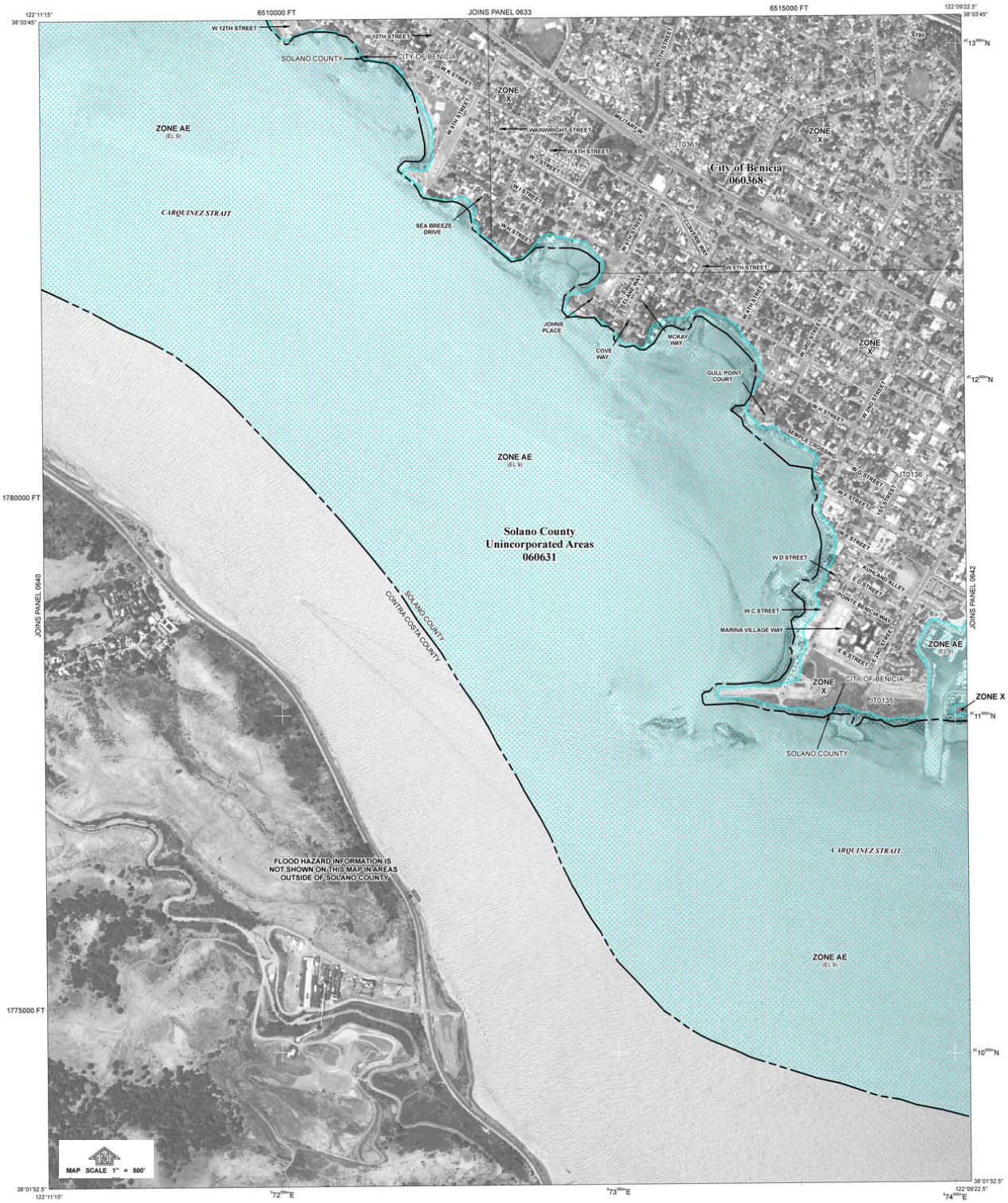
Other Flood Areas. Areas of .2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; ad areas protected by levees from the 100-year flood.

Flood Plain Boundary

Undetermined Area. Areas where flood hazards are undetermined, but possible. [FEMA Zone D]

Floodway Area in Zone AE Where the floodway is the channel of a stream plus any adjacent floodplain

Figure G.D Benicia Flood Hazard Map



Flood Hazard Map

Special Flood Hazard Area. Subject to inundation by the 100 year flood. The flood has a 1% chance of being equaled or exceeded in any given year. Includes zones A, AE, AH, AO, AR, A99, V and VE.

Other Flood Areas. Areas of .2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; ad areas protected by levees from the 100-year flood.

Flood Plain Boundary

Undetermined Area. Areas where flood hazards are undetermined, but possible. [FEMA Zone D]

Floodway Area in Zone AE Where the floodway is the channel of a stream plus any adjacent floodplain

Figure G.E Benicia Flood Hazard Map

Flood Hazard Map

- **Special Flood Hazard Area.** Subject to inundation by the 100 year flood. The flood has a 1% chance of being equaled or exceeded in any given year. Includes zones A, AE, AH, AO, AR, A99, V and VE.
- **Other Flood Areas.** Areas of .2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; ad areas protected by levees from the 100-year flood.
- **Flood Plain Boundary**
- **Undetermined Area.** Areas where flood hazards are undetermined, but possible. [FEMA Zone D]
- **Floodway Area in Zone AE** Where the floodway is the channel of a stream plus any adjacent floodplain

Appendix H
Arsenal Historic Areas

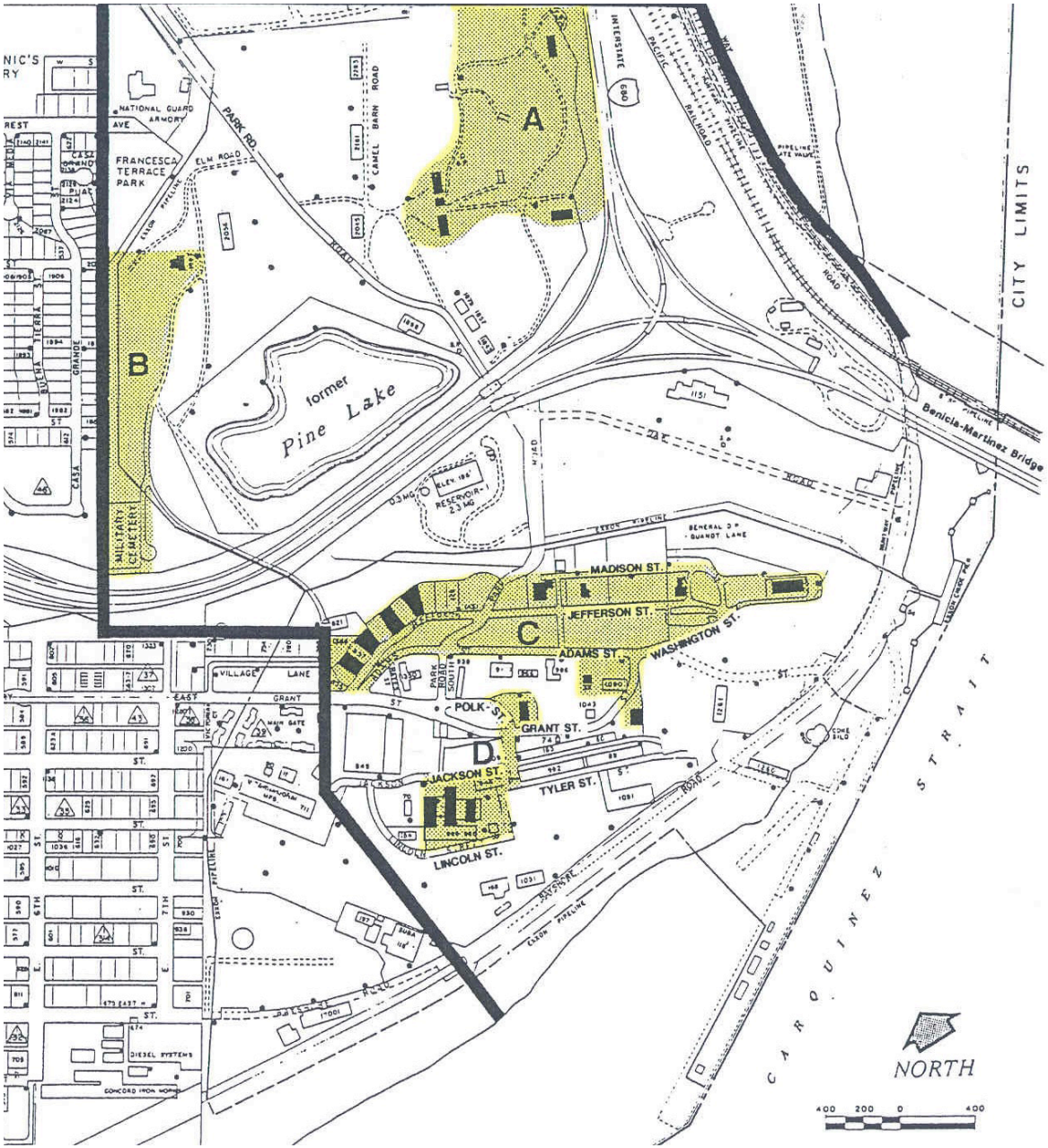


Figure 2

National Register Historic Districts and Properties of the Benicia Arsenal

LEGEND

- Arsenal Park Historic District Boundary
- National Register District
- Building Listed on the National Register

These four districts were listed on the National Register of Historic Places in 1975.

Appendix I
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