

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT**

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April 4, 2024

Mario Giuliana, City Manager
City of Benicia
250 East L Street
Benicia, CA 94510

Dear Mario Giuliana:

RE: City of Benicia's 6th Cycle (2023-2031) Adopted Housing Element

Thank you for submitting the City of Benicia's housing element that was adopted on February 28, 2024 and received for review on March 5, 2024. Pursuant to Government Code section 65585, the California Department of Housing and Community Development (HCD) is reporting the results of its review. The review has been expedited to assist the City with funding eligibility.

HCD is pleased to find the adopted housing element in substantial compliance with State Housing Element Law (Gov. Code, § 65580 et seq) as of date of this letter. The adopted element was found to be substantially the same as the revised draft element that HCD's February 8, 2024 review determined met statutory requirements.

Additionally, the City must continue timely and effective implementation of all programs including but not limited to the following:

- Program 1.06 (Rezoning and Development Standards)
- Program 1.07 (Prior Identified Sites)
- Program 1.08 (Large Sites)
- Program 1.11 (State Density Bonus Law)
- Program 1.12 (Accessory Dwelling Units (ADU))
- Program 1.13 (Monitor ADUs)
- Program 1.15 (Small Lots and Consolidation)
- Program 1.16 (City-Owned Sites)
- Program 2.04 (Rezoning and Affirmatively Furthering Fair Housing)
- Program 2.05 (Religious and Institutional Facility Housing Overlay)
- Program 2.06 (Housing Mobility)
- Program 3.01 (Special Needs Zoning)
- Program 3.07 (Residential Care Facilities)
- Program 3.08 (Single Room Occupancy)
- Program 4.04 (Conserving Mobile Home Parks)

- Program 5.01 (Affirmatively Furthering Fair Housing)

The City must monitor and report on the results of these and other programs through the annual progress report, required pursuant to Government Code section 65400. Please be aware, Government Code section 65585, subdivision (i) grants HCD authority to review any action or failure to act by a local government that it determines is inconsistent with an adopted housing element or housing element law. This includes failure to implement program actions included in the housing element. HCD may revoke housing element compliance if the local government's actions do not comply with state law.

Several federal, state, and regional funding programs consider housing element compliance as an eligibility or ranking criteria. For example, the CalTrans Senate Bill (SB) 1 Sustainable Communities grant, Affordable Housing and Sustainable Communities programs, Permanent Local Housing Allocation, and the Prohousing Incentive Program consider housing element compliance and/or annual reporting requirements pursuant to Government Code section 65400. With a compliant housing element, the City now meets housing element requirements for these and other funding sources.

For your information, some general plan element updates are triggered by housing element adoption. HCD reminds the City to consider timing provisions and welcomes the opportunity to provide assistance. For information, please see the Technical Advisories issued by the Governor's Office of Planning and Research at: <https://www.opr.ca.gov/planning/general-plan/guidelines.html>.

HCD appreciates the cooperation and effort provided by the housing element update team throughout the housing element update and review. HCD wishes the City success in implementing its housing element and looks forward to following its progress through the General Plan annual progress reports pursuant to Government Code section 65400. If HCD can provide assistance in implementing the housing element, please contact Irvin Saldana, of our staff, at Irvin.Saldana@hcd.ca.gov.

Sincerely,



Paul McDougall
Senior Program Manager