

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

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October 24, 2023

Suzanne Thorsen, Director
Community Development Department,
City of Benicia
250 East L Street,
Benicia, CA 94510

Dear Suzanne Thorsen:

RE: City of City of Benicia's 6th Cycle (2021-2029) Revised Draft Housing Element

Thank you for submitting the City of Benicia's (City) revised draft housing element received for review on August 25, 2023, along with revisions received on October 17, 2023. The revisions were made available for seven days pursuant to statutory requirements. In addition, the California Department of Housing and Community Development (HCD) considered comments from Steven Goetz pursuant to Government Code section 65585, subdivision (c). Pursuant to Government Code section 65585, HCD is reporting the results of its review.

The revised draft element, including revisions, addresses most statutory requirements in HCD's April 4, 2023 review; however, additional revisions are necessary to substantially comply with State Housing Element Law (Gov. Code, § 65580 et seq) as follows:

Promote and affirmatively further fair housing opportunities and promote housing throughout the community or communities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability, and other characteristics... (Gov. Code, § 65583, subd. (c)(5).)

Promoting housing mobility removes barriers to higher opportunity and higher income areas and strategically enhances access to housing choices and affordability to promote more inclusive neighborhoods, cities, and regions. Among other factors, the City is mostly a high median income jurisdiction and includes a high resource area and a racially concentrated area of affluence (RCAA). Further, the City's lower-income Regional Housing Needs Allocation (RHNA) is isolated in other areas of the City. As a result, the element should include significant actions (not limited to the RHNA) to promote housing mobility and increase housing choices and affordability

throughout the City, including areas of high median income, high resource and concentrated affluence. The element includes some meaningful programs; however, actions should be revised, as follows:

- *Program 2.4* should be revised to commit to allowable densities that promote housing choices and continue, establish or modify development standards as appropriate to facilitate achieving maximum densities.
- *Program 2.5* should be revised to include program metrics or numeric targets and geographic targeting City-Wide and in areas of high median income, high resource, and concentrated affluence. (e.g., 50 units City-Wide with a 50 percent target in areas of high median income, high resource, and concentrated affluence.
- *Program 2.6* must promote missing middle housing opportunities beyond state law and include appropriate metrics and geographic targeting, including high median income, high resource, and concentrated affluence.

The element will meet the statutory requirements of State Housing Element Law once it has been revised and re-adopted, if necessary, to comply with the above requirements pursuant to Government Code section 65585.

Public participation in the development, adoption and implementation of the housing element is essential to effective housing planning. Throughout the housing element process, the City should continue to engage the community, including organizations that represent lower-income and special needs households, by making information regularly available and considering and incorporating comments where appropriate. Please be aware, any revisions to the element must be posted on the local government's website and to email a link to all individuals and organizations that have previously requested notices relating to the local government's housing element at least seven days before submitting to HCD.

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, and the Permanent Local Housing Allocation consider housing element compliance and/or annual reporting requirements pursuant to Government Code section 65400. With a compliant housing element, the City will meet 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>.

Suzanne Thorsen, Director
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HCD appreciates the responsiveness and dedication of the City's housing element team during the review. We are committed to assisting the City in addressing all statutory requirements of State Housing Element Law. If you have any questions or need additional technical assistance, please contact Irvin Saldana, of our staff, at Irvin.Saldana@hcd.ca.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Paul McDougall", with a stylized flourish at the end.

Paul McDougall
Senior Program Manager