



**AGENDA ITEM  
CITY COUNCIL MEETING DATE – OCTOBER 2, 2018  
BUSINESS ITEMS**

**TO** : City Manager

**FROM** : Community Development Director

**SUBJECT** : **ADOPTION OF THE DOWNTOWN HISTORIC DISTRICT DESIGN GUIDELINES AND AN AMENDMENT TO THE DOWNTOWN HISTORIC CONSERVATION PLAN (DHCP), AFTER A DETERMINATION THAT THE PROJECT IS EXEMPT FROM CEQA**

**EXECUTIVE SUMMARY:**

The proposed design guidelines address the treatment of historic properties, alterations to non-historic buildings, and the design of new infill structures in the Downtown Historic District. Chapters 3, 4 and 5, plus appendices, of the Downtown Historic Conservation Plan will be superseded by the proposed guidelines and subsequent code amendments for design review procedures. The amendment to the Plan reflects this change. The design guidelines are partially funded by a Certified Local Government (CLG) grant from the California Office of Historic Preservation.

**RECOMMENDATION:**

Adopt the resolution adopting the Downtown Historic District Design Guidelines and amending the Downtown Historic Conservation Plan.

**BUDGET INFORMATION:**

The cost of the design guidelines was partially funded through a \$40,000 CLG grant; the City of Benicia's in-kind match of 33% has been provided through the Community Development Department's operating budget, inclusive of administrative, staffing and material costs as well as in-kind contribution of time from community volunteers. Administration of the proposed guidelines will be accomplished through existing staffing levels.

**OVERVIEW:**

The item before the Council tonight is adoption (Attachment 1) of new Downtown Historic District Design Guidelines (Attachment 1A, available [online](#)). This item follows years of efforts on the downtown historic district and, more recently, about one (1) year using a Certified Local Government (CLG) grant from the State Office of Historic Preservation (SHPO). The Planning Commission and Historic Preservation Review Commission (HPRC) both recommended

approval of the Downtown Historic District Design Guidelines (Attachments 2 and 3, respectively).

A robust community outreach program included nine (9) HPRC meetings, eight (8) public meetings, two (2) mailings with a total of over 2,000 postcards, social media and email postings, and six (6) mentions in City of Benicia This Week. In addition, the City maintained an active project website, and the project was featured in fourteen (14) newspaper articles.

Historically, the Guidelines have been in the Downtown Historic Conservation Plan (DHCP, Attachment 1B available [online](#)), which was adopted in 1990 and amended three times, most recently in 2009. The HPRC also discussed the DHCP and the City's design review procedures in 2014, and the City submitted the CLG grant application in 2015 and 2016 (awarded in 2017) to update/create new downtown historic district design guidelines.

The proposed design guidelines for the Downtown Historic District ("historic district") provide graphic-rich, user-friendly information about the treatment of historic properties, changes to non-historic buildings, and the design of new infill within the historic district. This project would align Benicia with historic preservation "best practices," including the Secretary of Interior Standards for Treatment of Historic Properties. The design guidelines are used to evaluate design review applications in the historic district, including new buildings and changes to existing structures. The Guidelines were written/designed to be consistent with, and implement, the General Plan, Benicia Municipal Code (BMC) Title 17 (Zoning), the Downtown Mixed Use Master Plan, and the Secretary of Interior Standards.

A proposed amendment to the Design Review procedures in BMC Chapter 17.108 is proposed to aid in implementation of the design guidelines. The two items are presented concurrently to the City Council for the completeness of the Council's review and action.

#### **BACKGROUND:**

The design guidelines for the historic district were established in 1990 with the adoption of the Downtown Historic Conservation Plan (DHCP). The Historic Preservation Review Commission (HPRC) has identified various updates to the guidelines as a priority since at least 2006; and in 2014 the commission initiated a comprehensive review of the DHCP guidelines. The commission's analysis, which concluded that updates to the guidelines were necessary to improve the usability of the document and implement current preservation standards, supported the city's subsequent CLG Grant application. Funds were awarded to the City of Benicia in 2017.

On September 19, 2017, the City Council adopted a resolution approving an agreement with the State Office of Historic Preservation for a Certified Local Government Grant in the amount of \$40,000 to update the Historic Design Guidelines within the DHCP, authorizing the City Manager to execute the agreement on behalf of the City, and allocating funds in the FY2017-18 Budget. The project kicked off following selection of the consulting firm, Winter & Co., in November 2017.

*Ad Hoc Advisory Group*

An ad hoc advisory group was assembled in late 2017 to provide guidance and feedback through the process of developing the draft guidelines. The advisory group included individuals with design or construction expertise and with experience working on projects or owning property in the historic district. The group met on four occasions and provided feedback on specific topics relating to the usability of the design guidelines and design review procedures. Feedback from the advisory group was summarized for the HPRC through monthly updates and staff reports.

*Community Outreach*

The Planning Division conducted stakeholder and public meetings for the design guidelines on January 18 and 19, 2018 to obtain community comments, concerns and priorities. Stakeholders included representatives of the Benicia Historical Society, Benicia Historical Museum, Benicia Main Street, Benicia State Parks Association, Chamber of Commerce and Downtown Business Alliance as well as district residents. A community open house was held on April 26, 2018 to present the public review draft document.

In addition to ongoing web updates and periodic media releases, the city mailed notice of the design guidelines to district residents in April and June 2018. City staff provided monthly agenda items to the HPRC to provide updates and obtain feedback. Despite sparse attendance at the public meetings, some community members provided comments on the public review draft, which were evaluated and largely incorporated into the final draft document. Attachment 4 is a list of the Community Participants throughout the process.

**General Plan Consistency**

The proposed design guidelines are consistent with the General Plan. The proposed guidelines directly support implementation of Goal 2.1, to preserve Benicia as a small-sized city and ensure new development is compatible with Benicia’s small-town qualities and historic heritage. Goal 3.1 promotes the preservation and enhancement of historic areas. The proposed guidelines reinforce the City of Benicia’s vision by provide improved guidance for downtown property owners, residents, and businesses to preserve and enhance its historic character while also supporting investment in the downtown area as a thriving community center (Goal 2.12).

**SUMMARY**

*Downtown Historic Conservation Plan*

The DHCP contains five chapters plus appendices, which will be revised to make way for adoption of the new Downtown Historic District Design Guidelines and the zoning text amendment for design review procedures (separate agenda item). The remaining elements of the DHCP will be retained for the time being; at a future date staff will evaluate whether they are redundant with more recent documents, such as the Downtown Mixed Use Master Plan and Historic Context Statement.

<b>DHCP Chapter</b>	<b>Proposed Amendment</b>
Preface	Retain
1 Plan Overview	Retain
2 Historic Resources	Retain

3	Design Review Procedures	<i>Remove</i> – will be addressed in amendment to BMC Chapter 17.108 (separate agenda item)
4	Design Guidelines for Commercial Building Types	<i>Remove</i> – will be replaced by Downtown Historic District Design Guidelines
5	Design Guidelines for Residential Building Types	<i>Remove</i> – will be replaced by Downtown Historic District Design Guidelines

### **DHCP Appendices**

A	Designation of Historic Properties within the Downtown Historic H Overlay District	<i>Remove</i> – Included in Appendix of Downtown Historic District Design Guidelines
B	Glossary of Terms	<i>Remove</i> – Included in Appendix of Downtown Historic District Design Guidelines
C	Historic Conservation Plan Resource Survey Form	<i>Remove</i> – Superseded by Historic Survey (2009) - used DPR 523 form
D	City Council Resolution No. 92-201 Amending DHCP	<i>Remove</i> – this Resolution amended sections of the DHCP that would be replaced by proposed guidelines and text amendment.
E	City Council Resolution No. 05-91 Delisting 195 East F Street	<i>Remove</i> – this action is captured in subsequent adoption of Historic Survey.
F	City Council Resolution No.08-62 Amending DHCP re: Design Review for non-historic residences	<i>Remove</i> – this Resolution amended sections of the DHCP that would be replaced by proposed guidelines and text amendment.
G	City Council Resolution No. 09-26 adopting historic survey and amending DHCP	<i>Remove</i> – this Resolution is referenced in the Appendix of the Downtown Historic District Design Guidelines.

The elements of the downtown policy framework will be assembled into an online resource page that is easily accessible to community members:

1. Downtown Historic District Design Guidelines plus appendices
2. DHCP (remaining sections, pending evaluation of overlap with other documents)
3. Downtown Mixed Use Master Plan
4. Historic Context Statement
5. Historic Survey
6. Downtown Streetscape Plan

Planning Division staff will additionally prepare outreach information and updated web-based content to support the historic district.

### *Downtown Design Guidelines*

The Downtown Design Guidelines are a graphic and resource-based approach to preservation, rehabilitation and new construction in the Downtown Historic District. The guidelines carry over some aspects of the current DHCP; additionally, they provide additional information about

planning a preservation project and align with the Secretary of Interior Standards for Treatment of Historic Properties. The outline of the Guidelines is as follows:

1. Introduction
2. General Design Guidelines for All Projects
3. Design Guidelines for Historic Structures
4. Guidelines for New Construction
5. Signs

*Appendix*

- Glossary
- Historic Property Addresses in the Downtown District
- Advisory Guidance for Environmental Sustainability

The public review draft of the guidelines was presented to the HPRC on April 26, 2018; commissioners provided individual comment. On May 24, 2018 the commission provided additional comments on guidelines for awnings and canopies; balconies and galleries; building additions; and window materials. The proposed final draft reflects commission feedback and public review comments.

*Outdoor Dining*

The proposed design guidelines include guidance for outdoor dining areas that emphasize the design of functional outdoor dining areas that minimize negative impacts on the streetscape and encourage lively active spaces (p.36). Within the outdoor dining guidelines, the document states that the city may consider the use of parklets to accommodate outdoor gatherings including dining areas. The City Council adopted sidewalk table policies and standards in 1992 that are implemented through the sidewalk dining permit procedure (Resolution No. 92-202, Attachment 5). Outdoor seating areas are not included in the downtown Streetscape Plan, adopted in 1990.

The proposed design guidelines for outdoor dining are consistent with the City Council's policy. The HPRC voiced enthusiasm for outdoor dining during multiple discussion of the draft design guidelines as an amenity for the downtown that increases the vibrancy and enjoyment of First Street. On June 28, 2018 at staff's request, the Historic Preservation Review Commission weighed in on the topic of fixed barriers (such as permanent metal railings) during their public hearing in June. On the whole, commissioners expressed a preference for removeable railings to accommodate high volume special events in the downtown.

In recent months, the city has received requests to install permanent metal fencing and/or sidewalk stanchions to establish fixed barriers for sidewalk dining areas. Past policy has been to avoid permitting outdoor dining enclosures that would place holes in the sidewalk. Therefore, these applicants have been informed that their requests are inconsistent with the city's policies.

**HPRC Action**

The HPRC conducted the public hearing on the final draft guidelines on June 28, 2018. Two members of the public provided comments in support of the proposal; one resident commented on images used in the document and another supported providing a keyword index to improve usability. During their discussion, the HPRC recommended additional amendments to the

guidelines, which are summarized in Attachment 1C. At the conclusion of the public hearing, the HRPC recommended approval of the proposed guidelines as provided in Resolution No. 18-10 (Attachment 3).

**Solano Airport Land Use Commission**

Pursuant to the Public Utilities Code (PUC) Section 21676, any local agency whose general plan includes areas covered by an airport land use compatibility plan shall refer a proposed zoning ordinance or building regulation to the airport land use commission for review. The commission shall determine whether the proposal is consistent with the adopted airport land use compatibility plan. Benicia falls within the jurisdiction of the Travis Air Force Base Airport Land Use Compatibility Plan; therefore, proposed zoning amendments must be reviewed by the Solano County Airport Land Use Commission (ALUC).

On July 12, 2018 the ALUC conducted a public hearing and deemed the proposed amendments consistent with the Travis Air Force Base Airport Land Use Plan.

**Planning Commission**

The Planning Commission conducted a public hearing on the proposed design guidelines and DHCP amendment on September 13, 2018. Following a staff presentation and some discussion recognizing the extent of public outreach on the project, the Planning Commission recommended approval of the proposed guidelines (Attachment 2).

**NEXT STEPS**

The proposed guidelines and amendment to the DHCP would become effective on the effective date of a new ordinance amending the design review procedures. Following adoption, staff will work with the consultant to complete remaining edits and print copies of the guidelines, which will be available in Benicia City Hall, at the Benicia Public Library, and on the city’s website, [www.ci.benicia.ca.us](http://www.ci.benicia.ca.us).

**ALTERNATIVE ACTIONS:**

1. Make additional revisions to the draft design guidelines prior to approval.
2. Deny the proposed guidelines and DHCP amendment.

<b>General Plan</b>	<p>Community Development and Sustainability</p> <p>Goal 2.1 Preserve Benicia as a small-sized city.</p> <ul style="list-style-type: none"> <li>➤ Policy 2.1.1: Ensure that new development is compatible with adjacent existing development and does not detract from Benicia’s small town qualities and historic heritage.</li> </ul> <p>Goal 2.12 Strengthen the Downtown as the City’s central commercial zone.</p> <ul style="list-style-type: none"> <li>➤ Policy 2.12.3: Seek to make Downtown a thriving and vigorous community center offering a variety of activities and attractions for residents and visitors.</li> </ul>
	<p>Community Identity</p> <p>Goal 3.1: Maintain and enhance Benicia’s historic character</p>

	<ul style="list-style-type: none"> <li>➤ Policy 3.1.4 Promote the preservation and enhancement of historic neighborhoods, commercial areas and governmental districts.</li> <li>➤ Policy 3.1.5 Permit new development, remodeling and building renovation in historic districts when consistent with the policies of the applicable Historic Conservation Plan.</li> </ul> <p>Goal 3.7: Maintain and reinforce Benicia’s small-town visual characteristics.</p> <ul style="list-style-type: none"> <li>➤ Policy 3.7.1: Ensure that new development is compatible with the surrounding architectural and neighborhood character.</li> </ul>
--	--

<b>Strategic Plan</b>	No Strategic Plan strategies are directly applicable to the proposed project.
-----------------------	---

<b>CEQA Analysis</b>	The project is exempt from environmental review under California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15331 which exempts projects that are consistent with the Secretary of Interior’s Standards for the Treatment of Historic Properties, and Section 15305 Minor Alterations in Land Use Limitations, which consists of minor changes to land use limitations which do not result in any changes in land use or density. The project establishes design guidelines that advance local historic preservation priorities, implement the Secretary of Interior Standards, and modify procedures for design review to implement the guidelines.
----------------------	--

**ATTACHMENTS:**

1. Draft Resolution – Amendment to Downtown Historic Conservation Plan and Adoption of Downtown Historic District Design Guidelines
  - A. Downtown Historic District Design Guidelines
  - B. Downtown Historic Conservation Plan
  - C. Recommended further guideline revisions
2. Resolution No. 18-8 (PC) (Unsigned)
3. Resolution No. 18-10 (HPRC)
4. List of community participants
5. Resolution No. 92-202 (CC), Outdoor Dining

*For more information contact: Shawna Brekke-Read, Community Development Director  
 Phone: 707.746.4277  
 E-mail: sread@ci.benicia.ca.us*